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Global Diplomatic Response towards the Revocation of Special Status of Indian Iligally Occupied Jammu and Kashmir

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Abstract: The international community responded politically to the revocation of special status in 2019 and the illegal occupation of Jammu and Kashmir by the Indian government, resulting in the creation of two union territories. Undoubtedly, several states offered support to India, but concurrently, the Indian government made an unconstitutional decision. China and Pakistan in particular worked together to draw the UN Security Council's attention to the disputed territory. The paper examines how the unconstitutional changes in IIOJK sparked reactions around the world and how the diplomatic discourse highlighted India's unconstitutional action, along with the military lockdown and communication blackout. The article also emphasized how India is making a great effort to maintain its hold on the disputed territory by using forceful tactics, violating human rights, and stifling the Kashmiri people's movement for a resolution. This is demonstrated by the decision to revoke Article 370.

Key Words: Indian Illegally Occupied Jammu and Kashmir (IIOJK), United Nations Security Council, (UNSC)

Introduction

The fifth of August, 2019, the day that IIOJK's special status was revoked, will go down as the darkest in Kashmir's history. Along with India's longstanding friends and strategic allies, the member states of the UN have voiced concerns and denounced restriction of civil liberties, the detention of political leaders, and the communication clampdown. Many states expressed their concerns that the issue must be resolved in accordance with the dispute resolutions and the aspirations of the people of Kashmir, which has arguably become India's biggest diplomatic challenge to combat the narrative of Kashmiri people and the suppression and oppression of freedom struggle through military means. A number of states agreed that the differences should be resolved through bilateral talks between India and Pakistan. Amnesty International. (2019).

Abrogation of Article 370

The government of India unilaterally decided to revoke Article 370 and 35A, which is against international norms and principles

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that India is required to uphold as a result of signing the International Covenant on Civil and Political Rights (ICCPR), including the right of individuals to participate in political life and the right to self-determination. Ali, Muzaffar, 2019).

The Indian parliament passed the Reorganization Act of 2019 after the special status of IOK was repealed. This divided the disputed territory of IOK into two union territories, Jammu Kashmir and Ladakh, which are under the direct authority of Delhi. The Indian government decided to repeal Articles 370 and 35A in order to guarantee the full annexation of disputed territory. They believed that these kinds of actions would put an end to the protracted conflict in South Asia (PUCL, 2019). This unilateral decision to repeal status created an atmosphere of tension and mass pane in the IOK. Additional deployment of armed forces, closing schools, colleges and universities and asking tourists and pilgrims to leave Kashmir added more tension and pain to Kashmiris (PUCL, 2019)

Arrests Spree after 5th August

Following the August 5th repeal of Article 370, thousands of people were placed under arrest. In a parliament session, the Indian government disclosed that over 5,000 individuals had been placed under arrest; however, the actual number of detainees was significantly higher. Leaders of the APHC (pro-resolution), members of civil society, attorneys, politicians who support India, and the general public are among those in custody. Ansari, Beenesh (2019) Since there were too many detainees and jails were overflowing, the Indian government converted hotels, guest houses, and tourist reception centres into detention facilities. Since August 5th, a number of politicians have been detained, including three former IOK chief ministers: Faroog Abdullah, Omar Abdullah, Mehbooba Mufti. the international In

convention centre located in Srinagar, over forty-three politicians were being held.

Additional Deployment of Forces

With over 70,000 occupying troops, Indianoccupied Kashmir is the world's most heavily militarized area. On February 23, 100 additional Indian armed forces companies— 45 CRPF companies, 35 BSF, 10 SSB, and 10 ITBP—were deployed in IOK prior to the repeal of Article 370 and 35A (Economic Times, 2019). There are military forces in every corner of the IOK. The military has occupied 23 square kilometres, or 8% of the city of Srinagar, the capital of the Indian Ocean Province. On May 16, 2019, the Central Reserve Police Force (CRPF) received an INR 796.6 million lease for 7.5 acres of horticultural land in Zakura Srinagar, with an option to extend for an additional 99 years.

