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China-Pakistan Ties and Kashmir History and Geopolitics

Priyanka Singh



MANOHAR PARRIKAR INSTITUTE FOR
DEFENCE STUDIES AND ANALYSES

मनोहर पर्रिकर रक्षा अध्ययन एवं विश्लेषण संस्थान

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INTRODUCTION

'We have an overt nuclear weapon state on our borders, a state which committed armed aggression against India in 1962. Although our relations with that country have improved in the last decade or so, an atmosphere of distrust persists mainly due to the unresolved border problem. To add to the distrust that country has materially helped another neighbour of ours to become a covert nuclear weapons state. At the hands of this bitter neighbor we have suffered three aggressions in the last 50 years. And for the last ten years we have been the victim of unrelenting terrorism and militancy sponsored by it in several parts of our country, especially Punjab and Jammu & Kashmir'.

-Excerpted text of letter from Prime Minister Atal Bihari Vajpayee to President Bill Clinton explaining the rationale behind India's nuclear tests.¹

In the regional geopolitical flux that has prevailed over the last decade, a cumulative binary challenge for India is emanating from the China-Pakistan partnership. China's strategically aggressive geo-economic agenda- the China Pakistan Economic Corridor (CPEC) to be built via Pakistan occupied Kashmir (PoK)² has made it incumbent to examine and establish whether India must re-orient its approach towards

¹ 'Nuclear Anxiety: India's Letter to Clinton on the Nuclear Testing', *New York Times*, 13 May 1998, at <https://www.nytimes.com/1998/05/13/world/nuclear-anxiety-indian-s-letter-to-clinton-on-the-nuclear-testing.html>. <Accessed 30 January 2021>

² PoK refers to parts of the erstwhile princely state of Jammu and Kashmir (J&K) which have been under Pakistan's control since 1947. It currently comprises the so-called 'Azad' Jammu and Kashmir ('AJK') and Gilgit-Baltistan, which until 2009 was referred to as the Northern Areas by the government of Pakistan. India has an extant claim on PoK in accordance with the Instrument of Accession signed in India's favour by the ruler of Kashmir, Maharaja Hari Singh, on 26 October 1947 and the Parliamentary Resolution of 1994.

these two neighbours. The fundamental principle in India's foreseeable policy recourse against the Sino-Pak collusion must be argued levered around its official position on PoK given its extant claim on the territory. With this horizon, successive chapters in this monograph have been driven primarily by the need to assess the possible impact of Chinese ingress into PoK on India's claim on the territory. A holistic view of China's Kashmir gambit is meanwhile studied with reference to the Sino-Pakistan Border Agreement 1963 and details, henceforth, have been spun around Article 6³ of the agreement in a separate chapter. Accounting for parts of former princely state under China's control, Beijing's rising stakes in infrastructure building in PoK and beyond, and its broader proximity to India's principal adversary, Pakistan, are a reality to reckon. Pursuant to this reality, the monograph contains a detailed examination of the salience of Gilgit-Baltistan, part of PoK, as the only land link between China and Pakistan before determining whether the bilateral trajectory between the two (and its impact on India's strategic interests) would vary, had Gilgit-Baltistan charted an alternate course in 1947 including its potential inclusion in India.

The monograph canvasses the Sino-Pak ties from the Kashmir perspective at various levels: China's broader position on Kashmir—continuities, discontinuities, threads of contradiction, correlating the ceding of the Trans-Karakorum Tract to China's occupation of Aksai Chin, the subsequent building of Karakoram Highway, spate of infrastructure projects in PoK and, consequently, the upcoming CPEC. In this context, the study also takes stock of the crucial geopolitical underpinnings behind Sino-Pak bonhomie evolving into a pivotal strategic partnership as part of which China is unleashing an aggressive

³ Article 6 of the provisional Sino-Pak Border Agreement states: 'The two parties have agreed that after the settlement of the Kashmir dispute between Pakistan and India, the sovereign authority concerned will reopen negotiations with the Government of the People's Republic of China on the boundary as described in Article...so as to sign a formal boundary treaty to replace the present agreement, provided that in the event of the sovereign authority being Pakistan, the provisions of the present agreement and of the aforesaid protocol shall be maintained in the formal boundary treaty to be signed between the People's Republic of China and the Islamic Republic of Pakistan'. (Text of the provisional Sino-Pak Border Agreement, 1963).

infrastructure plan in and via PoK, especially Gilgit-Baltistan. The monograph encompasses Sino-Pak relations and its impact on India's security interests especially in light of China's intensive, connectivity-based economic engagement agenda through PoK. It would anatomize developments post-1947, sifting important watershed moments that perhaps determined the shape and nature of contemporary strategic realities besetting the region.

