

CHAPTER: 3

EFFECT OF INDIA-PAKISTAN RELATIONS ON CONFLICT AND PEACE PROCESS IN KASHMIR

This chapter is trying to analyse about the effect of India-Pakistan relations on conflict and peace process in Kashmir.

(1) Conflict

“Conflict has three components i.e Contradiction (C), Attitude (A) and Behavior (B). While ‘Contradiction’ refers to ‘No compatibility of goals between the parties’. ‘Attitude’ means how the parties involved in the conflict perceive and misperceive each other. And, ‘Behavior’ is identified with both cooperation and coercion. In addition, threats, coercion and destructive attacks are related to violent conflict behavior”³¹

(1.1) Conflict in Kashmir

The conflict situation in Kashmir began in the late 1980s with external hostility from Pakistan and the beginning of dissident insurgency. The foundation of the struggle can be traced to the political discontent which remained unresolved since the mid-fifties. Due to the loss of electoral autonomy of the state Govt., excessive involvement

³¹ Lahiry, S. (2019). Conflict, Peace and Security: An International Relations Perspective with Special reference to India. *Millennial Asia* , 76-90.

of the Central Government and absence of democratic space etc. had led to the accumulated discontent.³²

(1.1.1) First Phase (1989 - 2002)

During this period, the most extreme levels of violence and population migration were observed. The major terrorist groups were initially commanded by the secular nationalist Jammu and Kashmir Liberation Front, and then passed into the hands of the Islamist Hizbul Mujahideen and finally the more extreme Islamist Lashkar-e-Taiba. Hizbul Mujahideen and Lashkar-e-Taiba were aided by Pakistan. Between 1990 and 1992, more than 70,000 families of Kashmiri Pandits fled their homes due to communal violence by the JKLF.

When Indian troops gained control of major towns and villages in the Valley from 1996 onwards, terrorist organizations focused on capturing important areas of Kashmir's extreme northern and southern borders, particularly Rajouri, Panch and Doda districts.

Two terrorist organizations known to operate in the region, namely Harkat-ul Ansar and Lashgar-e Toiba, both include non-Kashmiris. Although there are only a few hundred so-called foreigners working in Kashmir, they represent a dangerous development in the conflict as they have no accountability to the local population and commit acts of extreme violence.³³

³² Rekha Chowdary, V. U. (2016). Conflict and the Peace Process in Jammu and Kashmir: Locating the Agency of Women. In S. R. Asha Hans, *Openings for Peace: UNSCR 1325, Women and Security in India* (pp. 1-11). Jammu: SAGE.

³³ Human Rights Watch. (1998). *Behind the Kashmir Conflict*. New York: Human Rights Watch.

Reasons behind the above phase were rigged state elections in 1987, Political instability and external involvement of Pakistan etc.

(1.1.2) Second Phase (2003-2012)

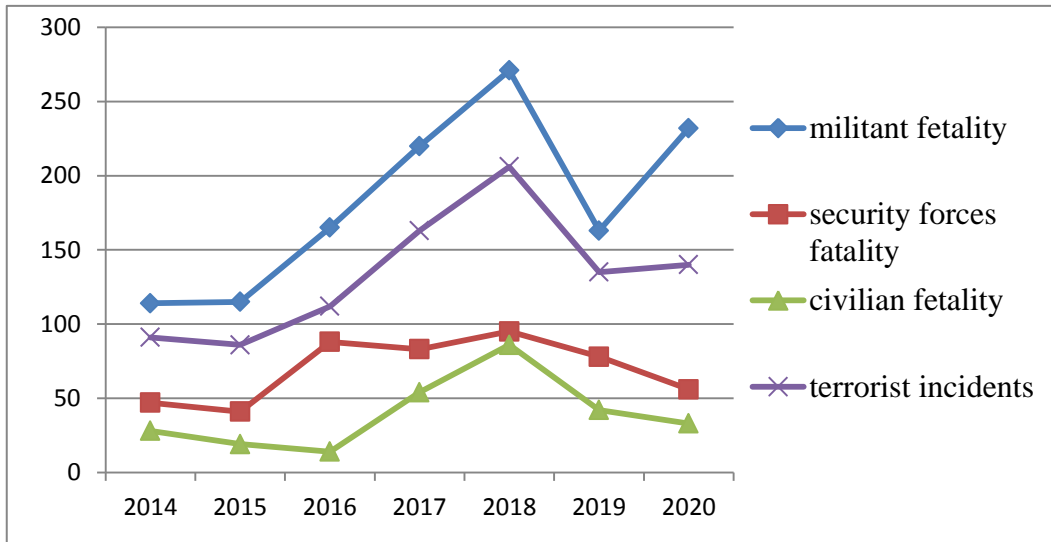
Violence declined steadily from 2003 to 2012, reaching an all-time low. International support for Pakistan declined and terrorist activities declined. As the India-Pakistan conflict settlement process was underway, Indian intelligence and border control became more effective.

(1.1.3) Third phase (2012 onwards)

From 2014 to August 2019, there has been a resurgence of mass agitation, insurgent violence and deaths. Opposition to the government manifested in various ways, such as public protests, strikes, provocative unarmed but violent clashes, coordinated insurgency violence etc.

Annual Fatalities (2014–2020): Violence and deaths in Kashmir increased in the period from 2015 to 2018 and then declined after the imposition of the lockdown due to security constraints.

Graph No.3.1, Annual Fatalities (2014–2020)



Source: Author’s calculations.^{34 35 36 37 38 39 40}

(1.1.4) Mass Quasi-Violence

Quasi violence is a “Gray Zone” between Non-violence Resistance and armed Insurgency. It is non lethal pressure on state.⁴¹

Quasi-violent activities increased in this phase of the conflict, the violence reached the highest level after the first phase. There was an increase in the involvement of local people in terrorist activities and semi-violent activities.

³⁴ Ministry of Home Affairs. (2014). *Annual Report*. Departments of Internal Security, States, Home, Ministry of Home Affairs.

³⁵ Ministry of Home Affairs. (2015-16). *Annual Report*. New Delhi: Department of Internal Security, states, Home, Jammu and Kashmir Affairs and Border Management.

