



OCCASIONAL PAPER

JULY 2020

259

Kashmir After Article 370: India's Diplomatic Challenge

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ISBN: 978-93-90159-54-3

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ABSTRACT

The abrogation of Article 370 and the bifurcation of the state of Jammu and Kashmir in August 2019 provoked intense diplomatic response from the international community. For the most part, India received widespread support for its decision. At the same time, however, there have been criticisms of the restrictions imposed in the region on communication and civil liberties. China and Pakistan, in particular, reacted with hostility and attempted to open a new chapter on Kashmir at the United Nations Security Council. This paper explores how the global conversations on the issue of the erstwhile Kashmir have shifted. It argues that the decision to revoke Article 370 has caused a significant degree of international backlash for India, affecting the country's narrative on the Valley.

Attribution: Khalid Shah and Kriti M Shah, "Kashmir After Article 370: India's Diplomatic Challenge," *ORF Occasional Paper No. 259*, July 2020, Observer Research Foundation.

INTRODUCTION

On 5 August 2019, the Government of India (GoI) announced the abrogation of Article 370 of the Constitution and the bifurcation of the state of Jammu and Kashmir (J&K) into two union territories. This triggered an unprecedented international response, especially to the restrictions imposed in the region in the aftermath of the decision. To be sure, most countries agreed that the changes in Jammu and Kashmir were India's "internal matter" and differences should be resolved through dialogue between India and Pakistan. However, some of India's strategic partners and longstanding friends have expressed concerns and criticised the communication clampdown, the detention of political leaders and the restriction of civil liberties. It has now arguably become India's biggest diplomatic challenge to combat the narrative that the Indian State is suppressing the rights of Kashmiris.

Soon after the announcement, India embarked on a massive diplomatic outreach to assuage the concerns of the global community. Some analysts believe that the GoI's 2019 decision has set in motion a diplomatic challenge as serious as the one caused by the Pokhran-II nuclear tests of 1998—the singular difference being that India is now in better stead internationally, due to its growing global profile.¹ Others find that India's diplomatic outreach has "met with mixed results," with Kashmir attracting negative international attention and denting the image of "Brand India" globally.² "It now seems clear that, far from converting Kashmir into a domestic issue, the Government of India's actions ... have internationalised it as never before," noted historian Ramachandra Guha.³ For his part, journalist Shekhar Gupta observed, "[T]he Kashmir issue has become internationalised after nearly half a century," facilitated by India,

not Pakistan.⁴ Indeed, this is the most global attention Kashmir has attracted since the 1990s. Before August 2019, India had convinced much of the world that the primary contention regarding Kashmir was the Pakistan-perpetrated cross-border terrorism. The new narrative, however, raises other questions among both domestic and international audiences.

This paper examines the global reactions elicited by the constitutional changes in Kashmir, from the time the decision was announced on 5 August 2019, to 1 January 2020. The first three sections focus on the diplomatic responses of South Asian nations and China, Middle East and Southeast Asia, and the West, respectively. This is followed by a discussion of international diplomacy in multilateral forums such as the United Nations, the UN Security Council (UNSC) and the European Union (EU). Finally, the paper examines whether the changes made in August 2019 will continue to pose a diplomatic problem for New Delhi in the future.

HISTORICAL CONTEXT

The impact of the Partition of India and the subsequent creation of the two separate states of Pakistan and India in August 1947 continues to reverberate in South Asia. It has, in turn, plunged Jammu and Kashmir into a seemingly never-ending conflict. Soon after the Partition, Pakistani tribesmen invaded J&K, aided by military forces, in an attempt to wrest away the princely state. However, Maharaja Hari Singh, the then ruler of J&K, sought military help from India, and Pakistan's attack was foiled. Subsequently, the Maharaja signed the Instrument of Accession to India in October 1947. The following year, the dispute between India and Pakistan reached the international arena, as India

brought the Kashmir issue to the UNSC. The UNSC Resolution called on both Pakistan and India to demilitarise their respective areas of control in the Valley and hold a plebiscite. This plebiscite has yet to take place.

Pakistan managed to gain an advantage at the UNSC, as Britain agreed to a ceasefire proposal without first ensuring Pakistan's withdrawal from the area that the latter had gained during the raid of 1947.⁵ Consequently, Pakistan continues to occupy that territory, undermining the terms of the UNSC resolutions. The terms of Kashmir's accession were worked out in the period between October 1947 and 26 November 1949, while the Constituent Assembly was drafting the Constitution of India. In 1950, when the Constitution came into force, it defined J&K as an Indian state. A special status was accorded to it through Article 370, which guaranteed internal autonomy to J&K.⁶ The Article was inserted in the Constitution as a "temporary, transitional and special provision."

