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| Forum: | United Nations Security Council |
| Issue: | The Situation in Kashmir |
| Chair: | Srinivasan Arunmolhi Kaarthik (Deputy President) |

Introduction

It is not improper to classify the situation in Kashmir as violent and mostly insecure. Whenever the word “Kashmir” seems to appear, it is always accompanied by the names of two nations-India and Pakistan. The conflict started with a dispute between India and Pakistan about who gets to rule Kashmir. It is significant to note that China plays a third-party role in the conflict, which becomes concerning given the increasingly tense border relations between India and China. The bloody conflict has claimed over 40,000 lives and over 6,000 injuries, in addition to countless human rights violations. The United Nations has periodically attempted to resolve the situation, but over time, due to China’s constant support for Pakistan at the United Nations and the Soviet Union’s (succeeded by Russia) support for India, the conflict never really got solved. Violent skirmishes between Indian and Pakistani soldiers on the Kashmir border and infiltration of terrorists are regularly-occurring events.

Definition of Key Terms

Hindu

Hindus form the third largest religious group. Originating in India, most Hindus reside in India, while Hinduism practiced outside of India is usually in countries that were historically influenced by Indian traders or in countries where Indian immigrants are residing. In Kashmir, Hindus used to be a large population. Gradually, as more Muslims started settling in Kashmir during the princely state era, Hindus became a minority even though the ruler remained a Hindu.

Sikh

Sikhs are another religious group whose origins are in India. With a population of 25 million people, 20 million people reside in India. Kashmir used to be a Sikh kingdom during the late 1700s. When the British arrived, Hari Singh's ancestors helped the British fight the Sikh Empire and eventually won. As a result, the British rewarded Hari Singh's ancestors with Kashmir. Sikhs have historically peacefully coexisted with Hindus and usually side with Hindus against Muslims. This is mostly because Sikhs and Hindus used to be oppressed by the Muslim Mughals, a dynasty that ruled a big part of India before British rule.

Kashmir

Kashmir, properly Jammu and Kashmir, is a region north of India and Pakistan that also shares a land border with Afghanistan and China. Kashmir used to be an independent princely state ruled by a Maharaja of the Dogra dynasty. While the king and a few people were Hindu and Sikh, the majority population was Muslim. This is why India and Pakistan are fighting over Kashmir. Upon the signing of the Instrument of Accession to India by Maharaja Hari Singh of Jammu and Kashmir, Kashmir officially became part of India. After the First Kashmir War, India and Pakistan ruled parts of Kashmir (China started ruling Aksai Chin after occupying them from India in 1962). The Jammu and Kashmir Liberation Front (JKLF) is a militant group that is fighting for the independence of Kashmir from both Pakistan and India and to unite Kashmir as it was when Kashmir was a princely state.

India

India is a country located in South Asia and has the second largest population in the world. It controls two-thirds of the former princely state of Kashmir. India is divided into states and union territories; union territories are like states except that they are under tighter supervision by the Indian national government. Until 2019, India ruled Jammu and Kashmir as a state. In 2019, India divided Jammu and Kashmir into two Union Territories, namely the Union Territory of Jammu and Kashmir and the Union Territory of Ladakh.

Pakistan

Pakistan is a country in South Asia that borders India to the west. With a predominant Muslim population, Pakistan controls one-third of the formerly princely state of Kashmir. Pakistan divided Jammu and Kashmir into the Self-Governing Entity of Azad Jammu and Kashmir and the Self-Governing Entity of Gilgit-Baltistan. In 2020, the Prime Minister of Pakistan agreed to the long-time request of the inhabitants of Gilgit-Baltistan to grant Gilgit-Baltistan the status of “province” and further integrate it with Pakistan.

China

China is a country that occupies regions in South Asia and East Asia. It has the largest population in the world. China invaded Aksai Chin, which used to be part of the Indian-administered Jammu and Kashmir, in 1962 due to border disagreements between India and China. As a result, China administers 3% of the former princely state of Jammu and Kashmir through the Xinjiang Autonomous Region.