³⁶ Ministry of Home Affairs. (2016-17). *Annual Report 2016-17*. New Delhi: Ministry of Home Affairs.

³⁷ Ministry of Home Affairs. (2017-18). *Annual Report*. New Delhi: Ministry of Home Affairs.

³⁸ Ministry of Home Affairs. (2018-19). *Annual Report*. New Delhi: Ministry of Home Affairs.

³⁹ Ministry of Home Affairs. (2019-20). *Annual Report*. New Delhi: Ministry of Home Affairs.

⁴⁰ SOUTH ASIA TERRORISM PORTAL. (2021, December 28). *Datasheet - Jammu & Kashmir*. Retrieved December 28, 2021, from <https://www.satp.org/datasheet-terrorist-attack/fatalities/india-jammukashmir>

⁴¹ Mohammad Ali Kadivar, N. K. (2018). Sticks, Stones, and Molotov Cocktails: Unarmed Collective Violence and Democratization. *Sociological Research for a Dynamic World*, 1-16.

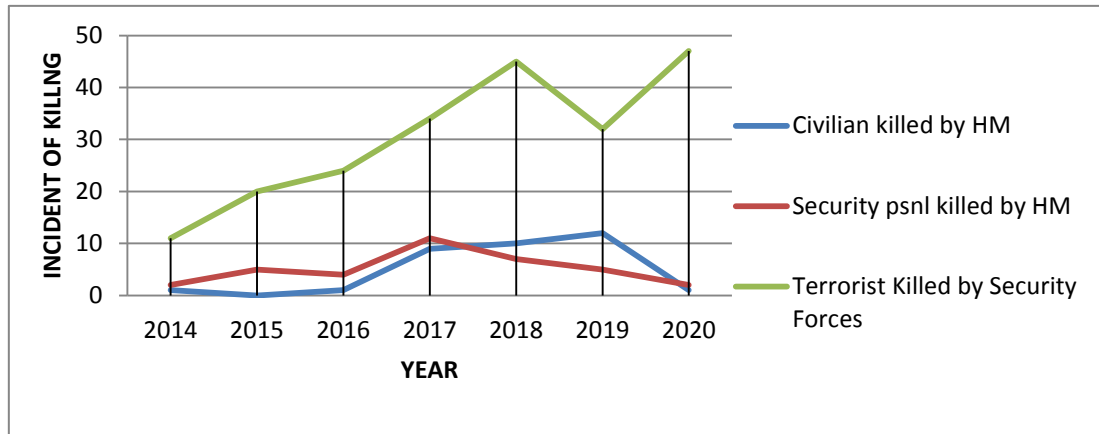
Sensing the rapid involvement of youth in antinational activities, increasing terrorist activities and the threat to national security, the Government of India had to take a decision to alter Article 370 in October 2019.

(1.2) India-Pakistan relations and conflict in Kashmir

The idea of Pakistan was conceived on the bases of Islamic State. It was based on the theocracy of Islam. But India follows the policy of a secular state. Kashmir was a princely state. More than 60% of the population of Kashmir were following Islam. According to the idea of Pakistan, partition was done on the basis of religion. After the partition of Pakistan in 1972, the idea of one nation based on the religious grounds of Pakistan is no longer important. After losing wars in 1947, 1965 and 1972, Pakistan launched a shadow war of terrorism around 1987. In 1999, Pakistan again tried to capture the strategically important places of Kargil, but did not succeed. After the Cold War, Pakistan moved the Mujahideen from Afghanistan to PoK and began promoting terrorism through the literal interpretation of Jihad. There are many Pakistan sponsored and supported banned terrorist/extremist outfits operating in Kashmir, some of them are listed below.

(1.2.1) “Hizb-Ul-Mujahideen”: This is one of the largest terrorist outfits and includes local as well as foreign terrorists. It is responsible for regular violence in Jammu and Kashmir. Headquarter of this outfit is located in Pakistan Occupied Kashmir. This outfit is sponsored by Pakistan.

Graph No 3.2, Activities of “Hizb-Ul-Mujahideen”



Source: Calculation of the Author.^{42 43 44 45 46 47}

Graph No.3.2 shows the killings of the Hizb-Ul-Mujahideen terrorist continuously increase from 2014 to 2018 than decreased in 2019 and it show hike in 2020. Killings of security personnel increase from 2016 to 2017 and decreases significantly in from 2017. Killings of civilians increased from 2016 to 2019. In 2019 to 2020 it decreases significantly.

(1.2.2) “Lashkar-e-Toiba” : It is founded in Afganistan and based in Lahore and headed by Hafiz Muhammad Saeed. Main objective of LeT is restoration of Islamic rule over all parts of India. It also seek the unity of all Islamic countries surrounded Pakistan. Apart from Jammu and Kashmir, it is also active in other parts of Central

⁴² South Asia Terrorism Portal. (2017). *Hizb-ul- Mujahideen (HM)* . Retrieved December 10, 2021, from South Asia Terrorism Portal: <https://www.satp.org/terrorist-profile/india-jammukashmir/hizb-ul-mujahideen-hm>

⁴³ Ministry of Home Affairs. (2014). *Annual Report*. Departments of Internal Security, States, Home, Ministry of Home Affairs.

⁴⁴ Ministry of Home Affairs. (2015-16). *Annual Report*. New Delhi: Department of Internal Security,states,Home,Jammu and Kashmir Affairs and Border Management.

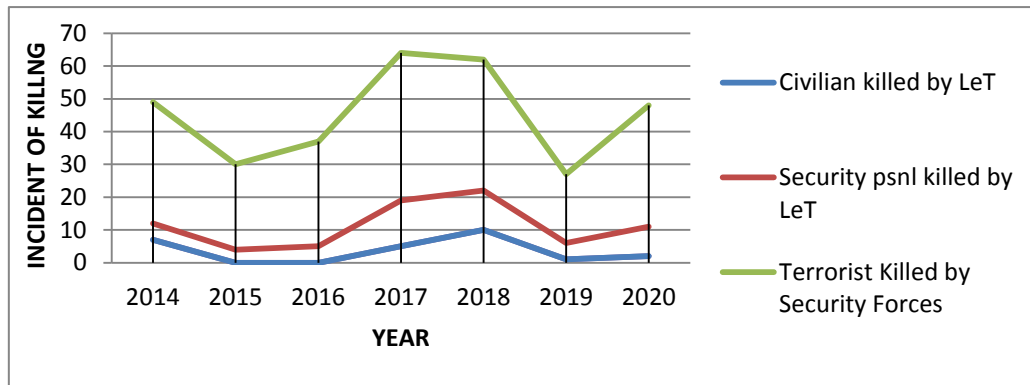
⁴⁵ Ministry of Home Affairs. (2016-17). *Annual Report 2016-17*. New Delhi: Ministry of Home Affairs.