While India struggled with Pakistan over Kashmir, it was also engaged in a dispute with Beijing over Aksai Chin—an isolated, inhospitable plain, west of the Karakoram range. In the 1950s, China began the construction of a road in this region, to connect Xinjiang with Tibet, both of which it had recently annexed then. The road ran through Aksai Chin, with China taking effective control over the area.⁷ After the 1962 Sino-India war, China retained control of a large part of the territory, despite India's rightful claim over it being a part of Ladakh. During this time, China and Pakistan's friendship deepened, and Pakistan gifted a part of Kashmir called "Shaksgam Valley" to China in 1963. An article of the Sino-Pakistan Border Agreement, which ceded the land, states, "[T]he two Parties have agreed that after the settlement of the Kashmir dispute between

Pakistan and India, the sovereign authority concerned will re-open negotiations with the Government of China ... so as to sign a Boundary Treaty to replace the present agreement.”⁸ This effectively made China’s claim over the Shaksgam Valley contingent on the settlement of the Kashmir issue between India and Pakistan. While it was favourably received by both India and Pakistan, the agreement was ignored in most other countries.⁹ However, by making China a third party in the dispute, the article further complicated the issue. At the time, Beijing reaffirmed Pakistan’s position that the dispute should be resolved according to the wishes of Kashmiri citizens.¹⁰ This stance has since changed, with Beijing announcing in 1980 that the issue was a bilateral one to be resolved between India and Pakistan. Moreover, during times of crises or war between India and Pakistan, China has facilitated international efforts to prevent conflict escalation between the two countries.

By 1964, the Union Government under Prime Minister Lal Bahadur Shastri had taken decisive steps to integrate J&K with India, by extending Article 356 and 357 of the Indian Constitution to the state. This allowed for President’s rule to apply to the state and changed the nomenclature used for the prime minister of J&K to “chief minister,” as is standard in other states that are part of the Indian Union.¹¹ These changes in Kashmir, along with other international developments, led to Pakistan initiating a second war with India in 1965. The plan was to launch an armed infiltration in J&K, seize power and declare the Valley an independent state.¹² However, Islamabad miscalculated by assuming that Kashmiris would help the infiltrators and that India would fail to launch a fierce counterattack. Eventually, Pakistan was forced to retreat. In 1971, India and Pakistan engaged in another brief war, which led to the birth of Bangladesh (erstwhile East Pakistan) and the defeat

of Pakistani forces. Following this, India and Pakistan signed the Simla Agreement in 1972, to peacefully resolve their bilateral issues, including over Kashmir, through dialogue.¹³ The agreement also established the Line of Control (LoC) between the two countries, which has since served as a de-facto border.¹⁴

With the fall of the Soviet Union and end of the Cold War in 1984, Kashmir soon returned to global attention. Having failed to seize control of Kashmir by force, Pakistan's ISI wing was now focused on aiding militant groups to wage a proxy war against Indian rule in Kashmir. The beginning of the insurgency in J&K can be traced back to the Jammu and Kashmir Liberation Front (JKLF), which sought independence for the state—from both India and Pakistan. However, Pakistan crushed the JKLF and facilitated the formation of other militants groups that favoured accession with Pakistan.¹⁵

In May 1998, India and Pakistan carried out nuclear tests within two weeks of each other, causing a global uproar. The US threatened international isolation, placing strict sanctions until both Indian and Pakistani governments signed the Comprehensive Nuclear Test Ban Treaty (CTBT) and took other steps to reduce the nuclear danger.¹⁶ The five permanent (P-5) members of the Security Council listed the conditions for India and Pakistan to break their diplomatic isolation. One of these called on both countries to “resume dialogue to address the root causes of tension between them, including Kashmir.” However, it failed to mention Pakistan's use of Islamic militants and gave it a clean pass. Since then, Washington's initiatives have focused on managing the Kashmir issue, preventing any major escalation and urging both India and Pakistan to reach a mutually acceptable settlement.

Under Atal Bihari Vajpayee's prime ministership (1998–2004), there was a renewed focus on the resolution of the Kashmir conflict and the forging of a more peaceful relationship with Pakistan. During the Kargil War in 1999, the US openly sided with India, urging Pakistan to respect the LoC and withdraw its forces. Interestingly, China refrained from publicly supporting Pakistan. Given the massive international attention the Kargil War generated, New Delhi and Islamabad kept channels of dialogue open to address all issues, including Kashmir. The India–Pakistan relations improved significantly under Vajpayee. The prime minister addressed a large public gathering in Srinagar in 2003, extending a hand of friendship to Pakistan, meeting political leaders and separatists in the Valley, travelling to Pakistan, and inviting Pakistani President General Pervez Musharraf to India.

In early 2004, India and Pakistan laid the foundation for an all-encompassing dialogue to settle their bilateral issues. A joint statement by Vajpayee and Musharraf led to the beginning of a constructive dialogue between the two nations.¹⁷ Friendly relations continued under Prime Minister Manmohan Singh's leadership, with new confidence-building measures, such as bus services between the two countries and new business councils to improve trade. As diplomatic ties between India and Pakistan improved, the conflict in J&K declined, ushering in a new era of hope.

The Mumbai terrorist attacks of November 2008 put an end to this newfound peace, and the global focus shifted back to Pakistan's use of cross-border terrorism. The international community, particularly the West, sought to end Pakistan's state sponsorship of terrorism and favoured India's position strongly.¹⁸ By 2016, under the Modi government, India had managed near-total diplomatic

Table 1. Militancy-related casualties in Jammu and Kashmir (2000 - 2008)

Year	Civilians	Security Force Personnel	Terrorists	Total
2000	842	638	1808	3288
2001	1067	590	2850	4507
2002	839	469	1714	3022
2003	658	338	1546	2542
2004	534	325	951	1810
2005	557	189	917	1663
2006	389	151	591	1131
2007	158	110	472	740
2008	91	75	339	505

Source: South Asia Terrorism Portal.

isolation of Pakistan, with no major international power entertaining Islamabad's stance on Kashmir. The same year, Kashmir witnessed one of the worst unrests in its history, in the aftermath of the killing of militant commander Burhan Wani. Pakistan used this opportunity to bring the matter to the UN in an attempt to turn the international community against India; it failed.¹⁹ Islamic nations, including Saudi Arabia and the United Arab Emirates (UAE), refrained from commenting on the turmoil in J&K. This was possible in part due to Modi's outreach to several South and West Asian countries, strengthening India's international economic influence. The absence of global criticism regarding Kashmir was seen as a manifestation of effective Indian diplomacy. The global discourse on Kashmir now focused mainly on Pakistan's sponsorship of terrorism in Indian territory.