Key developments in this regard have been surveyed towards understanding the possible objectives behind growing bilateral ties between China and Pakistan vis-a-vis a strategically vital PoK. From China's perspective, whether—(a) it is to keep tab on a key area that marks the confluence of major sub regions; (b) response to its growing insecurities in Xinjiang (Gilgit Baltistan has considerable number of Uyghurs living known as *Kashgaris*); (c) strategy to contain and keep India geopolitically boxed by accentuating its uneasiness; or (d) is China singularly focused on creating an unrestricted access to the Gwadar Port in Balochistan? From Pakistan's viewpoint, whether giving China unfettered access in the region is a move towards seeking the latter's political warranty on Kashmir against India is a critical facet in this debate. All such aspects/ questions have been reflected upon to present a synchronized analysis from the findings of the above possibilities before ascertaining its gross potential impact on the Kashmir issue and the larger implications for India's long and medium term territorial/ strategic interests.

Of late, Sino-Pak relations have pre-eminently figured in regional strategic debates. Simultaneously, the growing geopolitical nexus between the two in PoK, especially Gilgit-Baltistan, has elicited significant media attention. However, even though China's interests in PoK have been abundantly reported, more detailed, argumentative and breakdown analysis on the subject are rather inadequate. Strong on contemporary underpinnings, most writings fall rather short in coalescing historical developments with present realities. For instance, a perceptible gap exists in stressing inconsistencies in China's stated neutral position on Kashmir and juxtaposing it to the exaggeratedly unveiled connectivity-based, strategically-driven economic agenda that increasingly hinges on PoK, claimed by India. This necessitates a re-look at the Sino-Pakistan synergy with a particular focus on the larger issue of Kashmir—how

profound ties between China and Pakistan impinges the protractive issue of Kashmir and whether it could potentially intensify, perpetuate or further complicate the problem? Besides, how the Chinese growing ingress in PoK could also affect bilateral equations between India and Pakistan, is something to contend with in future.

There was always a need to develop a broad framework within which India's present and future responses to the Pakistan-China stratagem on its periphery, are effectively shaped. This is possible only by creating a solid and strong opinion, domestically and otherwise, underscoring India's extant claim on PoK and correlating it with the criticality of the region in the current spell of Sino-Pak economic engagement, that is, the CPEC. The underlying arguments in various chapters, therefore, reinforce the emergent debate on China's role in PoK, especially Gilgit-Baltistan, at Pakistan's behest: First, by collating developments post 1960 and linking them to current manifestations of China-Pakistan nexus-centric discussions on PoK. Second, it juxtaposes the two projections—Pakistan and China's respective stand on the broader Kashmir issue as a bilateral dispute (between India and Pakistan) and their evolving position that disregards India's objections to Pakistan's control and Chinese forays in PoK.

WHY Now

Since unveiling in April 2015, the CPEC has stirred strategic discourse in the subcontinent, stimulated global reactions and ushered considerable cognition. Part of China's ambitious Belt and Road Initiative (previously referred to as the 'One Belt One Road' (OBOR) project), the CPEC is of particular concern to India as the proposed design (before cutting into Pakistan) is slated to cross through swathes of territory claimed by India as a part of the erstwhile princely state of Jammu and Kashmir (read Gilgit-Baltistan).

Several contravening strands interspersed in Chinese and Pakistani policy discourse on Kashmir need to be unravelled. China's stance on Kashmir is multipronged: projection of a neutral stance vis-a-vis the wider Kashmir issue as a bilateral dispute; China's control over Aksai Chin (claimed by India) which it refuses to acknowledge as a dispute; lastly, China's simultaneous involvement in PoK (since the 1963 boundary pact with Pakistan) with an unabated interest in harnessing the region's

resource potential and geographical location. Based on strategic objectives and priorities, China's Kashmir policy appears incoherent, having altered from time to time. A bundle of perceivable Chinese strategic stakes in the deluding fold of neutrality have long existed, inquiry on which has been somewhat insufficient. Similarly, against widespread accession that the Pak-China collaboration is hinged against India, analysing the intricacies of Chinese position on Kashmir, both during war and in times of peace, is of utmost importance.