With approval from the Indian home ministry, 100 companies of the country's central armed police forces were stationed in Kashmir one week prior to the so-called special status of the Indian Outposts being abolished. Later, over 100 companies were deployed, according to media reports. Additionally, on November 24, 2019, special forces from the Army, navy, and Air Force including Army special paramilitary forces, air force guards, and Navy marine commandos were stationed in IOK (India Today, 2019).

Restrictions on Prayers at Largest Mosques

Following the repeal of Article 370, Mosques came under restriction, and individuals were forbidden from praying in the largest mosques, including the historic Jamia Masjid. For a continuous period of 19 weeks, Jamia Masjid was completely closed (Aljazeera, 2019).

Strict curfews were in place on August 12 for the Eid holiday. The Indian government also forbade people from attending Eid prayers in large mosques located in all of the IOK's districts and restricted gatherings of people in large numbers. Forces made it illegal for anyone to pray Eid prayers in any of the mosques in Shopian's Heff-Shermal village. During the Eid holiday, the historic Hazratbal Mosques and Jamia Masjid were also closed. Jamia Masjid remains closed for prayers even now. Additionally, it was forbidden for people to perform religious rituals at Srinagar's shrines or to offer special prayers at the shrine of Naqashband Sahib were also disallowed (Bawnani, G., 2018).

Furthermore, higher government authorities in India requested that the top police official furnish the mosque details right away, prior to the repeal of Article 370 and the additional military deployment in the IOK. The officials were tasked with gathering information such as the mosque's name, address, imam's name, ideological affiliation, and details about the mosque's governing body (Indian Express, 2019).

Several Imams were booked under PSA after being summoned to Army Camps in different parts of the IOK. They were instructed to record their speeches and refrain from discussing Article 370. A well-known Moulvi and vice president of Jamiat Alhadees was taken into custody from his home and placed under PSA in Jammu jail (APDP, 2019).

From 1st to 10 September 2019, armed forces continuously used pellet guns, teargas and pepper gas against the Muharram Procession participants in Srinagar, where dozens of people especially youngsters were injured (Bose, 2003).

Historical Context

There are geopolitical and geostrategic implications for Jammu and Kashmir. It shares borders with Pakistan, India, and China, the three major Asian powers, and is situated in the foothills of the Himalayas in the centre of

South and Central Asia. It borders all three of the major powers, as well as Afghanistan, with the exception of a small area that divides it from Tajikistan. Over the years, Jammu and Kashmir has maintained its reputation as a paradise; sadly, in recent decades, this paradise has vanished. Chattah, Hamid (2019). At the time of partition, Jammu and Kashmir, one of the largest princely states in British India with a majority of Muslims, covered 85,000 square miles (222,236 square kilometres). India currently occupies 39,127 square miles, or 45%, of the original territory. China controls 14,500 square miles (17 percent) and Pakistan administers 33,145 square miles (38 percent) (Hussain D.S., 2017). Jammu and Kashmir are divided by a 778-kilometer control line between Pakistan and India, and there is an additional 198kilometer uncontested border separating the state's various sections from both countries. A 150-kilometer-long blur marks the border between Pakistan and India in Siachen (Karnad, 2004). Based on the religious makeup of the populace, Jammu and Kashmir accounted for 77 percent Muslims, 21 percent Hindu and other communities including Sikhs

The three main issues Jugadh, Jammu & Kashmir, and Hyderabad Deccan arose during the process of uniting princely states. India refused to allow Hyderabad and Junagadh to become part of Pakistan, despite the fact that their rulers were Muslims. Since Hindus made up the majority in both states, Indians believed that no one person could determine the fate of an entire population. Both states were ultimately forced to become a part of India. In the case of Maharaja Hari Singh, the Hindu ruler of Jammu and Kashmir, a state with a majority of Muslims. Based on the criteria of the majority of Muslims, Pakistan clearly owned the state. India took a different stance to occupy Jammu and Kashmir because

and Buddhists formed two percent of the total

population. CIA. (2015).

it was completely impossible for them to approach directly. They used political pressure behind the scenes to make it appear as though the people of Jammu and Kashmir wanted to join India voluntarily, and they put pressure on the Hindu ruler to integrate with India. Chatta, Hamid (2019).