On 5 August 2019, however, the GoI changed the status quo ante on J&K by bifurcating and downgrading its status to two union

territories and de-operationalising Article 370, which gave special status to the region. The government also imposed an unprecedented lockdown in J&K—barring all communication networks, restricting the movement of civilians, and arresting pro-India political figures, including serving members of parliament and former chief ministers of the state.

DIPLOMATIC RESPONSES ACROSS THE WORLD

India's Immediate Neighbourhood

Pakistan

A day after the Indian government announced its decision to remove Kashmir's special status, Pakistan's Prime Minister Imran Khan—speaking at a specially convened joint session of parliament—called India's move “unconstitutional” and warned that it could lead to another Pulwama-like situation.²⁰ Criticising the Modi government, Khan added that should India use aggression against Pakistan, the latter would respond. A day later, Khan chaired a meeting of the National Security Committee in Islamabad to review bilateral arrangements with India. Islamabad responded to the changes in Kashmir by suspending bilateral trade and downgrading diplomatic relations with India. It expelled the Indian High Commissioner to Pakistan and halted the departure of the newly appointed Pakistan High Commissioner to India.

Pakistan's official Twitter handle announced that PM Khan had directed all diplomatic channels to be activated to “expose the brutal Indian racist regime and human rights violations.”²¹ Pakistan Foreign Minister Makhdoom Shah Mahmood Qureshi addressed an emergency meeting of the Organisation of Islamic Cooperation

(OIC). The foreign ministers of the OIC Contact Group on Kashmir later released a statement expressing its concerns regarding the situation in Kashmir and asking India to “rescind” the actions it had taken.²² Islamabad made numerous attempts to get the UNSC to hold a discussion on Kashmir, but was unable to make progress until China stepped in. As a permanent member of the council and an ally of Islamabad, Beijing requested a “closed consultation” on Kashmir.²³ That the UNSC would be discussing the Kashmir question for the first time since 1965 was a victory in itself, according to Pakistan, which projects itself as a champion for Kashmiri rights.²⁴ Before the UNSC meeting, reports stated that Imran Khan had spoken to US President Donald Trump, taking him “into confidence” regarding the meeting. Ultimately however, Pakistan and China failed to get the international community to support their stand on Kashmir. No unanimous statement in favour of Beijing and Islamabad emerged from consultations at the UNSC, and the move to censure India fell through.

Since then, Pakistan has continued in its efforts to construct a narrative of India being an aggressor in Kashmir by forcing the region into a lockdown. Islamabad’s ambassador to the US has gone so far as to link Kashmir with the US-led peace process in Afghanistan, stating that Islamabad may be forced to redirect troops from the Afghan border to the Kashmir frontier.²⁵ The intention behind such statements is to provoke a reaction from Washington, which is desperate to strike an exit-deal with the Taliban. Imran Khan’s opinion piece in *The New York Times* criticised the GoI and called the removal of Article 370 “illegal.”²⁶ It discussed the “nuclear shadow hanging over South Asia” and how Pakistan was pushing for peace while India had rejected its overtures. Islamabad has also suggested that the changes in Kashmir have brought about a “humanitarian

crisis” that threatens the stability of the region.²⁷

China

China’s response to the changes in Kashmir focused on its concern over Ladakh becoming a Union Territory. It called the move “unacceptable,” claiming that it would directly “impede China’s sovereignty.”²⁸ China’s statements suggest that its opposition to the removal of Article 370 is driven by a fear that it would further complicate its boundary issue with India,²⁹ in light of the 740-km LoC in J&K.

However, China soon revised its statement, stating that the Kashmir issue should be resolved bilaterally in a peaceful manner and that both sides must avoid any action that could escalate tensions in the region.³⁰ During a China–Pakistan meeting in Beijing, the Chinese foreign minister said the solution should be in accordance with the UN Charter and relevant UNSC resolutions.³¹ On Pakistan’s insistence, China called for a private meeting to discuss Kashmir at the UNSC.^a

In October 2019, before Prime Minister Khan visited Beijing, a Chinese spokesperson called on “India and Pakistan to engage in dialogue and consultation on all issues, including Kashmir,” omitting its earlier references to the UNSC resolutions.³² This was a significant shift from its earlier statement. However, in another U-turn, the statement later released by Imran Khan and Xi Jinping mentioned the UNSC resolutions. In the same month, during President Xi’s visit to India, China did not raise the Kashmir issue during talks with PM Modi.³³ China’s state-owned Xinhua quoted Xi as saying,

a See the previous section on Pakistan.