Pakistan's approach on Kashmir is also beset with inconsistencies and dualism. The ambiguities and dichotomies require detailed disaggregation. There are inherent contradictions in Pakistan's broader Kashmir stance- while the oft-propagated Kashmir issue forms the crux of its strategic thinking and articulation, PoK and its larger understanding/ dealing with China on Kashmir do not figure in Pakistan's policy proclamations on Kashmir. The study disambiguates such inconsistencies in an attempt to enhance the understanding on the subject across the spectrum. An informed balanced public discourse is essential and must feed into reframing conscious and effective policy measures to counter Pak-China's assertive dismissal of Indian sensitivities on Kashmir.

TILL NOW

Parallel to the discourse on the rise of Asia, there is a concomitant emerging body of literature on how the enigmatic but enduring China-Pakistan partnership will play a defining role as regional dynamics forge ahead. The contemporary debate on China-Pakistan is hinged on seminal works such as Andrew Small's *The China Pakistan Axis: Asia's New Geopolitics* (2015). The book intensively captures the bilateral relationship that posits deepening Sino-Pak ties as the determinate factor potentially defining Asia's future geopolitics. China's position during the India-Pakistan conflict on Kashmir has been comprehensively dealt with in John Garver's 2004 article in *India Review* titled: 'China's Kashmir Policies'. Similarly, *China Pakistan India Triangle: India's Security Challenges* (2015) by Puran Chandra traces the broader security implications of China-Pakistan ties for India. Other works based on related theme are: *Threat to India's Security: China and Pakistan* (2013) by B. Saroja; *A Triangular Conflict: India China and Pakistan* (2014) by S.C. Narang and; *Pakistan-*

China Strategic Partnership: Challenges and Prospects (2013) by Jahangir Asifa. While the thrust in most of these studies is how the Sino-Pak ties hinge on India as a common adversary, harsh geopolitical realities necessitate reiteration and presentation of a stimulating Indian perspective on the China-Pak strategic collusion on a land claimed by India, so as to bolster India's overall endeavour towards asserting its claims/ securing a key stretch lining its northern periphery.

WHERE TO

The study broadly cover the following key questions:

- What is the role/ significance of the Sino-Pak nexus in the broader Kashmir issue? Whether the Sino-Pak ties would inflict a political and strategic impact on India?
- Whether it is a deliberate attempt on the part of both China and Pakistan to discredit India's claim on PoK?
- As Chinese stakes in Pakistan multiply, including in and via PoK, what are the prospects of China playing a fence sitter on Kashmir (in sync with its propagated neutral position)?
- Whether China's growing stakes in PoK imply grave implications—is it some kind of a writing on the wall?
- Is there a possibility of India leveraging the rising Chinese stakes in Pakistan and PoK, to extract from China, a tacit acceptance on maintaining a territorial status quo in Jammu and Kashmir?

Deciphering the contradictions in Pak-China positions on Kashmir may possibly bolster India's overall stance and enable India in developing a counter leverage to enhance its negotiating capability during critical phases of discussions on Kashmir. India's decades-old policy inertia on PoK has presently manifested in complex strategic challenges. Etching out the Sino-Pak nexus in Kashmir and attempts to predict China stance during ultimate talks on Kashmir will add fillip and generate necessary momentum to potentially transform India's position on PoK from reactive to proactive and strengthen its broader claim on Kashmir. The monograph aims at bridging the critical gap between India's stated claim on PoK and its responses to the flourishing China-Pak nexus

there. Since 1947, Pakistan constantly has raked up the issue of Jammu and Kashmir and tried its best to isolate India in the international arena, while consolidating its ties with China (India's other adversary). Stepping up PoK in public discourse could be a positive beginning towards eclipsing Pak-sponsored Kashmir rhetoric (often reinforced by China).

Under a new dispensation at New Delhi, a forward muscular thrust is being noticed in the realm of foreign policy. Managing ties with China and Pakistan is perceived as India's foremost challenge and this particular domain of analysis has witnessed remarkable dynamism. In this backdrop, the monograph attempts to put together a focused analysis on calibrating India's efforts in dealing with the Sino-Pak dual challenge, posed especially vis-a-vis Kashmir. India has expressed reservations on the upcoming CPEC through official channels. To wave off India's objections, a concerted effort by China and Pakistan to malign India as an obstructionist is being witnessed for some time.