⁴⁶ Ministry of Home Affairs. (2017-18). *Annual Report*. New Delhi: Ministry of Home Affairs.

⁴⁷ Ministry of Home Affairs. (2019-20). *Annual Report*. New Delhi: Ministry of Home Affairs.

Asia. This organization is aided by Pakistan and is related to Pakistan's infamous intelligence agency ISI.

Graph No. 3.3, Activities of Lashkar-e-Toiba.



Source: Calculations of Author.^{48 49 50 51 52 53}

Graph No 3.3 shows the killings of the Lashkar-e-Toiba terrorist continuously increase from 2015 to 2018 than decreased in 2019 and again it show hike in 2020. Killings of security personnel increase from 2016 to 2018 and decreases significantly in from 2018. Killings of civilian increased from 2016 to 2018 and decreased significantly in 2019 to 2020.

(1.2.3) ‘Jaish-e-Mohammed’: Terrorist attack on Indian Parliament was carried out by this infamous outfit on 13th December 2001. It is banned under POTA Act. Outfit is controlled by Pakistan. It was established by Maulana Masood Azhar in Karachi in

⁴⁸ South Asia Terrorism Portal. (2017). *Hizb-ul- Mujahideen (HM)* . Retrieved December 10, 2021, from South Asia Terrorism Portal: <https://www.satp.org/terrorist-profile/india-jammukashmir/hizb-ul-mujahideen-hm>

⁴⁹ Ministry of Home Affairs. (2014). *Annual Report*. Departments of Internal Security, States, Home, Ministry of Home Affairs.

⁵⁰ Ministry of Home Affairs. (2015-16). *Annual Report*. New Delhi: Department of Internal Security, states, Home, Jammu and Kashmir Affairs and Border Management.

⁵¹ Ministry of Home Affairs. (2017-18). *Annual Report*. New Delhi: Ministry of Home Affairs.

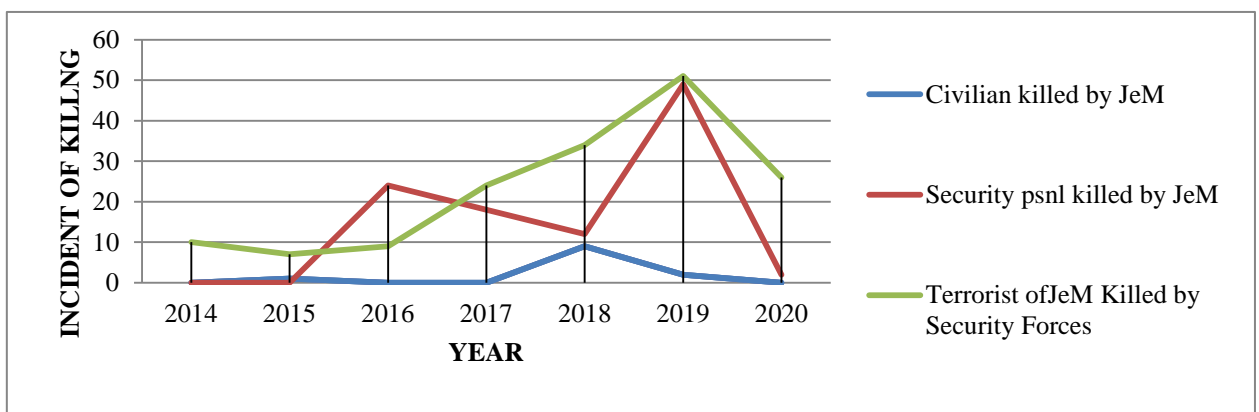
⁵² Ministry of Home Affairs. (2019-20). *Annual Report*. New Delhi: Ministry of Home Affairs.

⁵³ South Asia Terrorist Portal. (2017). *Lashkar-e- Toiba*. Retrieved December 20, 2021, from South Asia Terrorist Portal: <https://www.satp.org/terrorist-profile/india-jammukashmir/lashkar-e-toiba-let>

2000 after his release during the swap of December 1999 after the hijacking of the Indian Airlines Flight IC 814 by the outfit. It also received aid ISI of Pakistan.

The objectives of the outfit is to fight against India, to “liberate” Kashmir, and to take control of the Babri Masjid in Ayodhya, Amritsar and Delhi. Outfit usually uses the method of fidayeen (suicide terrorist) attacks.

Graph No.3.4, Activities of Jaish-e-Mohammed.



Source: Authors Calculation.^{54 55 56 57 58 59}

Graph No.3.4 shows the killings of the Jaish-e-Mohammed terrorist continuously increase from 2014 to 2019 than decreased in 2020. Killings of security personnel increased from 2015 to 2016 and decreased significantly from 2016 to 2018 and take hike in 2019 and decreased in 2020. Killings of civilian increased from 2017 to 2018.

⁵⁴ South Asia Terrorism Portal. (2017). *Jaish-e-Mohammed*. Retrieved December 10, 2021, from South Asia Terrorism Portal: <https://www.satp.org/terrorist-profile/india-jammukashmir/jaish-e-mohammed-jem>

⁵⁵ Ministry of Home Affairs. (2014). *Annual Report*. Departments of Internal Security, States, Home, Ministry of Home Affairs.

⁵⁶ Ministry of Home Affairs. (2015-16). *Annual Report*. New Delhi: Department of Internal Security, states, Home, Jammu and Kashmir Affairs and Border Management.

⁵⁷ Ministry of Home Affairs. (2017-18). *Annual Report*. New Delhi: Ministry of Home Affairs.