“[The] dragon and elephant dance is the only correct choice for China and India.”³⁴ Indian media reports note that Xi mooted the idea of a trilateral partnership between Beijing, New Delhi and Islamabad.³⁵ This could be interpreted as China’s effort to insert itself in matters concerning India and Pakistan, particularly vis-à-vis the Jammu and Kashmir issue.

Over the last few decades, China’s policy on Jammu and Kashmir has vacillated, with Beijing choosing to call it a solely India–Pakistan issue whenever it suited its interests. In the 1950s, during Chinese Premier Zhou Enlai’s visit to India, he stated that the Jammu and Kashmir question was “an outstanding question between the two nations (India and Pakistan)” and hoped that the matter would be “settled satisfactorily.”³⁶ After Pakistan transferred control of the Shaksgam Valley (northwest of the Siachen glacier) to China, giving it control over part of Pakistan-Occupied Kashmir (POK), China gained closer access to India’s northern and western borders.³⁷ Over the years, China has come to refer to J&K as a “disputed territory” or as “India-controlled Kashmir,” lending further legitimacy to Pakistan’s cause. In 2010, China started issuing stapled visas to the residents of J&K, manifesting its desire to cement its pro-Pakistan stance.

Beijing’s interests in Jammu and Kashmir are both strategic and economic. The crown head of the Belt and Road Initiative (BRI), the China-Pakistan Economic Corridor (CPEC) runs through parts of POK. The sovereignty of this part is disputed, as India has repeatedly claimed the territory as its own. Recent statements from top ministers of the GoI have made it clear that the government will make efforts take control of POK, which directly impinges upon China’s interests in the region. The latter’s US\$19-billion

investment in CPEC is directly linked to the Indo-Pak territorial dispute over J&K, which will be affected by the balance of power shifting towards India.

China's desire to undermine India's legitimate claim over J&K is fuelled by its hegemonic ambitions in the subcontinent. In 2010, Prime Minister Manmohan Singh warned that "Beijing could be tempted to use India's 'soft underbelly', Kashmir, and Pakistan 'to keep India in low-level equilibrium'."³⁸ Thus, China's economic and military support for Pakistan is designed in a manner that does not necessarily strengthen Islamabad but hopes to offset the growing power differential it has with New Delhi. The CPEC allows Beijing quicker access to the Arabian Sea, and a network of transportation infrastructure allows for the encirclement of India.

For now, China seems to have taken a restrained position on the J&K matter. This is partly because the August 2019 decision does not change the status quo along the Line of Actual Control (LAC).³⁹

SAARC Countries

The SAARC countries of Bhutan, Bangladesh, Maldives, Nepal, Sri Lanka and Afghanistan have supported India's move on Article 370 and the bifurcation of the state. Bhutan's foreign minister released a statement, noting, "For us, this is an entirely internal matter of the Government of India. I would also like to state there should be peace at the borders."⁴⁰ Maldives has taken a similar position: "The Maldives considers the decision taken by the Government of India regarding Article 370 of the Indian Constitution as an internal matter. We believe that it is the right of every sovereign nation to amend their laws as required."⁴¹ The Ministry of Foreign Affairs of Bangladesh, too, noted that "the abrogation of Article 370 by the

Indian Government is an internal issue of India.”⁴²

Sri Lankan Prime Minister Ranil Wickremasinghe, for his part, tweeted: “Ladakh will become an Indian State. With 70% of Ladakh’s population being Buddhist it will be the first Indian state with a Buddhist majority. Creation of Ladakh and consequential restructuring is India’s internal matter, it is a beautiful region well worth a visit.”⁴³ Nepal’s minister of foreign affairs stated that the change in the Indian Constitution is “entirely the domain of the government of India” and that Kathmandu had no comments to make.⁴⁴

Afghanistan, a “steadfast friend” of India, had to fend off Pakistani statements that sought to conflate J&K with Kabul. In the days following the removal of Article 370, Pakistan’s ambassador to the US, Asad Majeed Khan, said that as the situation on the eastern border was escalating, they may have to undertake redeployment of their troops from the western border with Afghanistan. Islamabad hoped that this would put pressure on the US, since it needs Pakistan’s support along their border to fight the Taliban. Kabul, however, criticised Pakistan for linking Kashmir to the peace process with Taliban, calling the statement “reckless, unwarranted and irresponsible.”⁴⁵ The Taliban, too, criticised Pakistan for linking the two situations, stating that Kabul should “not be turned into a theatre of competition” between New Delhi and Islamabad.

India’s Extended Neighbourhood

Turkey

Hours after the Indian Home Minister Amit Shah announced the annulment of Article 370 and the bifurcation of the state, the

Turkish Foreign Ministry commented that the move was likely to stoke tensions between India and Pakistan. The country has committed to making efforts to reduce this tension. The statement issued by the Turkish foreign ministry called for “resolution of the problem” through dialogue “within the framework of relevant UN resolutions,”⁴⁶ making it seem that Ankara supported Pakistan’s stance. On 6 August 2019, Imran Khan called Turkish President Erdogan to inform him about India’s move. In response, Erdogan promised “steadfast support” on the matter, as per a statement issued by the Pakistan Prime Minister’s office. Later, speaking at Turkey’s 11th Ambassadors' Conference in Ankara, he declared that the country was closely monitoring the developments in J&K.⁴⁷

The biggest diplomatic salvo from Turkey came at the 74th UN General Assembly, where its prime minister raised the issue. Erdogan criticised the restrictions imposed in the Valley, calling it a virtual blockade with eight million people being disallowed from stepping out of their homes. He called for a resolution of the problem through dialogue.⁴⁸ Immediately after the statement, Imran Khan thanked the Turkish president for taking a stand on the issue. In retaliation, PM Modi cancelled his planned trip to Turkey. India then halted a US\$2.3-billion contract to Anadolu Shipyard, a Turkish company, which was building vessels for the Indian Navy.⁴⁹ At the UN, PM Modi landed a diplomatic punch on Turkey by conducting a series of meetings with the heads of states of Cyprus, Armenia and Greece—staunch rivals of Turkey. Moreover, India condemned Turkey for invading northern Syria and expressed concerns over “humanitarian and civilian distress” in Kurdish areas.