While it is important to contain efforts that discredit India's extant territorial claims, India needs to clinically combat such perceptions by fomenting public opinion on the CPEC and propagate its concerns as frequently as it has. India's policy options need to be cognizant that Pakistan abetted militancy in Jammu and Kashmir is not yet weeded out. India's surging global aspirations need to be shielded from the Sino-Pak stratagem. The CPEC is already unveiled; however, India concurrently needs to prepare for further long term challenges that continue to unfold as Pak-China ties steadily forge ahead.

GENESIS OF THE CHINA-PAKISTAN NEXUS: HEDGING INDIA?

Close on the heels of the 1962 India-China war, Pakistan and China formalized a border agreement demarcating their perceived existing overland geographical limits. The agreement towards territory swap between the two countries was simultaneously supplemented by several other agreements. The so-called border agreement involved swathes of territory in Gilgit-Baltistan—the only land link between Pakistan and China, claimed by India as part of the PoK. Pursuant to the agreement, China was conferred control over the strategically significant Trans Karakoram Tract (Shaksgam Valley) while Pakistan was conceded a portion of territory after China settled to withdraw its claim on it.

Attempting to understand the roots of the Sino-Pak strategic liaison, the chapter closely examines historical developments to comprehend the genesis of a bilateral bond of great implication. The Sino-Pak affability is widely understood to have hinged upon shared adversarial ties with India, something the two countries have had in common and a reality that still persists. Ever since the signing of the agreement, the ambit of Sino-Pak bilateral cohesion has amplified in greater proportions at the expense of India's territorial/ strategic concerns.

The chapter canvasses geopolitical circumstances preceding the agreement, the India-China war in 1962, and the Cold War matrix (for example, Pakistan providing the base for U2 flights, US surveillance of China in the wake of the Tibetan uprising) in conjunction with China's geopolitical calculus in unilaterally establishing control over areas within the Trans Karakoram Tract even before the provisional border agreement was formally signed between the two sides. Besides, it is important to dwell upon the significance of the tract in China's wider security interests vis-a-vis Aksai Chin, consequent fallout unleashed in the form of a diplomatic standoff with India, implications for Gilgit-Baltistan particularly in terms of territorial loss, and more significantly, how the decades-old agreement could have potentially impeded a fair,

viable solution to the Kashmir issue in the long run. Apart from scanning the geopolitical context covering significant developments prior to the agreement including the then prevailing India-Pak talks on Kashmir, the chapter tries to discern the contours of the agreement which arguably was perhaps the genesis of an enduring Sino-Pak partnership. The contingency clause embodied in Article 6 of the agreement that hinges on the ultimate resolution of Kashmir issue has been tangentially juxtaposed to China's contemporary manoeuvres in the region before assessing implications for the Kashmir conflict and gauging particularly its impact on India's broader geopolitical ambitions. In this regard, some of the pertinent questions in purview are: What transpired between China and Pakistan before the agreement was finalized? What was the nature of the territorial bargain between Pakistan and China? Whether India's response was a befitting one in terms of available options or could the geopolitical crisis have been handled differently? Did the agreement afford China and Pakistan a strong foundation to consolidate future engagement, especially against India? To what extent did the border agreement contravene China's projected neutrality on Kashmir? Far from being a third party, what are the perceptible Chinese objectives in the fold of neutrality?

The principal approach, henceforth, in the chapter is premised on a detailed analysis of Article 6¹ of the Sino-Pak Border Agreement, which attaches a provisory clause to it, that is, the 'reopening of the negotiations' if the sovereign control of the territory is transferred to an entity other than Pakistan. It is important to emphasize the underlay of impermanence in order to explore whether the agreement was a

¹ Article 6 of the provisional Sino-Pak Border Agreement states: 'The two parties have agreed that after the settlement of the Kashmir dispute between Pakistan and India, the sovereign authority concerned will reopen negotiations with the Government of the People's Republic of China on the boundary as described in Article...so as to sign a formal boundary treaty to replace the present agreement, provided that in the event of the sovereign authority being Pakistan, the provisions of the present agreement and of the aforesaid protocol shall be maintained in the formal boundary treaty to be signed between the People's Republic of China and the Islamic Republic of Pakistan'. (Text of the Sino-Pak Border Agreement, 1963).