In the Jammu massacre, which took place despite the decision not to admit Jammu and Kashmir, Sikhs and Hindus massacred the majority Muslim population. In the Jammu region, 25,000 people were massacred, and a million Muslims from Kashmir were forced to flee. Dogra Hindu state troopers were the ones instigating the violence. The killings infuriated the Pakistani tribesmen, who on October 22, 1947, crossed the border to rescue their Muslim neighbours in Jammu and Kashmir. The dominant non-Muslim ruler of the Muslim-majority state requested help from the Indian government in order to drive back Pakistani tribesmen. The Indian government responded by asking him to join the Indian Union first. India asserts that an "instrument of accession" was signed on October 26, 1947. The following day, on October 27, India sent troops to Kashmir.

There are significant questions regarding the "instrument of accession" documents, though, as neither India nor Pakistan have received any documentation from India that has been produced for any international forum. Additionally, the original document was reported lost or stolen by Indian authorities in 1995. This raises even more questions about the maharaja's signature on the document (Eggleston, 1951).

According to Governor General of India Lord Mountbatten, Jammu and Kashmir's permanent accession cannot be approved until the local population is consulted. The late Jawaharlal Nehru, the prime minister of India at the time, acknowledged the idea in letters to the prime ministers of Pakistan and Britain (Fareed, Rifat (2019).

It's interesting to note that India brought up Kashmir issue at the UN acknowledged it as a dispute. It's also clear that India acknowledged that Kashmir's accession to the Indian Union is merely a temporary measure. It's also interesting to note that, despite India's accusations against Pakistan, the UN did not bring Pakistan under Chapter 7, which deals with acts of aggression. Both nations ratified the UN resolution from January 5, 1949, which mandated that a plebiscite be held in Jammu and Kashmir and that the "right to self-determination" be exercised by the people living in the disputed territory in order to decide their own fate. The fact that India accepted UN resolutions demonstrated that even if they were real, an "instrument of accession"

In August and January of 1948, UNCIP passed two significant resolutions pertaining to demilitarization, ceasefire, and plebiscites overseen by the UN. The UN passed multiple resolutions urging plebiscites only between 1948 and 1962. India took a different stance in 1964, passing a resolution in parliament designating Kashmir as its "integral part." Since then, Pakistan has persisted in bringing up the matter in various international forums in an effort to win support for the rights of the Kashmiri people. In addition to causing instability on a regional and global scale, this unresolved issue has resulted in three wars for both states and a number of lowerintensity conflicts. Pakistan has supported the Kashmiri people politically, economically, and morally since 1947. Greater Kashmir. (2019)

Global Diplomatic Response after the Revocation of Special Status of Iiojk on 5th August 2019

Pakistan

Speaking to a joint session of parliament one day after India withdrew its special status for Indian-occupied Kashmir, Pakistan's Prime Minister Imran Khan referred to India's decision as "unconstitutional" and launched an unprecedented attack on his Indian counterpart. Khan said that the long-running disagreement between two nuclear-capable nations would have an effect well beyond their boundaries. What is the purpose of the nine lakh troops in IOK, he asked? They are not there to bring the people of IOK any kind of prosperity. They are violating people's human rights. According to Prime Minister Imran Khan, anything can happen if two rivals start a conventional war. Not a threat, but a legitimate concern. Human Rights Watch, (2019).

Mr. Khan calls on the UN to resolve longstanding conflicts in accordance with resolutions, and he says that the international community should defend justice rather than pander to the 1.2 billion people who make up the global market. Since then, Pakistan has persisted in drawing attention to India's aggression in Kashmir and its efforts to impose lockdowns on the area. Imran Khan denounced the Indian government and declared that it was unlawful to remove Article 370. It talked about the nuclear shadow that South Asia carries and how Pakistan was pursuing peace while India had turned down its advances. Pakistan has additionally issued a warning, stating that the stability of the region is in jeopardy due to the "humanitarian crisis" resulting from the changes in Kashmir. Hindustan Times (2019).