These moves, however, may not be enough to deter Ankara. Days after India’s diplomatic response, the speaker of the Turkish

parliament noted that it was the country's duty to stand "with Pakistan on Kashmir issue."⁵⁰ Ironically, weeks after, India suffered a scarcity in onions and was forced to buy 5,500 metric tonnes of it from Turkey.⁵¹ The Turkish response and support for Pakistan's narrative on J&K can be understood as an attempt by Ankara to counter Saudi Arabia's influence in the region. As rivals in the Muslim world, Ankara hopes that its support for Pakistan will pay off, with Islamabad siding with and moving away from Riyadh.⁵²

Malaysia

Malaysian Prime Minister Mahathir Mohammad stirred the hornet's nest at the UN General Assembly with his remarks on the Kashmir lockdown and the abrogation of Article 370. His statement was perhaps the most critical and damning, after Imran Khan's. Mahathir said that despite the UN resolutions on J&K, "the country has been invaded and occupied."⁵³ He sought the active role of UN on the issue: "There may be reasons for this action, but it is still wrong. The problem must be solved by peaceful means. India should work with Pakistan to resolve this problem. Ignoring the UN would lead to other forms of disregard for the UN and the Rule of Law." India reacted to the Malaysian premier's statement by reminding Kuala Lumpur of the friendly relations shared by the two countries. The Ministry of External Affairs of India asked Malaysia to desist from making such remarks.⁵⁴

Mahathir's statement came weeks after his meeting with PM Modi in Russia, on the sidelines of the Eastern Economic Forum. Reports from Malaysia indicated that J&K dominated the discussion between the two heads of state. Addressing a press conference at the UN headquarters, Mahathir snubbed Modi, stating that he had

suggested to the GoI to resolve the issue through “negotiations” and not by “invasion.”⁵⁵ Some reports have also suggested that India intended to retaliate by curbing trade relations with Malaysia; already, the Solvent Extractors' Association of India has requested its members to refrain from purchasing palm oil from the country. Atul Chaturvedi, the President of the trade body, has issued a statement noting that the criticism of the Malaysian Prime Minister was ill-received by the GoI, which “is contemplating some retaliatory action. It would be [fitting], as a responsible Indian vegetable oil industry, [to] avoid purchasing palm oil from Malaysia till such time as clarity on the way forward emerges from the Indian government.”⁵⁶

Mahathir, however, has refused to withdraw his comment despite the high stakes involved, considering India is Malaysia's biggest buyer of palm oil. “We speak our minds, and we don't retract or change.”⁵⁷ Under the leadership of PM Mahathir, Malaysia's foreign policy has instrumentalised religion to reach out and portray the country as a saviour of Muslim populations across the world.⁵⁸ Thus, the country's strong reaction to the abrogation of Article 370 can be viewed as a manner of appeasing its domestic population.

Saudi Arabia

After a meeting between Saudi Crown Prince Mohammad Bin Salman and India's National Security Adviser Ajit Doval, reports in the media suggested that Saudi Arabia had conveyed to India that it understands the latter's “approach and actions in Jammu and Kashmir.”⁵⁹ Riyadh's support came despite Imran Khan's visit to Saudi to seek the backing of the Arab heavyweight. Days after the revocation of Article 370 and the bifurcation of J&K, Saudi and India signed a US\$15-billion deal.⁶⁰ Earlier, Saudi Arabia had taken

a restrained position, calling for peaceful settlement of the issue.⁶¹ However, India's growing economic power helped tilt Saudi Arabia's stance on J&K. Not only is India a big market for Saudi oil, but both countries also continue to expand their economic relationship. In 2019, Mohammad Bin Salman announced that he expected investment opportunities of more than US\$100 billion in India over the next two years.⁶²

UAE

The UAE has stood with India on J&K, with the UAE Ambassador to India calling the constitutional changes an internal matter and expressing hope that the decision would reduce regional disparity. "We expect that the changes would improve social justice and security and confidence of the people in the local governance and will encourage further stability and peace."⁶³ Days later, a more balanced statement was issued by the UAE Ministry of Foreign Affairs, perhaps to assuage the concerns of Pakistan, calling "for maintaining peace, security and stability in the region."⁶⁴ The UAE's support to India comes in the aftermath of a deepening strategic and trade partnership between the two countries. India is the UAE's second-largest trade partner and the bilateral trade was over US\$50 billion in 2008.⁶⁵ India's own investments in UAE stand at US\$55 billion. Further, the UAE conferred the highest civilian award, "Order of Zayed," on PM Modi, celebrating the ties between the two nations and sending a strong message to Islamabad. The chairman of Pakistan's senate cancelled his planned trip to the UAE in protest.