Background Information

During British rule, British India was divided into presidencies and princely states, both of which came under the supervision of the Viceroy of India, who represented the British monarch in India. A presidency had a British-appointed governor. A princely state was ruled by a local ruler, who in some cases descended from dynasties ruling in India before the British arrived at the subcontinent. These princely states had different religious populations, ranging from Hindu to Muslim to Sikh. A princely state still housed a representative British officer, named Lieutenant-Governor or Chief Commissioner, who maintained British influence and British interests in the princely states; in other words, the local ruler of the princely state simply carried out religious and ceremonial duties and was only a symbolic title-the ruler had no actual control over the princely state and had to carry out instructions from the Lieutenant-Governor. Collectively, these princely states and presidencies formed British India, which consisted of modern-day India, Pakistan, and Bangladesh.

In 1947, all the British presidencies in British India were divided into Hindu and Sikh majority India and Muslim majority Pakistan. The capital of India was in Delhi. Pakistan at that

time included West Pakistan (modern-day Pakistan) and East Pakistan (modern-day Bangladesh), with the capital at Islamabad in West Pakistan. All the princely states in British India were allowed to choose whether they want to join India, Pakistan, or remain independent. A princely state's ruler had to sign an instrument of accession to formally recognise that their princely state was part of either India or Pakistan. Most princely states whose ruler was a Hindu or a Sikh and had a majority population consisting of Hindus and/or Sikhs joined India while most princely states whose ruler was a Muslim and had a Muslim majority population joined Pakistan. Jammu and Kashmir was a princely state that had a Hindu ruler and a Muslim majority population, which led to the question as to whether will Jammu and Kashmir decide to join India or Pakistan or to be independent. It is important to note that few geographical parts of India, including Goa and Pondicherry, were never part of British India and were instead ruled by Portugal and France, respectively; therefore, these territories did not join either India or Pakistan yet. It is also important to note that during this time, China was nearing its civil war and therefore won't immediately play a role in Kashmir.

The British left the matter of Kashmir's future in India and Pakistan's hands. India and Pakistan were able to settle most differences and even allowed one another to gain control of a princely state which was geographically located within the other country; for example, India allowed Pakistan to control a Hindu princely state that was geographically located inside Pakistan and Pakistan allowed India to control a Muslim princely state that was geographically located inside India (while the decision of the ruler of the princely state mattered, for security and economic reasons, the ruler usually eventually was influenced by leaders from India and Pakistan). However, Kashmir remained a tense issue as both nations did not want Kashmir to join the latter. Given Kashmir's geography, possession of Kashmir had multiple benefits. India would be able to block Pakistan's land border with China while Pakistan would have a decisive border advantage over India. Eventually, Pakistani tribesmen invaded Kashmir as a pre-emptive measure in case Kashmir was to join India, eventually with the support of the Pakistani army. The Hindu ruler of Kashmir appealed to India for help to fight against the Pakistani invasion. The Indian Prime Minister Jawaharal Nehru responded by saying that Kashmir had to sign an instrument of accession to become part of India in order to gain India's favourable military assistance. Consequently, the ruler of Kashmir, Maharaja Hari Singh, signed the instrument of accession, and Kashmir formally became part of India. India deployed troops to fight the Pakistani troops, which eventually led to the Indo-Pakistani War of 1947-1948, popularly known

as the First Kashmir War. The war concluded with an UN-mediated ceasefire whereby Pakistan had to withdraw its forces while India was allowed to keep a minimal amount of soldiers to maintain order in Jammu and Kashmir under the United Nations Security Council Resolution 47. In later decades, India and Pakistan will continue to engage in multiple large-scale wars and smaller-scale skirmishes regarding Kashmir.

Major Countries/Organisations Involved

India

India is one of the most important players in the Kashmir conflict. India believes that Kashmir as a whole is part of India as per the instrument of accession signed by the Maharaja of Kashmir Hari Singh in 1947. Pakistan has launched two invasions, namely the First Kashmir War and the Second Kashmir War, to try taking over the Indian administered Kashmir. As a result of the first war, fought between 1947 and 1949, India managed to successfully defend Kashmir from the invading Pakistani forces. However, Pakistan managed to get one-third of the region. India granted Jammu and Kashmir the status of a state. Until 2019, Kashmiris enjoyed autonomy within India. As a consequence of the Pulwama Attack, in order to tighten security in Kashmir, India enacted a new policy that stripped Kashmir of its special autonomous status, stating that India consisted of multiple ethnicities that did not enjoy equal autonomy as Kashmir and therefore Kashmiris must be treated equally with any other ethnicity in India. Further, the state of Jammu and Kashmir was split into the Union Territory of Jammu and Kashmir and into the Union Territory of Ladakh. The creation of Ladakh was primarily for Ladakhis, who are descendants of Tibetan refugees that have fled from the Tibetan Autonomous Region following the Chinese invasion of Tibet. Thus, India gained enmity from China and simultaneously from Pakistan because by making Kashmir a union territory, it is under stricter control by the Indian government. This is a brilliant preemptive move given that historically Pakistan had tried to infiltrate terrorists into Kashmir, whose security wouldn't have been as tight as it is now.