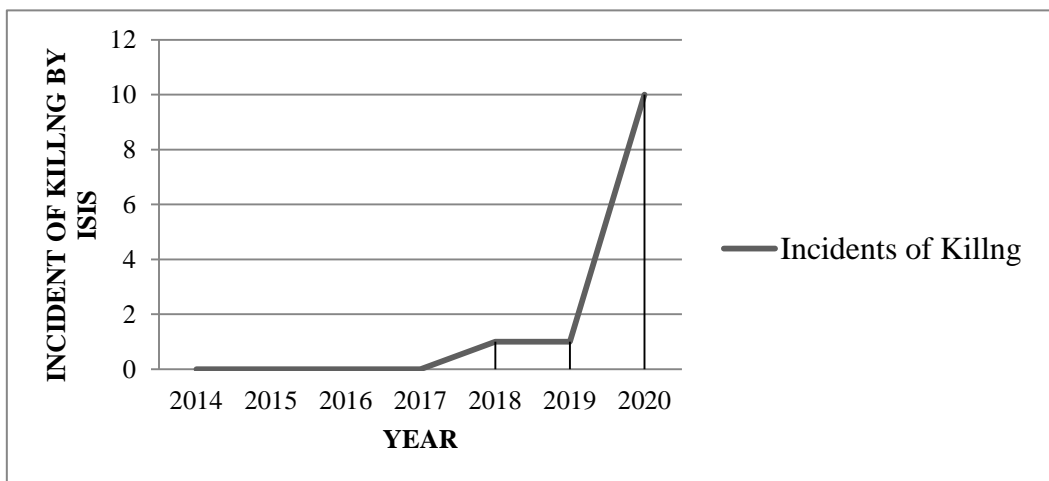
⁵⁸ Ministry of Home Affairs. (2019-20). *Annual Report*. New Delhi: Ministry of Home Affairs.

⁵⁹ Ministry of Home Affairs. (2016-17). *Annual Report 2016-17*. New Delhi: Ministry of Home Affairs.

1.2.4) Al Umar Mujahideen (AUM): This outfit is formed in December 1989. Initially they made recruitments from the Jammu and Kashmir. The idea of AUM conceived after the ideological conflict with JKLF. Outfit is supported by the ISI and headquarter is near Mujaffarabad POK. This outfit is led by a native of Kashmir valley. No any incident of killing by AUM recorded since 2014 to 2020.⁶⁰

1.2.5) ISIS: “This outfit also known as ISIL (Islamic State of Iraq and the Levant), Outfit is a Sunni jihadist group with a particularly violent ideology that calls itself a caliphate and claims religious authority over all Muslims. It was inspired by Al-Qaida but later publicly expelled from it.”⁶¹

Graph No. 3.5, Activities of Islamic State of Iraq and Syria.



Source: Calculation of the Author.^{62 63 64 65}

⁶⁰ *Al Umar Mujahideen*. (2007). Retrieved December 20, 2021, from South Asia Terrorism Portal: <https://www.satp.org/terrorist-profile/india-jammukashmir/al-umar-mujahideen-aum>

⁶¹ South Asia Terrorism Portal. (2017). *Islamic State/Islamic State of Iraq and Levant /Islamic State of Iraq and Syria/Daish (ISIS)*. Retrieved December 20, 2021, from South Asia Terrorism Portal: https://www.satp.org/terrorist-groups/fatalities/india-jammukashmir_islamic-state-or-islamic-state-of-iraq-and-levant-or-islamic-state-of-iraq-and-syriadaish-isis

⁶² Ministry of Home Affairs. (2014). *Annual Report*. Departments of Internal Security, States, Home, Ministry of Home Affairs.

⁶³ Ministry of Home Affairs. (2015-16). *Annual Report*. New Delhi: Department of Internal Security, states, Home, Jammu and Kashmir Affairs and Border Management.

⁶⁴ Ministry of Home Affairs. (2017-18). *Annual Report*. New Delhi: Ministry of Home Affairs.

Graph No.3.5 shows the killings of the ISIS terrorist continuously increase from 2017 to 2019 than it show hike in 2020. It is security threat to India that activities of ISIS increased significantly.

Most of the outfits are controlled and managed by Pakistan and based either in POK or in Pakistan. “Dukhtran-e-Milat (DeM)”, “Jamaait-UI-Mujahideen”, “Jamaat-e-Islami”, “Jammu and Kashmir Islamic Front” and “Jammu and Kashmir Liberation Front – Yasin Malik faction” are also active in Kashmir. Violence and killing committed by them has not been recorded during 2014 to 2020. Political instability and Pakistan sponsored terrorism are the reason behind the conflict in Kashmir. However Article 370 abrogated and aforesaid state of “J&K” bifurcated in UT of “Jammu and Kashmir” and UT of “Ladakh”. However impact of above cannot be determined because of external factor i.e. pandemic due to COVID-19. However Abolition of Article 370 can be seen as a solution to political instability.

(1.3) India-Pakistan Relations and Conflict over Kashmir

It was mentioned in the Indian Independence Act 1947 that the princely state can merge with India or Pakistan or can maintain its independent existence. Initially, Kashmir wanted to maintain its independent existence.

On October 22, 1947, Pakistan's armed tribal Mujahideen and troops invaded Kashmir with the goal of capturing the capital, Srinagar.

Maharaja Hari Singh signed an Instrument of Accession to formally annex Jammu and Kashmir to India on October 26, 1947, to protect Kashmir from this invasion and Kashmir becomes an integral part of India.

⁶⁵ Ministry of Home Affairs. (2019-20). *Annual Report*. New Delhi: Ministry of Home Affairs.

India sent its forces to Kashmir for the purpose of protecting Kashmir from the invaders and the war between India and Pakistan started. This war lasted for more than a year. After this the United Nations Security Council constitutes the “United Nations Commission for India and Pakistan”. The UNCIP resolution of 13 August 1948 was formally approved. In this resolution the emphasis was on ceasefire. The United Nations ordered both sides to remain in their current position. “Pakistani troops had yet to withdraw from the land they had conquered by force. As a result, Pakistan was able to gain control of more than a third of Kashmir. India and Pakistan have fought two more declared wars in 1965 and 1971.”⁶⁶

After the 1971 war, the Shimla Agreement was signed. In which it was said that both the countries would respect the line of control. In the 1980s, there was internal unrest in Jammu and Kashmir, taking advantage of which Pakistan started a shadow war of terrorism against India. After the robbing of 1987 election, “Hurriyat Conference” joins hands with insurgent groups and insurgency spread in Kashmir.