Iran

Tehran has maintained a restrained position on the developments in J&K since August 2019, and has avoided any confrontation with either

nation. Iran's foreign ministry has noted the explanations provided by Indian and Pakistani diplomats and called for dialogue and peaceful means to resolve the differences. In his statement, Foreign Ministry Spokesman Abbas Mousavi said, "Iran expects India and Pakistan, as its friends and regional partners, to adopt peaceful methods and dialog and take effective steps towards securing the interests of people in the region."⁶⁶

On 8 August 2019, demonstrations were organised by students outside the Indian Embassy in Tehran. On 15 August, Iranian officials removed anti-India banners from Pakistan's consulate in Mashhad in the middle of the night.⁶⁷ Tehran condemned Islamabad, calling the banners "undiplomatic tactics" against a third country. This was a direct signal to India that Iran plans to maintain a neutral position on the issue. However, on 21 August 2019, Iran's supreme religious leader, Ali Khamenei, issued a critical statement calling on the GoI to adopt a "just policy" towards Kashmir. "We have good relations with India, but we expect the Indian government to adopt a just policy towards the noble people of Kashmir and prevent the oppression and bullying of Muslims in this region."⁶⁸ By the end of the month, Pakistan's diplomatic outreach to Iran had successfully shifted Iran's support, prompting it to make another critical statement against India. After a phone call with Imran Khan, Iran's prime minister declared that Kashmir does not have a military solution. "Kashmir's Muslims must be able to use their own interests and legal rights and be able to live in peace."⁶⁹ However, Iran refrained from raising the Kashmir issue at the UN General Assembly.

Israel

Israel has been supportive of India's move in Kashmir and has labelled it an internal matter. Israeli Ambassador to India Ron Malka has

expressed confidence in India's respect for individual rights and the rule of law. "India will resolve this issue in democratic ways and in peaceful ways and that's what we are just waiting to see."⁷⁰

Bahrain

Bahrain has made evident its support of India by taking legal action against Pakistani and Bangladeshi nationals who held a protest rally on Eid. This came on the heels of Imran Khan briefing the king of Bahrain, Shaikh Hamad bin Isa Al-Khalifa, on the Kashmir situation.⁷¹ Initially, the country issued a refrained statement that it was closely monitoring the situation and called for dialogue as the only means of resolution of issues between India and Pakistan. Only weeks after the revocation of Article 370, however, Bahrain conferred the King Hamad Order of the Renaissance to PM Narendra Modi.⁷²

Russia

Moscow has fully supported India's actions in J&K, stating that the decision was carried out within the framework of the Indian Constitution.⁷³ The Russian foreign affairs ministry referred to provisions of the Simla Agreement and the Lahore Declaration for a political resolution of the issue. "We proceed from the fact that the changes associated with the change in the status of the state of Jammu and Kashmir and its division into two union territories are carried out within the framework of the Constitution of the Republic of India. We hope that the parties involved will not allow a new aggravation of the situation in the region as a result of the decisions." Two weeks later, Russia issued another statement reiterating its original views.

At the UNSC closed-door meeting on J&K too, Russia supported India's position and maintained that no statement be issued after the proceedings of the session.⁷⁴ In keeping with its historical tradition, the country has stood by India and supported it at the UN.

Western Powers

United States

The abrogation of Article 370 initially evoked a muted reaction from the US. However, the country has since become more critical. In the week following the announcement by the government, Washington confirmed that it was “closely observing” the events in J&K and that it urged “all parties to maintain peace and stability along the Line of Control,” while noting that the Indian government's actions were “strictly an internal matter.”⁷⁵ The spokesperson for the State Department noted that the US was “concerned about reports of detentions and urge respect for individual rights and discussions with those in affected communities.”⁷⁶ While some Indian media houses reported that the GoI had briefed the US about their plans regarding J&K a few months before the official announcement, senior White House officials denied the claim.⁷⁷

In September 2019, several senators expressed concerns about the situation in Kashmir in a letter to President Trump. Thereafter, former Democratic candidates for President, Bernie Sanders and Elizabeth Warren, publicly criticised India's actions on the campaign trail and asked for the lifting of the communication blockade in J&K.⁷⁸ In October 2019, the US House of Representatives' Committee on Foreign Affairs held a hearing on human rights in South Asia, with a focus on J&K. Representatives of the US government who testified at the hearings, Alice Wells and Robert Destro, found a balance in

their testimonies, supporting the “rights of Kashmiris to peacefully protest,” while condemning the actions of terrorists. Highlighting the detention of political leaders, they “urged the government to balance its security priorities with respect for human rights.”⁷⁹ In November, US lawmakers held another congressional hearing on J&K before a human rights commission, demanding the release of detainees, permission for journalists and lawyers to access the region, and the lifting of the communication blockade.⁸⁰

During PM Imran Khan’s visit to Washington in July, President Trump offered to mediate between India and Pakistan, claiming that PM Modi had requested him to do so—a claim that India denies.⁸¹ Since then, Trump has reiterated his offer to be an arbitrator between the two countries. The offer fulfils Pakistan’s desire of getting a third-party to mediate on the issue. However, the official US policy has always been one of non-interference.

In November 2019, a bipartisan resolution was introduced in the House of Representatives, urging India to end the communications shutdown.⁸² While the resolution does not have the force of law, the fact that it was introduced by Indian-born Democrat Pramila Jayapal is likely to attract global attention, causing further damage to India’s image.