makeshift arrangement or was contrived as a machination to capitalize the geopolitical advantage post India's border conflict with China. Whether the agreement embodies strains that contravene China's neutral positioning on India-Pak bilateral symmetry on Kashmir in certain phases in the 75-year history needs more emphatic reflection from India's perspective. Subsequently, the steep rise in Chinese stakes, especially in areas that are part of the Kashmir sphere need to be juxtaposed against Gilgit-Baltistan's geopolitical salience—the only land link connecting China-Pakistan—what could have been India's link with Afghanistan and XUAR (Xinjiang Uyghur Autonomous Region), its inextricable link to the larger India-Pak dispute on Kashmir, and how the Chinese-led connectivity projections are likely to undercut India's overall security interests thereby hugely impacting the triangle concerning Sino-Pak geo-strategic equations with India.

THE SINO-PAKISTAN BORDER AGREEMENT 1963: GENESIS OF A STRATEGIC COLLABORATION

India's equations with China witnessed a steady decline around the late 1950s. First, China had constructed a road in Aksai Chin—a region claimed by India. Second, the rebellion in Tibet against Chinese occupation forced several Tibetans including the Dalai Lama to flee to India to escape the Chinese invasion and atrocities in Tibet. The year 1959 was a turning point in the India-China ties. The relationship that was by and large considered cordial showed instant signs of strains when India assented to providing refuge to the Dalai Lama.² At the same time, India was considerably tizzy about China's expansionist claims on the periphery shared with India. Peking was incensed by India's decision to grant political asylum to Dalai Lama and also allow installing a Tibetan government in exile on its soil. It was around 1959 that Pakistan started looking out for a window to hold negotiations with China on the so-called border between the two. As India-China talks on the boundary failed to head start, Pakistan got an opportune

² For detail see: W.M. Dobell, 'Ramifications of the China-Pakistan Border Treaty', *Pacific Affairs*, 37(3), 1964, p. 283.

time to hold talks with its Chinese counterparts. China on its part moved with what is considered 'great skill to drive a wedge between the Indians and Pakistanis'.³

Pakistan's strategic propulsion towards China occurred despite the former's complicity in assisting the CIA's (Central Investigative Agency) covert operations in Tibet perilous to China's interests.⁴ Pakistan allowed the use of its airfield in what was then East Pakistan under its jurisdiction to ferry CIA-aided Tibetan rebels to a US base in Pacific. It is for one to assess/ determine whether the Chinese side was unmindful of Pakistan's complicity and role in the US's covert acts in Tibet or that it chose to overlook Pakistan's duplicitous acts in the interest of its larger conjunction of strategic goals vis-a-vis India. According to joint communiques issued in December 1962, China and Pakistan had reached an understanding in principle 'on the location and alignment of the boundary actually existing between the two countries from the tri-junction of Afghanistan, Pakistan and Sinkiang to the Karakoram Pass'.⁵

A PROVISIONAL AGREEMENT

To begin with, what is the so-called China-Pakistan boundary? It was about the '325 miles generally southeastward from Afghanistan tripoint, situated at approximately 37(symbol of degree) 03' East, to the Karakorum Pass'.⁶ The agreement was noted to be 'between the Government of the People's Republic of China and the Government

³ Galbraith's book *Ambassador's Journal* as quoted in D.N. Panigrahi, *Jammu and Kashmir: The Cold War and the West*, Routledge, New Delhi, South Asia Edition, 2009, p. 218.

⁴ Sunil Khatri, 'Events leading to the Sino-Indian Conflict of 1962', IDSA Monograph Series, No. 58, February 2017, p. 56-57.

⁵ O.N. Mehrotra, 'Sino-Pak Relations: A Review', *China Report*, September-December 1976, p. 57.