As the “Indian Paramilitary Forces” were unable to deal with the widespread insurgency, the “Indian Army” was deployed to the Valley to launch the “Counter Insurgency Operation” against insurgents. India and Pakistan tested nuclear weapons in 1998, raising concerns about nuclear weapons entering an already volatile region around the world. After few days of nuclear testing, the regime of India and Pakistan take steps towards establishing friendly relations. Indian Prime Minister Atal Bihari Vajpayee welcomed Pakistani Prime Minister Nawaz Sharif’s offer to resume peace talks in Lahore. Hopes of peace was dashed a few months later, when Pakistani forces

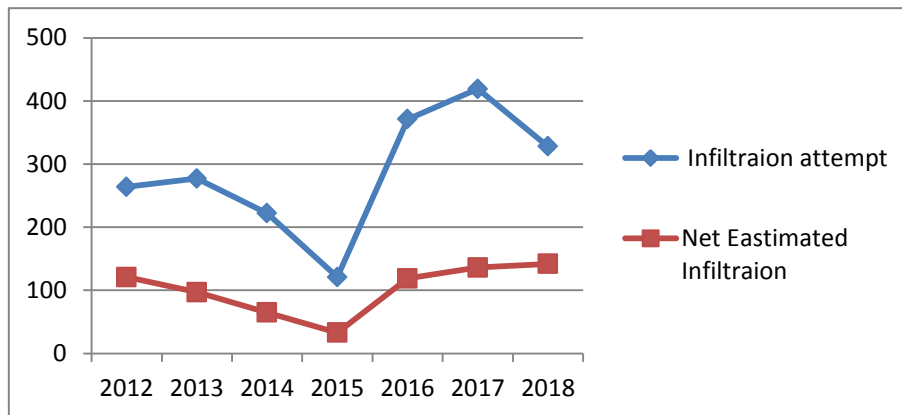
⁶⁶ Indian Army. (2021, June 9). *history*. Retrieved June 14, 2021, from Indian Army: <https://indianarmy.nic.in/Site/FormTemplate/frmTempSimple.aspx?MnId=8/Nh6NI87TwOrJL+s/LlyQ==&ParentID=6DdZtXzfnUxjnmEmqttS3w==&flag=8CKP966uzg96kLov0aWdfQ==>

crossed the Line of Control in the Kargil sector of Jammu and Kashmir and captures Indian peaks along the Srinagar-Leh highway. A limited war was fought in a brutal and fierce form in 1999.⁶⁷

(1.3.1) Infiltration by Pakistan Side

India and Pakistan share a defecto border in Jammu and Kashmir. Pakistan Rangers violet seize fire agreement and help their ISI sponsored terrorists in infiltration into India. Terrorists further spread extremism, terrorism and literal jihad.

Graph No. 3.6, Infiltration on India-Pakistan Border.



Source: Author's calculations.^{68 69 70 71 72}

Graph No. 3.6 shows the decrease of infiltration from 2012 to 2015. After 2015 to 2017 infiltration attempt show hike. After 2017 infiltration attempt decreases. Net

⁶⁷ Britannica. (n.d.). *The Kashmir problem*. Retrieved November 10, 2021, from Britannica: <https://www.britannica.com/place/Aksai-Chin>

⁶⁸ Ministry of Home Affairs. (2014). *Annual Report*. Departments of Internal Security, States, Home, Ministry of Home Affairs.

⁶⁹ Ministry of Home Affairs. (2015-16). *Annual Report*. New Delhi: Department of Internal Security, states, Home, Jammu and Kashmir Affairs and Border Management.

⁷⁰ Ministry of Home Affairs. (2017-18). *Annual Report*. New Delhi: Ministry of Home Affairs.

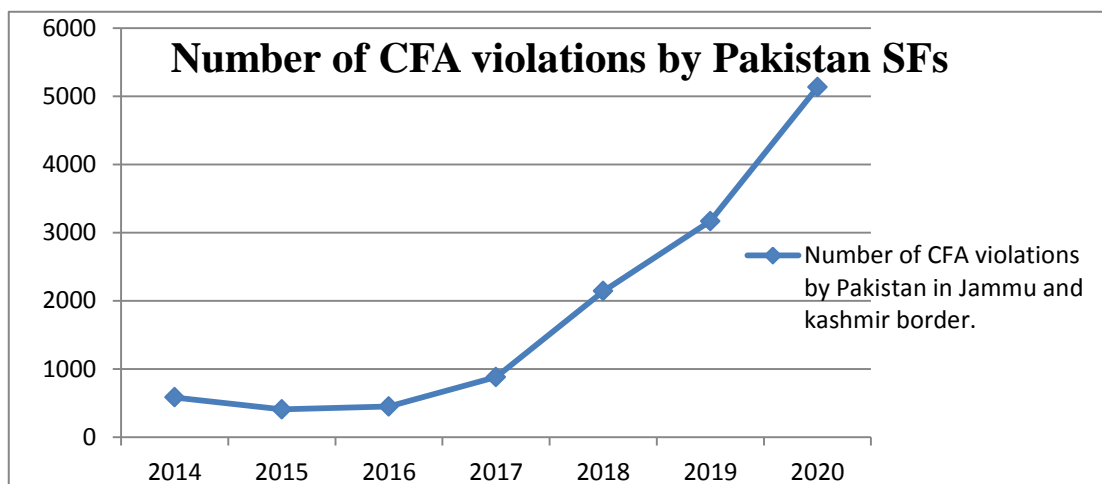
⁷¹ Ministry of Home Affairs. (2019-20). *Annual Report*. New Delhi: Ministry of Home Affairs.

estimated infiltration decreases from 2012 to 2015 and again increases from 2015 to 2018. Infiltrators are the proliferators of terrorism, extremism and quasi violence activities in India and create internal conflict within Kashmir. These terrorists create physical as well as psychological violence in Kashmir and other part of India.