During the December 2019 US–India 2+2 Ministerial Dialogue, both sides reaffirmed their commitment to build on the political, economic and security partnership between the two countries, signing several landmark agreements. However, Indian External Affairs Minister S. Jaishankar cancelled a meeting with members of the US Congress Foreign Affairs Committee after the committee included Jayapal’s name as a last-minute addition. Jaishankar’s

rationale behind the move was to prevent a hijacking of the conversation by Jayapal, who would presumably highlight what she deemed to be atrocities on the part of the Indian government.

The United Kingdom

In the context of the Indian government's actions in J&K, the Foreign and Commonwealth Office stated that it was following the developments closely. On 15 August 2019, Independence Day celebrations by Indians in London were marred by protests outside the High Commission.⁸³ This was followed by a violent incident in September outside India House in London. It was only after a diplomatic note and repeated pressure from the Indian government that action was taken. Subsequently, another 10,000-people strong protest, meant to coincide with Diwali, was not allowed by the British government.⁸⁴

The British parliament remains divided over the issue, with many calling for a moratorium on the GoI's decision while others have praised it, believing that it would pave the way for economic development in J&K.⁸⁵ While a group of Muslim members of parliament of Pakistan-origin called the removal of the article an "orchestrated coup," others wrote strongly worded letters in support of the Indian government.⁸⁶ In September, the UK's Labour Party passed a resolution that supported "international intervention in Kashmir" and calling for UN-led referendum for the "humanitarian crisis."⁸⁷ The motion prompted a backlash amongst the British Indian community, leading the political party to issue a clarification that J&K remained a bilateral issue between India and Pakistan.⁸⁸ Nonetheless, many have viewed this as the party failing the Indian community en masse, with reports of messages circulating in

social media, urging British Hindus to not vote for the party in the future.⁸⁹

European Nations

In September 2019, at a European Parliament plenary debate on the Constitutional changes in India, the EU High Representative for Foreign Policy and Security Policy, Federica Mogherini, called for the lifting of restrictions and maintaining the rights and fundamental freedoms for Kashmiris. He also highlighted the need for dialogue between India and Pakistan. In October, a 27-member delegation of lawmakers from the EU parliament visited Srinagar, in what was essentially a public relations campaign by the Indian government. The MPs met with the local government body and security forces, before meeting with PM Modi in New Delhi. The majority of the delegation comprised right-wing politicians, with the EU clarifying that the group was in no part an official delegation of the EU.⁹⁰ Another EU MP was allegedly uninvited from visiting Kashmir after he expressed his desire to speak freely with whoever he wished and to travel unaccompanied.⁹¹ The delegation voiced their support for the Modi government's decision, stating that they believed it was in the country's interests of combatting terrorism. In December 2019, the EU's Ambassador to India expressed concern regarding the situation in Kashmir, stating that freedom of movement and normalcy must be restored.⁹²

The Foreign Minister of Finland, Pekka Haavisto, who holds the rotating presidency of the Council of EU, voiced his concern over the prolonged detention of politicians and the safety of the region. Moreover, he called for UN observers and diplomats to be allowed to travel to Kashmir to assess the situation.⁹³ Several news reports

have stated that during Angela Merkel's visit to India in November, the German Chancellor had said that the situation for the people in Kashmir was "not sustainable and must improve."⁹⁴ While Merkel has stated that she is aware of India's position regarding Kashmir, it is unknown whether she has brought up the issue with Modi during their discussions. Other European nations, such as Sweden, have also found the situation in Kashmir "worrying." Swedish Foreign Minister Ann Linde has urged the Indian government to "lift the remaining restrictions" and restore "free movement and communication opportunities."⁹⁵

IMPLICATIONS FOR INDIA

Hours after the announcement was made in August 2019 from Parliament, the GoI mobilised its foreign missions to work with respective governments to ensure that the Kashmir narrative remained positive and to remind countries that the matter was "internal" to India. PM Modi and the External Affairs Minister (EAM) have focused on assuring the world that the changes in Jammu and Kashmir are well-intentioned and deserve a chance, despite short-term pains.⁹⁶ The EAM travelled extensively through countries in Europe and Southeast Asia, addressing concerns about Kashmir. A special MEA team met with key stakeholders and the members of the UN HR Council members to explain India's position and clarify negative statements coming from Pakistan. Indian National Security Adviser Ajit Doval and Petroleum Minister Dharmendra Pradhan undertook a tour of West Asian countries: the UAE, Saudi Arabia and Qatar. Prime Minister Narendra Modi personally spoke to US President Donald Trump and other leaders. During a visit to Switzerland, President Ramnath Kovind found that the "situation in Kashmir" had been put on the agenda by his

hosts.⁹⁷ Some visiting heads of state, such as German Chancellor Angela Merkel and Swedish Foreign Minister Ann Linde, openly condemned the government while on Indian soil.

So far, the diplomatic fallout of the move has exceeded India's worst expectations. The Kashmir issue has undoubtedly been internationalised—not in the traditional sense whereby resolutions from UN or other multilateral bodies seek a change of the status quo, but in a manner that has kept Kashmir in the spotlight. While this kind of global attention on the region is unprecedented, it does not necessarily mean that India's friends and allies have shifted their position. Despite the constitutional complexity of the decision, most nations have accepted the new reality of Kashmir, albeit with a note of deep concern regarding human rights and India's management of the situation. Thus, India has managed to control the spiralling of the narrative, limiting it to reasonable criticism from various countries. Other than Pakistan, no country has sought a rollback of the abrogation of Article 370. To be sure, however, the Kashmir decision has indeed had a negative impact on India.