⁶ International Boundary Study, No. 85, 'China Pakistan Boundary', *The Geographer*, Office of Strategic and Functional Research, Bureau of Intelligence and Research, U.S. Department of State, p. 2.

of Pakistan on the boundary between China's Sinkiang and the contiguous areas, the defence of which' was 'under actual control of Pakistan'. It was signed on 2 March 1963 in Peking, Chinese capital city. The China-Pakistan talks on formalizing a border settlement incepted in the backdrop of India-China talks on similar planks of settling unmarked border areas. While talks with India were on but far from making a headway, China seemed to have placed a simultaneous proposal before Pakistan in 1959. Broad contours of understanding on border alignment were arrived at between the two sides in the period prior to the India-China border war of 1962. The churn in the aftermath of India-China hostilities provided a conducive setting to formalize the border agreement the following year. It is further argued: 'expediency was to be the prime driver of this agreement, Pakistan—either through ignorance of history or political motive—ceded around 13,000 sq. miles of territory to the PRC, over which the historical and legal claim of both parties appears at best to be tenuous'.⁷ The agreement, it is noted 'lacks finality in both fact and law' and Pakistan therein is designated as an 'occupier'.⁸

In the run up to the signing of the agreement, both sides—China and Pakistan, had at certain points, shoved the blame on India for being disinclined to carry out formal talks on the border issue. Hence, justifying their move to go ahead with the provisional border agreement, Pakistan moderated its stance towards China by de-hyphenating Russia and China noting that China could not be categorized as 'imperialist' as 'it had no satellites'.⁹ A set of proposals were forwarded by Pakistan's foreign Minister Manzur Qadir on the demarcation of the border between the two sides.¹⁰ China did not respond immediately. China probably was of the opinion that Pakistan's proposal would act as a pressure point/ propel India to grant concessions to China. This, however, did not happen.

⁷ Sunil Khatri, p. 57.

⁸ Ibid.

⁹ Dobell, p. 283.

¹⁰ Ibid. p. 285.

Therefore, China changed tack and intimidated India in an official note that it did endorse India's claim of sovereignty over Kashmir unconditionally.¹¹ Sensing surfacing friction in the India-China ties, Pakistan was quick to grab this opportunity to bolster its ties with China. Dobell explains that by being able to strike an agreement with each other, both China and Pakistan appeared to be undercutting the threat from the possibility of simultaneously harbouring suspicion of conflict with each other on one side and having conflict with India on the other.¹² S.K. Dehlvi, Pakistan's erstwhile Foreign Secretary, who had played a key role in drafting the border understanding with China, was of the opinion that American aid to India stands in violation of the former's treaty commitment towards Pakistan and that any aid must be subjected to India walking out of Kashmir that is, giving up its claim on Kashmir. Pakistan was particularly perturbed at the possibility of US coming up to India's rescue on the event of an India-China conflict situation at the border and warned this could be 'an unfriendly act'.¹³

DECIPHERING PAKISTANI PERSPECTIVE ON THE BORDER AGREEMENT

Pakistan's deep affinity to the countries of the western bloc, given the fact that it had entered formal alliances against the communists, had the potential to impact its ties with China. The leadership in Pakistan was possibly aware of this collateral risk. The apprehensions became deeper when China sent soldiers to Hunza and captured grazing cattle from there. This particular development nudged Pakistanis to proactively seek China's consent to negotiate settling lines along their existing peripheries. Pakistan being a newly created state had a set of apprehensions and insecurities. In an international setting that was surcharged with Cold War politics, Pakistan was seen unrelentingly pursuing an agenda to secure its strategic interests especially with regard to its prevailing hostility with India. Pakistan was swift to discover

¹¹ Ibid.

¹² Ibid., p. 286.

¹³ Ibid.

options vis-a-vis the USSR and China—both communist regimes. This was a time when India was relatively closer to both these countries—an era also characterized by the *Hindi-Chini Bhai Bhai* years.¹⁴ Warm equations with the western bloc did not deter Pakistan from making strategic advances towards Russia and China.

Pakistan's efforts to build ties with China received further traction once it sensed that the US and the UK were forthcoming in standing up for India and also giving aid during the latter's border confrontation with China in the winter of 1962. The emerging circumstances in the backdrop of India-China standoff put Pakistan's leadership in a fix as their 'cherished ambitions of using the US as lever against India was going up in the smoke of the Chinese border war'. It is probably then that there was greater realization than before that though Pakistan and China were too disparate to each other as 'oil and water', there was a 'natural advantage in engaging Beijing'.¹⁵

President Ayub Khan, on the other side, also tried to leverage this phase to urge the US to convince India about opening negotiations on Kashmir. Several rounds of talks between India and Pakistan were thereafter planned and carried out divided over cities in India and Pakistan. Pakistan gradually developed a thought that India due to multitude of challenges it was facing could be coerced into ceding a desirable concession on Kashmir. China, on the other side, was by now versed with the reality of India and Pakistan's deep animosity—that was only bound to grow as things further unfolded. This reality was instrumental in bringing China close to Pakistan for this partnership that had the potential to satisfy their mutual strategic requirements.