China

China's concerns about Ladakh dominated its response to the events in Kashmir. It declared that the action would flagrantly violate China's sovereignty and denounced it. China's remarks suggest that its opposition to the repeal of Article 370 is driven by its fear that it will worsen its territorial dispute with India, given the 740-km Line of Control in Jammu and Kashmir.

China maintained that both parties should avoid taking any actions that would increase regional tensions and that the Kashmir dispute should be resolved amicably and bilaterally. During a China-Pakistan summit in Beijing, the Chinese foreign minister said that the solution should adhere to the UN Charter and relevant UNSC resolutions. Additionally, China asked the UNSC for a private meeting to Discuss Kashmir. Human Rights Watch (1991).

Turkey

The decision, according to the Turkish Foreign Ministry, was anticipated to exacerbate tensions between Pakistan and India as soon as Indian Home Minister Amit Shah declared the state's division and the repeal of Article 370. The country has promised to act to lessen this pressure. In a statement, the Turkish Foreign Ministry called for the "resolution of the problem" through negotiation while adhering to relevant UN resolutions. On August 6, 2019, Imran Khan spoke with Turkish President Erdogan to inform him of India's decision. According to a statement released by the office of the Prime Minister of Pakistan, Erdogan responded by promising unwavering support in the situation. Later, he stated that Turkey was closely watching the situation.

At the 74th UN General Assembly, the topic was raised by Turkey's prime minister and got the strongest diplomatic support. The restrictions in the Valley have drawn criticism from Erdogan, who called them a "virtual blockade" that keeps eight million people from leaving their homes. He insisted on having a conversation to find a solution. As payback, Prime Minister Modi cancelled his trip to Turkey. PM Modi is meeting with the leaders of Greece, Cyprus, and Armenia, three countries that compete with Turkey, at the UN. In addition, India expressed concern over "humanitarian and civilian distress" in

Kurdish areas and denounced Turkey's invasion of northern Syria. ONCHR (2018).

Malaysia

It was admirable that Malaysian Prime Minister Mahathir Mohammad took a strong stand on the Kashmir issue in the General Assembly and called India an occupying army in the IOK. His statements on the closure of Kashmir and the revocation of Article 370 were excellent. In addition, he claimed that in defiance of UN resolutions on the matter, India had invaded and occupied J&K. He urged the UN to act proactively in the situation, even though there might be reasons for the action. The problem needs to be resolved peacefully. Newsroom 24/7 (2015).

Iran

Tehran has not engaged with either country since August 2019 and has taken a moderate stance on the events in J&K. Iran's foreign ministry has acknowledged the arguments put forth by the ambassadors of Pakistan and India and has pushed for negotiation and peaceful means of resolving differences. Iran wants India and Pakistan to engage in constructive dialogue and peaceful means of securing the interests of the people in the region, as stated in a statement by the foreign ministry's spokesman, Abbas Mousavi. Reuters (2018).

On August 8, 2019, students in Tehran organized protests outside the Indian Embassy. Furthermore, the leader of Iran's religious establishment, Ali Khamenei, made a noteworthy statement on August 21, 2019, asking the Indian government to adopt a "just policy" regarding Kashmir. Despite our cordial relationship, we insist that India's leaders stop intimidating and oppressing Muslims in Kashmir and adopt a humane approach towards the region's Muslims.

United States

In the week following the announcement by the Indian government, Washington reiterated that it was keeping a close eye on the events in J&K and urged all sides to maintain peace and stability along the Line of Control. The US requests respect for individual rights, the State Department representative said, adding that reports of detentions are concerning.

A letter expressing concerns about the situation in Kashmir was sent by several senators to President Trump in September 2019. Subsequently, former Democratic presidential contenders Elizabeth Warren and Bernie Sanders demanded that the communication blockade in J&K be lifted and denounced India's public behaviour during their campaigns.