Historically, Jammu and Kashmir used to be a kingdom with a sizable Sikh and Hindu population. Due to its proximity to Muslim states to the west, more and more Muslims started migrating into Kashmir. By the time of the reign of King Hari Singh, Muslims were the majority population in Kashmir. Initially, Indian politicians believed because Kashmir used to be a

Hindu/Sikh dominated area, it must be under Indian control. However, during the 1980s and 1990s, multiple Islamic militant groups based on the high Muslim population developed and terrorised the locally residing Hindus and Sikhs. By 2000, more than 600,000 Hindus alone had left Kashmir. Thus, today Hindus and Sikhs have become a minority in Kashmir, which prevents India from claiming Kashmir solely based on religious lines. India still believes Kashmir is militarily valuable for its strategic geography next to Pakistan and China, besides the tourism benefits Kashmir can offer.

Pakistan

Pakistan is an equally important player in the Kashmir conflict. Pakistan believes that as it was created mostly to serve as a country for Muslims, therefore Pakistan has an obligation to take over Kashmir which had a Muslim majority population even in 1947. While Pakistan believes instruments of accession are valid documents, the specific instrument of accession signed by King Hari Singh was signed in a moment of hurry and because King Hari Singh was desperate for military aid against Pakistani forces. Pakistan believes he was coerced into signing the document, which Pakistan considers invalid as Hari Singh was not legally competent, or qualified, to sign the document; he did not do it out of his own will and thus wasn't rational enough to make a proper decision.

While Pakistan did initiate the First Kashmir War and the Second Kashmir War, it did not even expect a full-scale war on either occasion. In the First Kashmir War, Pakistan did not expect King Hari Singh to formally hand over Kashmir to India and thus drag the Indian military into the conflict. It expected to swiftly take over Kashmir and make it part of Pakistan. The Second Kashmir War was really the culmination of a series of smaller skirmishes. In both wars, Pakistan was blamed for triggering unnecessary violence, but Pakistan views the wars as its only means of ensuring the safety of Muslims in Kashmir. In recent times, Pakistan has stopped fighting a direct war with India and instead resorts to a combination of support for terrorist activities in the Indian-administered Kashmir and support for separatist movements in Indian-administered Kashmir.

It is important to note the specific history of Gilgit-Baltistan. Gilgit-Baltistan used to be part of the princely state of Jammu and Kashmir ruled by King Hari Singh. When King Hari

Singh signed the instrument of accession to join India, Gilgit-Baltistan, whose majority population was Muslim, defied the instrument of accession and instead voluntarily joined Pakistan. This is why even today Gilgit-Baltistan does not want to associate itself with Azad Kashmir. This is because India interprets that under the instrument of accession signed by King Hari Singh, technically Gilgit-Baltistan was part of the princely state, so therefore Gilgit-Baltistan should become part of India. Thus, Gilgit-Baltistan doesn't want to merge with Azad Kashmir; in other words, although the people of Gilgit-Baltistan claim that they have nothing to do with Kashmir, historically and geographically speaking, they were part of the princely state of Jammu and Kashmir.

China

The People's Republic of China (PRC) doesn't have a significant direct involvement in the Kashmir conflict other than claiming and administering roughly 3% of the former princely state of Jammu and Kashmir. China did not get a portion of Kashmir due to the confusion created by the accession of the princely state of Jammu and Kashmir to India and the following India-Pakistan conflict. In 1962, China invaded India because the two countries refused to recognise each other's border proposal, as each country's proposal was not mutually beneficial. As an aftermath of the invasion, China occupied a tiny portion of India's Jammu and Kashmir, which it calls Aksai Chin, and rules it even now as part of the Xinjiang Autonomous Region. However, regarding the Kashmir conflict between India and Pakistan, which has completely nothing to do with China's occupation of Aksai Chin, China is one of Pakistan's staunch supporters. This is because China has historically had a strong military, economic, and diplomatic relations with Pakistan, primarily due to the two nations' common enmity to India. Furthermore, China's strong relations with Pakistan is simply a continuation of a rivalry between China and the Soviet Union when the PRC supported Pakistan while the USSR supported India. China has supported Pakistan in the Kashmir issue especially by demonstrating its veto power at the Security Council, including preventing certain top internationally recognised terrorists from being labeled as "terrorists".