(1.3.2) Cease-Fire Agreement violation by the Pakistan.

Pakistan Rangers and Border Action Team of Pakistan violates seize fire agreement and helps to infiltrate Pakistan sponsored terrorists, Drugs smuggling and other illicit and anti India activities.

Graph No 3.7, Cease-Fire Agreement violation by the Pakistan.



Source: Author’s calculations.^{73 74 75 76}

Graph No.3.7 shows the Number of CFA violation by Pakistan increases from 2014 to 2019. After alteration of Article 370 in 2019, ceasefire violations increased

⁷³ Ministry of Home Affairs. (2014). *Annual Report*. Departments of Internal Security, States, Home, Ministry of Home Affairs

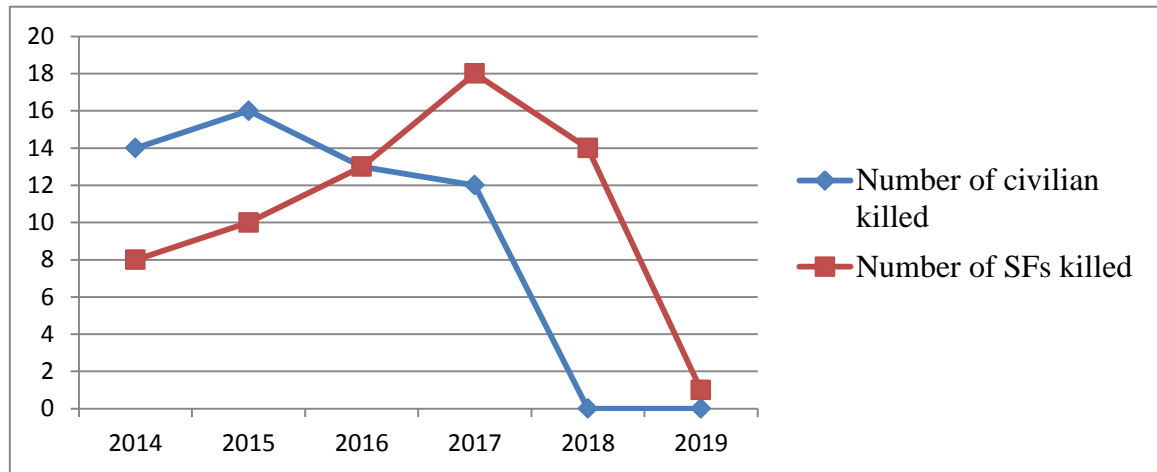
⁷⁴ Ministry of Home Affairs. (2015-16). *Annual Report*. New Delhi: Department of Internal Security, states, Home, Jammu and Kashmir Affairs and Border Management.

⁷⁵ Ministry of Home Affairs. (2017-18). *Annual Report*. New Delhi: Ministry of Home Affairs.

⁷⁶ Ministry of Home Affairs. (2019-20). *Annual Report*. New Delhi: Ministry of Home Affairs.

significantly. Firing from Pakistan side affects the life of the Indian citizen residing near border area and helps to promote cross border illicit activities and terrorism.

Graph No. 3.8, Fatality by the violation of CFA by Pakistan Rangers and other Pakistan Security Forces.



Source: Author's calculations.^{77 78 79 80}

Graph No.3.8 shows the increasing in the number of civilian killed by the firing of Pakistan security forces. From 2014 to 2017, it shows significant hike. After 2017, it decreases. In 2019 it shows significant drop. Killing of the security forces increases from 2014 to 2015 and decreases after 2015 to 2017. After 2017, it shows significant drop. Seize fire violation increased continuously but due to the defensive and preventive measures used by Indian government, fatality decrease after 2017.

⁷⁷ Ministry of Home Affairs. (2014). *Annual Report*. Departments of Internal Security, States, Home, Ministry of Home Affairs

⁷⁸ Ministry of Home Affairs. (2015-16). *Annual Report*. New Delhi: Department of Internal Security, states, Home, Jammu and Kashmir Affairs and Border Management.

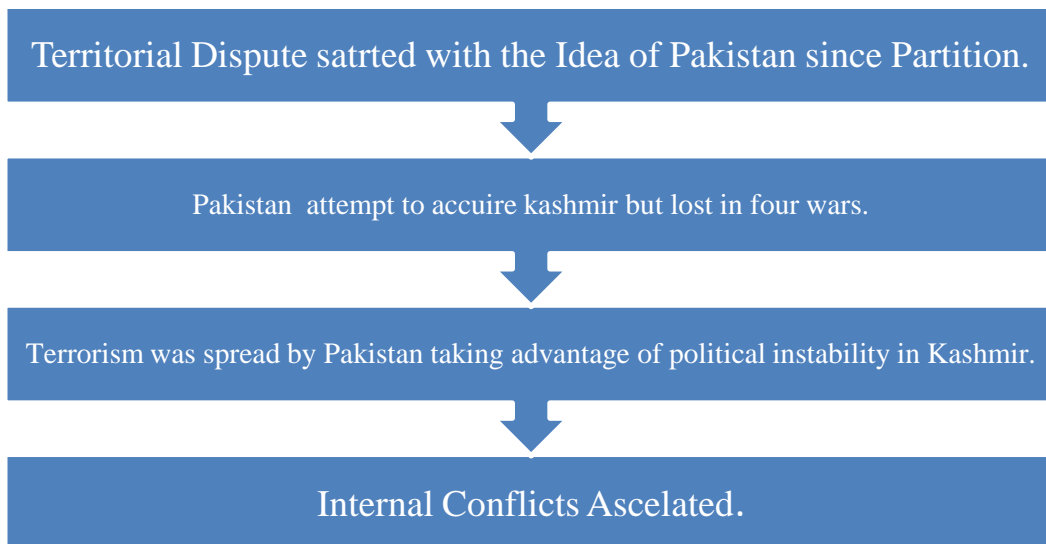
⁷⁹ Ministry of Home Affairs. (2017-18). *Annual Report*. New Delhi: Ministry of Home Affairs.

⁸⁰ Ministry of Home Affairs. (2019-20). *Annual Report*. New Delhi: Ministry of Home Affairs.