The US House of Representatives Committee on Foreign Affairs convened a hearing on South Asian human rights, with particular attention to J&K, in October 2019. In their testimony, US government representatives Alice Wells and Robert Destro found a middle ground, endorsing the "rights of Kashmiris to peacefully protest," They called attention to the imprisonment of prominent figures in politics and implored the government to harmonize security concerns with human considerations. rights At a second congressional hearing on J&K before a human commission November, rights in US lawmakers demanded the release detainees, the opening of communication between the region and journalists and lawyers, and the lifting of the communication blockade. Kashmir Readers (2019).

The United Kingdom

The Foreign and Commonwealth Office declared that it was keeping a careful eye on the developments surrounding the actions of the Indian government in J&K. August 15,

2019: Indian Independence Day celebrations in London were marred by riots outside the High Commission. September saw a violent incident in front of India House in London following that. The action was only taken following persistent pressure from the Indian government and a diplomatic note. A second, 10,000-person demonstration scheduled for Diwali was later outlawed by the British government.

Many members of the British parliament continue to demand that the Indian government stop its actions, and some Muslim lawmakers have called the item's removal an "orchestrated coup." In September, the UK Labor Party passed a resolution endorsing "international intervention in Kashmir and calling for a UN-led referendum for the humanitarian crisis". The political party responded to criticism of the motion from the British Indian community by releasing a statement stating that J&K remained a bilateral issue between India and Pakistan. Human rights (2018).

European Nations

During a plenary discussion the amendments to the Indian Constitution in September 2019, Federica Mogherini, the EU's Representative for Foreign Policy and Security Policy, called for the lifting of restrictions and the protection of Kashmiris' rights and fundamental freedoms. He also emphasized how important it is for Pakistan and India to communicate. In October 2019, a delegation of 27 members of the European Parliament paid a visit to Srinagar. The MPs met with the security services and the local government organization prior to their meeting with PM Modi in New Delhi. The bulk of the delegation, which the EU made clear was not in any way an official EU delegation, consisted of rightwing lawmakers. Reportedly, an invitation for a different EU MP to visit Kashmir was withdrawn after he declared that he wanted to be able to travel alone and speak with whoever he wanted. The EU's ambassador to India expressed concern in December 2019 over the situation in Kashmir and called for the restoration of normalcy and freedom of movement.

Pekka Haavisto, the foreign minister of Finland, expressed his concern over the extended detention of lawmakers and the security of the area as his country currently holds the rotating chair of the Council of the EU. In addition, he demanded that UN observers and diplomats be permitted to visit Kashmir to evaluate the situation. According to several news sources, German Chancellor Angela Merkel remarked that the situation for the people in Kashmir was "not sustainable and must improve" during her November visit to India. Kashmir readers (2019).

Implications for India

Hours after Parliament announced in August 2019 that it would engage with different governments to maintain a positive narrative around Kashmir and to remind other countries that the problem was indigenous to India, the Indian government mobilized its diplomatic missions abroad. PM Modi and the External Affairs Minister have focused on assuring the world that the changes in Jammu and Kashmir are well-intentioned and deserve a chance, despite the temporary discomfort. To address concerns about Kashmir, India's minister of external affairs travelled to several countries in Europe and Southeast Asia. Schofield,V.(2010)

The External Affairs Ministry of India met with key players and members of the UNHR Council in order to elucidate statements made by Pakistan and to present India's perspective. Ajit Doval, the national security advisor for India, and Dharmendra Pradhan, the petroleum minister, travelled to several West Asian countries, including the United Arab Emirates, Saudi Arabia, and Qatar. Prime

Minister Narendra Modi spoke directly to US President Donald Trump and other world leaders. While visiting Switzerland, President Ramnath Kovind learned that the issue of Kashmir had been added to the agenda. Several foreign heads of state, including German Chancellor Angela Merkel and Swedish Foreign Minister Ann Linde, publicly chastised the government while they were in India.