There was a drive by Pakistan at the domestic and international level to justify Pakistan's position or the alleged territorial concessions it made to China. Rationalizing Pakistan's decision to ink an agreement with

¹⁴ Pervaiz Iqbal Cheema, 'Significance of Pakistan—China Border Agreement of 1963', *Pakistan Horizon*, 39 (4), 1986, p. 41.

¹⁵ Rudra Chaudhuri, 'The Making of an "All Weather Friendship", Pakistan, China and the History of a Border Agreement: 1949–1963', *The International History Review*, 40 (1), 2018, p. 13.

China involving territorial ceding, Zulfikar Ali Bhutto remarked at the UNSC: 'Article 6 of the Sino-Pakistan Boundary Agreement makes it clear that the Agreement is of a provisional nature between Pakistan and China, and that after the settlement of the Kashmir dispute, the sovereign authority that will emerge in Jammu and Kashmir, will reopen negotiations with the Government of the People's Republic of China, so as to sign a formal boundary treaty to replace the present Agreement'.¹⁶

Be that as it may, the agreement for Pakistan was envisaged as a final one as was entailed in the text. The negotiation were to be reopened only if the final sovereignty over the traded region would change once the issue of Kashmir is resolved through a final settlement. Article 6 of the agreement reiterates the temporariness of the agreement, albeit it also states: 'provided that in the event of that sovereign authority being Pakistan, the provisions of the present agreement and of the aforementioned protocol shall be maintained in the boundary treaty'.¹⁷ This proposition laid the contours of understanding between China and Pakistan that their interests will be served by 'perpetuating Pakistan's occupation' over what India considers PoK.¹⁸

WHAT PAKISTAN AIMED TO RECEIVE?

The border agreement was the foundation of an enhanced level of strategic friendship between China and Pakistan. In due course, this tacit agreement would help Pakistan seek a favourable position on Kashmir with India. Notwithstanding, since Foreign Minister Zulfikar

¹⁶ Zulfikar Ali Bhutto's UNSC Speech, The Sino-Pakistan Boundary Agreement, 26 March 1963, at <https://bhutto.org/index.php/speeches/speeches-from-1948-1965/the-sino-pakistan-boundary-agreement-march-26-1963/>. <Accessed 20 July 2020>

¹⁷ People's Republic of China-Pakistan Agreement on the Boundary Between China's Sinkiang and the Contiguous Areas, Peking, March 2, 1963, *The American Journal of International Law*, July 1963, 57(3), Cambridge University Press, pp. 713-716, available at https://www.jstor.org/stable/pdf/2196119.pdf?refreqid=excelsior%3Acc134c5a5a307f824a31736dcb900e6e&ab_segments=&origin=&acceptTC=1. <Accessed 20 July 2020>

¹⁸ Dobell, p. 288. Also cited in O. N. Mehrotra, 'Sino-Pak Relations: A Review', *China Report*, 12 (5-6), 1976, p. 57.

Ali Bhutto was closely involved in the negotiations and final process, he felt it was essential to justify the same in the light of what Pakistan stood to gain territorially from the agreement. Bhutto claimed that the agreement awarded Pakistan control over about 750 square miles of territory that consisted of 'salt and grazing ground, access to all passes along the Karakoram Range and control of two-thirds of K-2 mountain'.¹⁹ Control over 'salt mines of Shamshal' was projected as a major gain.²⁰ The fact that the agreement would undercut the potential future conflicts with the PRC on boundary limits was something that Bhutto pronounced as a major achievement accruing from the boundary pact.

An editorial in *Pakistan Times* published subsequent to the signing of the agreement is important to understand Pakistani perspective on the boundary agreement. It noted: 'The common equalitarian and fraternal aspirations of Islam in Pakistan and Socialism in China demand that the Frontiers Agreement should be followed by another fuller commercial Treaty. Then may come a defensive-offensive Pact... Sino-Pakistan interests are far more identical than either the Sino-Russian interests or the Pakistan-European and Pakistan-American interests'.²¹

At the same time, Zulfikar Ali Bhutto's speech in the National Assembly in July 1963 made Pakistan's designs further clear. Bhutto noted:

If India were in her frustration to turn guns against Pakistan the international situation of such today that Pakistan would not be alone in that conflict. A conflict does not involve Pakistan alone. Attack from India on Pakistan today is no longer confined to the security and territorial integrity of Pakistan. An attack by India on Pakistan involves that territorial integrity and security of the largest state in Asia and, therefore, this new element and this new factor that has been brought in the situation is a very important element and a very important factor.²²

¹⁹ Dobell, p. 290.