First, India's "brand value" and its international standing has taken a hit. Across the globe, the international press has been extremely critical of the revocation of Article 370 and dismemberment of the state of J&K. American media houses such as *The New York Times*, *The Washington Post* and *The Wall Street Journal* have been highly critical of the Modi government vis-à-vis Kashmir (as they have been on other political developments in India such as the passing of the Citizenship Amendment Act). These publications have produced reports and editorials accusing the Indian government of being a threat to the democratic fabric of the country.⁹⁸ In the United Kingdom, too, news organisations have been critical. The *Daily Mail*

called Kashmir a “disputed region,”^b while the BBC reported on the alleged human rights violations in the region, perpetrated by the Indian Army, and the detention of political leaders and activists.⁹⁹ Other news organisations, such as *Al Jazeera* and certain media houses in Europe, have also chosen to take an openly anti-India stance. Many in India, including the government, have rejected the reportage of international journalists with harsh rejoinders, labelling the media houses as “left-wing fringe.” Be that as it may, it is evident that New Delhi has failed to mobilise the global public opinion in its favour, despite garnering a fairly positive response from most national governments.

Second, India’s narrative on Kashmir has been negatively affected. Until August 2019, India had control over the portrayal of the Kashmir conflict, which focused on the problems of Pakistan-sponsored cross-border terrorism. Globally, Pakistan was considered the primary aggressor in Kashmir and the root of most problems in the region. This was a diplomatic achievement for India. However, the manner in which the constitutional changes were implemented in Jammu and Kashmir has provoked criticisms against India’s flawed management. While Indian allies such as the US continue to push Pakistan to tackle the terror groups operating on its soil, India has now also come under fire from its closest allies. Indeed, after the Pulwama terror attack in February 2019, and the retaliatory Balakot airstrikes conducted by India, global attention on Kashmir had already increased. The conflict triggered the fear of escalation between the two nuclear-armed countries. With Pulwama and Balakot in the backdrop and Pakistan’s nuclear sabre-rattling, the

b Internationally, it is indeed a disputed region, and no country recognises all of J&K to be a part of India, except Bhutan.

decisions of August 2019 only stoked this further. Consequently, there has been a possible re-hyphenation of India and Pakistan in the eyes of the US and other European powers. Analysts say that this is something that Indian diplomacy will have to resist.¹⁰⁰


Third, the newfound global attention has increased the possibility of the Kashmir issue being exploited by nations with deep interests in the region, particularly the US. President Trump's repeated mediation offers on Kashmir are a form of arm-twisting, mostly to appease Pakistan. In the future, several nations may attempt to use the Kashmir dispute to leverage certain concessions. For example, the Swedish delegation to India, sent to pitch its fighter aircraft Gripen, expressed concerns over Kashmir in a transparent attempt to leverage India into a deal.¹⁰¹

Fourth, the Gol's August 2019 decision has led to politicking on the Kashmir issue in the US, the UK and other European countries. While the right-wing or conservative parties across the world have maintained a favourable view of the Modi government's constitutional changes in Kashmir, India has lost the bipartisan support and consensus it previously enjoyed in the UK and the US. Fortunately, the defeat of the Labour Party in the general elections in December 2019 has averted a potential clash with a Labour government, who had planned to intervene in Kashmir.¹⁰²

In the US, the Democratic Party has been more of a challenge for India than the Republicans. With the exception of President Trump's comments about "mediating in Kashmir," the White House and the Republican Party has refrained from commenting on the situation. Moreover, India continues to enjoy bipartisan support at the Hill. However, India's handling of the situation in Kashmir has

triggered harsh responses from the Democrats, leading to a bitter spat between Indian officials, citizens and American lawmakers.

India must make serious outreach across these regions and win back the political support and consensus it enjoyed in the past. Indeed, the biggest challenge on Kashmir will come from India's immediate neighbours. While the GoI may want to dismiss China's proactive diplomacy on Kashmir as a consequence of its relationship with Pakistan, such a stance ignores China's inherent territorial, economic and strategic ambitions. Over the last few months, China has proactively presented itself as a third party to the dispute and led diplomatic efforts to raise the Kashmir issue at the UNSC. The new reality is that Pakistan is no longer the only troublemaker in and outside Kashmir, with China set to take the lead.

Finally, India's longstanding position that Kashmir is an internal matter has come under question through the country's own diplomatic moves, e.g. the visit of European parliamentarians and ambassadors to Kashmir. If India truly considers Kashmir an internal matter, why does it require third-party approval? The answer to this perhaps lies in the subtext of the various statements issued since August 2019, most of which have sought a bilateral settlement of the Kashmir issue between India and Pakistan. The poor state of the bilateral relationship between the two countries; the bleak possibility of any dialogue; and the likelihood of increased militancy, agitations and protest, ensure that Kashmir will remain on the global radar for the foreseeable future. 

Authors' Note: This paper covers the time period between 5 August 2019 and 1 January 2020. Developments after January 2020 are beyond the scope of this paper.

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