(1.4) Role of China

Troops of the China and India fought in 1962. Aksai Chin, which was under Indian sovereignty before the war, has since been under Chinese illegal control. In 1963, Aprox 5000 sq Km area ceded by Pakistan to China.

(1.5) Dig 3.9, Effect of “Conflict over Kashmir” on “Conflict in Kashmir”



Pakistan wanted the accession of Kashmir to Pakistan but Kashmir signed a memorandum of accession with India. Therefore Pakistan started to acquire Kashmir by hard power but Pakistan failed and started promoting insurgency and terrorism against India. Conflict over Kashmir is a conflict between India and Pakistan over the territory of Kashmir but it affects conflict within Kashmir due to Pakistan sponsored terrorism and extremism.

(2) Peace

Over the centuries, the idea of peace has been assimilated into various traditions, social systems, and religious scriptures. All civilizations have always developed in a peaceful environment and progress can be achieved mainly in a peaceful environment.

If we look at the history of the development of ancient or modern civilizations, it becomes clear that the main condition of progress is peace. Every branch of the discipline, be it art, music, sculpture or literature, thrives in a peaceful environment.⁸¹

When there is a state of rebellion, war or conflict in a country, the development of the people or nation stops. Cultural progress happens only when the society is peaceful. Peace is believed to be as old as human civilization. The ultimate meaning of peace is a relatively new concept. The basic elements of this notion have various dimensions. There are different aspects to peace. It has enormous application, covering all levels and spheres of human and social existence. According to religious perspectives, peace and conflict resolution involve living at peace with oneself, others, or God. A pacifist would be concerned with the moral structure of a society based on non-violence. According to Marxism, peace embodies both the false promises of capitalism and the deeper reality of world-class war. The most important aspect is the absence of war or conflict for observers of world politics. According to Kant, peace is the “end of enmity”. He compares peace to a “situation”, which he refers to as “the ultimate goal of jurisprudence” and refers to it as “the highest political good.”⁸²

According to Galtung, Negative peace is the absence of conflict and positive peace is the absence of systemic violence.⁸³

⁸¹ Indira Gandhi National Open University. (2017). Introduction to Peace and Conflict Management. In I. G. University, *Introduction to Peace and Conflict Management* (pp. 07-42). Delhi: Indira Gandhi National Open University.

⁸² Indira Gandhi National Open University. (2017). Introduction to Peace and Conflict Management. In I. G. University, *Introduction to Peace and Conflict Management* (pp. 07-42). Delhi: Indira Gandhi National Open University.

⁸³ Galtung, J. (1969). Violence, Peace, and Peace Research. *Journal of Peace Research* , 167-191.

According to Wright, peace is a “by-product of an acceptable world organization”. He goes on to say, “The state of the community in which order and justice prevail, is a peaceful society, both internally among its members and externally in relations with other communities.” According to traditional IR theorists, peace is the absence of conflict. It has been defined by modern theorists as the absence of conflicts as well as “Inter-State” and “Intra-State” fighting.

(3) Peace Process

The concept “Peace Process”, like the concept of “Peace”, can be defined in many ways. Harold Saunders, a diplomat, describes peace processes as “A political process in which disputes are handled peacefully”. They are “A combination of politics, Diplomacy, Changing Relationships, Negotiations, Mediation and Discussion in both official and informal spaces.” According to Saunders, peace processes take place in four areas at the same time. (a) **The Official Arena:** “It is the domain of official “Track I” diplomats who build official relationships with their counterparts, negotiate intermediate and final agreements, and attempt to enhance government-to-government relations.” (b) **The Quasi-Official Arena:** “Susan Allen Nan refers to this area as track one and a half. The persons involved are not government employees but have strong ties to the government and exchange information. The Oslo Accords were created through semi-official negotiations between Israel and the Palestinians with a Norwegian mediator.” (c) **Public Peace Processes:** “This is the place for non-officials to engage in expanded discourse to address the “Human” causes of conflict like: perceptions, stereotypes, mistrust and feelings of hopelessness. Such discussions have been taking place between Israel and the Palestinians for many years, but far less so than before. Similar processes have occurred in many other difficult wars,

including the Cold War, Tajikistan, Northern Ireland, Sri Lanka and Cyprus.” (d) **Civil Society:** “This is a web of citizens. It is made up of many networks of relations of citizens of hostile states. War creates cracks in the civil society structure.”⁸⁴

According to United Nations, Peace process consists of many components like Conflict Prevention, Peacemaking, Peace Enforcement and Peace building etc. (a) Conflict Prevention: It includes diplomatic action aimed at preventing Intra-State or Inter-State tensions and violent wars. This includes early warning, record keeping and rigorous investigation into the components of conflict. (b) Peace Building: It mainly refers to conflict resolution measures. It also includes a diplomatic initiative to resolve incidents of protest through communication. Messengers, governments, local enterprises, the United Nations, and other organizations can all serve as peace builders. Peace building activities can be conducted by contingency and non-governmental organizations, as well as conducted personally by an outstanding person. (c) Peace Enforcement: It involves the use of a number of measures, including the use of defense forces etc. Peace Building: The purpose of peace building is to reduce the likelihood of recurrence or recurrence of war and conflict, as well as to increase national capabilities at any level for war control and storage to achieve long-term peace and development. It is a sophisticated, long-term way of setting the key conditions for long-term peace. Measures to promote peace address issues affecting the operation of society and the state. It also strengthens the capabilities of the state.⁸⁵

⁸⁴ Burgess, H. (2019). *Peace Processes*. Retrieved 12 08, 2021, from Beyond Intractability: https://www.beyondintractability.org/essay/peace_processes

⁸⁵ United Nations. (n.d.). *Terminology*. Retrieved 12 02, 2021, from United Nations Peacekeeping: <https://peacekeeping.un.org/en/terminology>

(3.1) India-Pakistan relations and peace process in Kashmir

There are two types of peace process in Kashmir one is peace process within Kashmir, another is peace process over Kashmir. India-Pakistan relations affect both of above.