China became a bigger player in the Kashmir conflict in 2019, when India divided the state of Kashmir into the Union Territory of Kashmir and Union Territory of Ladakh. Although Kashmir is often portrayed as home to only Hindus, Sikhs, and Muslims, Kashmir also houses a Buddhist population. Particularly after the Chinese occupation of Tibet in 1959 and India's

subsequent offer to protect the Tibetan refugees and the Dalai Lama, a very large population of Tibetans arrived in modern-day Ladakh. This meant Buddhists became the majority population in Ladakh, which at the time was part of the state of Jammu and Kashmir in India. Thus, India's decision to make Ladakh a union territory strengthened India's commitment to help the Tibetan Government In Exile and simultaneously allows a bigger Indian military presence in Ladakh as it is now a union territory, which geographically borders China. China, therefore, views Ladakh as a base for Tibetans that challenges Chinese authority over the "Tibetan nation". The ongoing India-China military standoff is also associated with the Kashmir conflict, as the prime target of these standoffs is Ladakh. This is also why China supports Pakistan in the Kashmir conflict.

Timeline of Events

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| August 15th, 1947 | British India is divided into India and Pakistan |
| October 22nd, 1947 | Pakistan invaded Kashmir, sparking the First Kashmir War |
| October 26th, 1947 | Maharaja Hari Singh signs the Instrument of Accession; Kashmir formally joins India |
| October 26th, 1947 | India deploys troops to retake its newly acquired territory and defend Kashmir |
| December 31st, 1948 | After over a year of war, a UN-mandated ceasefire ends the First Kashmir War |
| 1949 | Pakistan creates two states based on the territory it managed to occupy from Kashmir, which are called Azad Jammu and Kashmir and Gilgit-Baltistan |
| 1951 | The Indian-administered Kashmir, which is a state, elects a legislative assembly |
| 1954 | The Legislative Assembly of Kashmir ratifies the accession of Kashmir to India |
| 1956 | China starts constructing a road in its Tibetan Autonomous Region, which encroaches into Indian-administered Kashmir |

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| March 20th, 1959 | China sends troops to occupy Tibet, establishing its presence. Tibetan refugees and the Dalai Lama flee to India and are offered protection |
| October 20th, 1962 | Following the discovery of the Chinese intrusion by constructing a road into Kashmir, India rejects a Chinese-proposed border, which provokes China into invading and occupying Aksai Chin |
| August 5th, 1965: | Inspired by the Indian military defeat by China in 1962, Pakistan invaded Kashmir as a result of a culmination of skirmishes between India and Pakistan |
| August 5th, 1965 | India deploys troops to fight the Pakistani army |
| August 5th-31st | India makes tiny gains, including advancing eight kilometres into Azad Kashmir |
| September 1st, 1965 | Under <i>Operation Grand Slam</i> , Pakistan very successfully launches a surprise attack on Akhnoor, Indian Kashmir and Indian troops initially suffered heavy loss |
| September 2nd, 1965 | The Indian Air Force is called to assist fighting Pakistan; Pakistan also sends its air force |
| September 6th, 1965 | India invades West Punjab, Pakistan and opens up a second theatre. Pakistan is forced to relocate some of its military from Kashmir to West Punjab |
| January 10th, 1966 | Unable to sustain two theatres, Pakistan accepts the Tashkent Declaration, which is signed in modern-day Uzbekistan which was under Soviet control, by India and Pakistan, ending the war. India gained significant gains in the treaty. |
| December 3rd, 1971 | India invaded East Pakistan and helped the local people, Bengalis, gain independence from Pakistan. It is a significant war as India decisively defeated Pakistan after many smaller wars that ended with stalemates. With Soviet support, India managed to face the US, UK, and China diplomatically. Pakistan lost half of its military in the war and remains to be one of its most humiliating defeats, as the war concluded with Pakistan's official surrender of its military |

forces. India captured Azad Kashmir and other parts of Kashmir, although returned them as a sign of goodwill under the Simla Agreement

May 18th, 1974

India conducts nuclear weapon tests

1980s

Pakistan begins a practice of infiltrating militant groups and using terrorism to try to occupy Indian administered-Kashmir. Islamic sentiments grow due to an increased civilian Muslim population in Indian-administered Kashmir and a mass exodus of Hindus and other non-Muslims begins. Over 600,000 Hindus alone leave Kashmir.