Conclusion

Kashmir is a disputed territory, as confirmed by the international diplomatic reactions to India's unconstitutional action, the military lockdown, and the communication blackout in the area. In international forums, India spared no effort to malign the indigenous movement of the Kashmiri people. However, Kashmiris are in fact peaceful, humanitarian, gifted, and giving people who have always been subjected to oppression and suppression by India. Kashmir has no place for the rule of law, justice, liberty, equality, or religious freedom. The IOK's special status was revoked on August 5, 2019, and that day will go down in IOK history as the worst. The government of India unilaterally decided to revoke Article 370 and 35A, which is against international norms and principles that India is required to uphold as a result of signing the International Covenant on Civil and Political Rights (ICCPR), including the right of individuals to participate in political life and the right to selfdetermination.

Major Findings

Indians took over Kashmir is home to more than 7 lakh occupation forces, making it the most militarized area in the world. The military forces of India occupy over forty thousand hectares of land. With approval from the Indian Home Ministry, 100 companies of the country's central armed police forces were stationed in Kashmir one

week prior to the so-called special status of the Indian Outposts being abolished. Later, over 100 companies were deployed, according to media reports.

Following the repeal of Article 370, Mosques came under restriction, and individuals were forbidden from praying in the largest mosques, including the historic Jamia Masjid. Jamia Masjid was closed for a total of nineteen weeks in a row. On August 12, a strict curfew was enforced in observance of Eid. The Indian government also prohibited individuals from congregating in large groups and forbade them from offering Eid prayers in any of the large mosques located in the IOK districts.

The Kashmir issue was brought up during the 74th session of the United Nations General Assembly, which was held in New York City. Major international leaders made a point of bringing up Kashmir as an instance of human rights violations, which undoubtedly weakened India's position on the issue in international fora. The member states used various strategies to draw attention to the Kashmir issue.

Following the August 5th repeal of Article 370, thousands of people were placed under arrest. Leaders of the APHC (pro-resolution), members of civil society, attorneys, politicians who support India, and the general public are among those in custody. Because jails and custody centres were overflowing and the number of people detained was extremely high, Indian government authorities converted hotels, guest houses, and tourist reception centres into detention centres.

During the UN General Assembly, Pakistan's Prime Minister Imran Khan launched an extraordinary attack on his Indian counterpart. Khan said that the long-running disagreement between two nations with nuclear weapons would have an effect well beyond their boundaries. What is the purpose of the nine lakh troops in IOK, he asked? They are not there to bring the people of IOK any

kind of prosperity. They are violating people's human rights. According to Prime Minister Imran Khan, anything can happen if two rivals start a conventional war. Not a threat, but a legitimate concern.

Mr. Khan calls on the UN to resolve longstanding conflicts in accordance with resolutions, and he says that the international community should defend justice rather than pander to the 1.2 billion people who make up the global market. During his speech to the General Assembly, the President of Turkey stated that justice and equity must take precedence over violence in order to resolve the Kashmir dispute peacefully.

The position taken by Malaysian Prime Minister Mahathir Mohammad was commendable; in the IOK, he referred to India as an invading force and brought up the issue of Kashmir in the General Assembly.

In a statement released three days following the 8 August abrogation of Articles 370, the UN secretary-general expressed sorrow over the violations of human rights. He claimed to have been monitoring events in Indian-occupied Kashmir and urged India to exercise the utmost caution with regard to the disputed area. According to him, the UN

charter and relevant Security Council resolutions govern the organization's position regarding the disputed area.

Recommendations

- To portray the horrors committed by India and the suffering of the innocent people of Kashmir, print and electronic media must be purchased in developed nations. The right to self-determination must be emphasized, and fascist Hindutva should be the main message.
- It is imperative that the ongoing violations of human rights be addressed, and that the people of IOK receive justice. The international community, in particular the UN, needs to step up and commit to breaking the cycles of violence while putting an emphasis on holding the Indian armed forces accountable for any abuses and violations of human rights.
- Restrictions on journalists, human rights defenders and civil society organizations must be lifted and given free access to IOK which would be a great step towards the transparency in IOK.

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