(3.1.1) India-Pakistan relations and peace process within Kashmir

Reducing the traditional security threats from Kashmir is a major challenge for the Indian government. After losing four wars, Pakistan launched a shadow war of terrorism against India. Pakistan-sponsored and Pakistan-based terrorist groups are active within the state. In the third phase of the conflict, Pakistan-sponsored terrorists and extremist groups recruited local people from Kashmir and after the killing of terrorists by security forces, the terrorists and extremists tried to portray that the terrorists had made sacrifices for the autonomy of Kashmir. They establish their connection with the local people, and incite the local people against the security forces. Therefore mass quasi-violence occurs during the funerals of terrorists. The above process helps terrorist groups to recruit local people from Kashmir.

Graph No 3.10



Source: Author's calculations based on Indian Ministry of Home Affairs annual reports 2010 to 2018 & observer research foundation.^{86 87 88 89}

Above Graph No.3.10 shows continuous increase in militancy recruitment in the Jammu and Kashmir. However security forces trying to mitigate the threat but indulge of the local people with the militancy created security threats to nation and increase the security expenditure. According to Annual report MHA 2019-20, Central Govt. has spent Rs 8192.29 Crore (31.12.2018 to 31.12.2019) to deal with quasi violence activities.

⁸⁶ Ministry of Home Affairs. (2014). *Annual Report*. Departments of Internal Security, States, Home, Ministry of Home Affairs

⁸⁷ Ministry of Home Affairs. (2015-16). *Annual Report*. New Delhi: Department of Internal Security, states, Home, Jammu and Kashmir Affairs and Border Management.

⁸⁸ Ministry of Home Affairs. (2017-18). *Annual Report*. New Delhi: Ministry of Home Affairs.

⁸⁹ Ministry of Home Affairs. (2019-20). *Annual Report*. New Delhi: Ministry of Home Affairs.

(3.1.2) India-Pakistan Relations and Peace Process over Kashmir

Kashmir plays a role in the domestic politics of both government of India and Pakistan, particularly in Pakistan. For Pakistani authorities, both civilian and military, Kashmir served as a distraction from the difficult work of the development and building of a nation.

(3.1.2.1) United Nations Effort

United Nation directed Pakistan for withdrawal of his security forces from Kashmir. The United Nations stressed on a ceasefire between the two countries and provided that a plebiscite would be held in the erstwhile state of Jammu and Kashmir after following both of the above. In 1963 china ceded Approx 5000 sq km area of illegal occupied Kashmir to China. United nation construct three plans for solving the Kashmir issue.

(a) McNaughton Proposals: In December 1949, the Security Council proposed the McNaughton Resolutions. According to this proposal, both India and Pakistan will have to withdraw their security forces from Kashmir. Will hold plebiscite after completion of above. Pakistan was an infiltrator but no discrimination was made between India and Pakistan in this resolution. This was the biggest drawback of this plan. Pakistan does not withdraw security forces from Kashmir. Therefore India rejects this proposal.

(b) Dixon proposal: The resolution was set by the Security Council and was a plan to hold a plebiscite in Kashmir. According to the proposal, both India and Pakistan will have to withdraw security forces belonging to Kashmir. Following the compliance of the above, there was a proposal to divide the area on the basis of the Line of Control.

It was proposed to conduct a plebiscite in the Kashmir Valley. This proposal was rejected by India because Pakistan was an infiltrator and Pakistan broke international laws but this resolution considers both the countries as equal.

(c) Frank Graham's Mission: The mission again proposed a plebiscite and disarmament in Kashmir but due to a dispute over the decision to name the administrator during the plebiscite, the mission was rejected by India and Pakistan.

(3.1.2.2) India's Attempts

Indian attempt for Territorial Status Quo

Since 1948, proposals are being made from India's side to resolve the Kashmir issue, the basis of which was to maintain the "Status Quo".

In October 1948, at the Prime Ministers' Conferences held in London, then Prime Minister Jawaharlal Nehru suggested to Liaquat Ali that the Kashmir issue be resolved on the basis of "status quo" But Liaquat Ali rejected the proposal.

In May 1955, during the visit of Pakistan's Prime Minister Mohammad Ali Bogra, the then Prime Minister Jawaharlal Nehru proposed that the regional conflict could be resolved by maintaining the status quo. Pakistan again turned down this offer.

During the six rounds of talks (1962 to 1963) under US insistence, during the talks, Railway Minister Sardar Saran Singh proposed to maintain peace and status quo. Pakistan again rejected this offer.

In the Joint Statement of the Lahore declaration in Feb 1999, India and Pakistan state that "Recalling their agreement of 23rd September, 1998, that an environment of

peace and security is in the supreme national interest of both sides and that the resolution of all outstanding issues, including Jammu and Kashmir, is essential for this purpose".⁹⁰

In the mid-2000s, Manmohan Singh and Pervez Musharraf,(Then Prime Minister of India and then president of Pakistan respectively) arranged for "Status Ku plus". The pre-condition of this agreement was that Pakistan would not sponsor any terrorist and violent activity against India. This condition was not fulfilled by Pakistan.

Position of "Modi" Govt.

Although the Lahore Declaration spoke of resolving the Kashmir issue through dialogue, terrorist activities sponsored by Pakistan remained a hindrance to the implementation of the declarations.

From 2009 to 2010, India claimed on two occasions that the Kashmir occupied by Pakistan is an integral part of India, First: after the announcement of Pakistan's election in "Gilgit-Baltistan", Second: when Pakistan gave fifth state status to "Gilgit-Baltistan". Under the Modi regime, the government repeatedly claimed the sovereignty of Kashmir. In June 2015, the Ministry of External Affairs stated that Gilgit-Baltistan was "Forcibly and illegally annexed by Pakistan".

In the all-party meeting in August 2016, Prime Minister Narendra Modi said that PoK is part of Jammu and Kashmir. The government alters Article 370 of the Constitution in August 2019. The intention of the present government on the territorial dispute is

⁹⁰ Ministry of External Affairs. (2012, July 24). *Public Diplomacy*. Retrieved December 24, 2021, from Ministry of External Affairs: <https://mea.gov.in/in-focus-article.htm?18997/Lahore+Declaration+February+1999>

clear that India's sovereignty over Kashmir and India's security will not be compromised.