May 28th, 1998

Following a second series of tests by India, Pakistan conducts nuclear weapon tests

May 3rd, 1999

Discovering exposed large-scale infiltration of Pakistani intruders in Ladakh and due to increasing pro-separatist feelings among Kashmiris within India, India launches *Operation Vijay* with a mobilisation of 200,000 troops and deploys troops to parts of Indian-administered Kashmir. India also launches naval operations.

July 26th, 1999

Due to international pressure and India managing to recapture most of its territory, Pakistan withdraws its forces and India managed to retain all its territories as per the Simla Agreement

2005

President Musharaff of Pakistan puts forward peace proposals and he even agrees to give up claims on Kashmir if a few conditions are met

2010

Top leaders in Indian-administered Kashmir call for demilitarisation of Kashmir due to human rights violations by Indian soldiers

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| February 14th, 2019 | Jaish-e-Mohammed (JEM), a Pakistan-based terrorist organisation whose goal is to merge the Indian-administered Kashmir with Pakistan, launches the Pulwama Attack that kills 40 Indian soldiers in a suicide attack |
| August 5th, 2019 | The Jammu and Kashmir Reorganisation Act is passed by the Indian Parliament which strips Kashmir of its autonomous special status and makes two union territories, forming Ladakh |
| June 15th, 2020 | A violent military confrontation between India and China occurs; the ongoing India-China standoff starts; Ladakh becomes a key issue |

Relevant UN Resolutions and Treaties

- Instrument of Accession (Jammu and Kashmir)
- Karachi Agreement
- Tashkent Declaration
- Simla Agreement
- UNSC Resolution 38
- UNSC Resolution 39
- UNSC Resolution 47
- UNSC Resolution 51
- UNSC Resolution 80
- UNSC Resolution 91
- UNSC Resolution 96
- UNSC Resolution 98
- UNSC Resolution 122

- UNSC Resolution 123
- UNSC Resolution 126
- UNSC Resolution 209
- UNSC Resolution 210
- UNSC Resolution 211
- UNSC Resolution 214
- UNSC Resolution 215
- UNSC Resolution 303
- UNSC Resolution 307

Possible Solutions

Any solution regarding the Kashmir conflict will be extremely difficult to immediately materialise. The key players that need to be on the negotiating table must be India and Pakistan. The JKLF (Jammu and Kashmir Liberation Force) and JeM (Jaish-e-Mohammed) must not be present, as neither party is accepted fully by the local Kashmiri population as a legitimate representative of them or a successor party to the Princely State of Kashmir.

On the Indian side, India will never accept the independence of Kashmir due to fear of annexation with Pakistan, given the recent increasing Muslim-majority population even in Indian-administered Kashmir. For India, Kashmir is a valuable military strategic location. This can be demonstrated by the decision of the Indian government, who is currently under the BJP government, to label the JKLF, which is best described as a political organisation that wants to create an independent Kashmir, as a terrorist organisation. Simultaneously, Pakistan will never accept Kashmir's independence as that will cut off Pakistan's land border with its closest ally, China. The conflict of Kashmir has also been a long-time conflict, and given that the Kashmir factor alone is one of the biggest obstacles in Indo-Pakistani relations, both countries at this point have personal egoist desires to rule over the entire Kashmir.

Therefore, a realistic possible solution to Kashmir is maintaining the SQ, except to completely demilitarise the region. This is an ideal solution as this was exactly what Pakistan pushed for in 2005, while this solution will also save India from local Kashmiri accusations that Indian troops are committing many human rights violations. The solution will also neither compromise the territorial sovereignty of India and Pakistan. Demilitarisation of Kashmir in India,

however, may be questionable due to the ongoing India-China military standoff; that is, India will simply relocate its forces in Kashmir to neighbouring Ladakh, which is still close to Kashmir.

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