²⁰ Ibid.

²¹ Ibid., p. 291.

²² Ibid., For related information see: <https://bhutto.org/index.php/speeches/speeches-from-1948-1965/the-sino-pakistan-boundary-agreement-march-26-1963/>. <Accessed 25 July 2020>

Bhutto further elucidated noting:

though our negotiations were progressing-they were progressing in an unsatisfactory fashion. Then at the time of Sino-Indian conflict, an impetus was given to these negotiations and we can understand why an impetus was given to these negotiations. No state would like to face any problem of any unresolved situations on two fronts. Be that as it may, we gained by entering into negotiations and delimiting our frontiers. We accepted the proposal.

Pakistan's calculations were laid out clearly in the aftermath of the boundary agreement. Was it a veiled threat to India? To a large extent, this was a strategic posturing from Pakistan aiming to deter India from committing acts of aggression against Pakistan with regard to regaining control on the entire territory of the former princely state of J&K.

Pakistan was sensitized to the broader repercussions of tinkering with territories that formed part of the pending territorial dispute. This element of caution was perceptible in a letter that was written way back in 1959 to the UNSC. The letter by Pakistan noted:

....my Government is bound by its duty to declare before the Security Council that, pending determination of the future of Kashmir through the will of the people impartially ascertained, no position taken or adjustments made by either of the parties to the present controversy between India and China or any similar controversy in the future shall be valid or affect the status of the territory of Jammu and Kashmir.²⁴

HOW INDIA FALTERED IN EXTRACTING A CONCESSION FROM CHINA ON KASHMIR IN THE PAST?

The diplomatic and political flare-up around the Kashmir issue coincided with the period when the world was deeply divided on the basis of

²³ National Assembly of Pakistan Debates, 17 July 1963, part II, p.1669 as quoted in O N Mehrotra, 'Sino-Pak Relations: A Review', *China Report*, 12 (5-6), September-December 1976, pp. 56-57.

²⁴ Zulfiqar Ali Bhutto's UNSC speech, March 1963 at cited above in No. 16.

Cold War adherences. India that had charted a non-aligned autonomous course shared cordial ties with China in the years beyond 1947. Despite the congenial atmosphere between the two countries, India somewhat failed to capitalize on its equations with China. India did not contest China's control over Tibet and Taiwan (what was then Formosa).²⁵ China's territorial advancements in the region was a ripe opportunity that India could utilize to extract the former's endorsement over its position on Kashmir. Those were also the years that India is learnt to have endorsed China's permanent membership to the UN Security Council. Therefore, the timing and context was conducive for India to negotiate with China and seek a formal and favourable endorsement over Kashmir. All this while, China, by and large, maintained a 'discreet silence' over the issue of Kashmir letting most of those involved to think that it was a neutral posture.²⁶

In July 1960, in a meeting between Chinese Premier, Zhou Enlai, and Indian Vice President, Sarvepalli Radhakrishnan, there was some discussion between the two sides on Tibet and Xinjiang and China's forceful occupation of these region. The Chinese side is noted to have raked up Kashmir in the interaction in a gesture to deter India and urge it to further refrain from a stance that was contrary to China's control over these two regions on its west.²⁷ There probably were signs of underutilized opportunities, that it may be argued required a better, defter handling from the Indian side—one that could bring forth conclusive concessions favouring India's position on Kashmir.

It may, in hindsight, be also argued that China's territorial aggrandisement in the 1950s was perhaps a ripe opportunity for India to bargain on Kashmir. In the hurry to occupy Tibet (which India anyways could not have done much to prevent), it was possible that

²⁵ Surendra Chopra, 'Chinese Diplomacy and Kashmir', *The Indian Journal of Political Science*, 29 (3), 1968, p. 246.

²⁶ Ibid.

²⁷ Record of Conversation between Zhou Enlai and Vice President Sarvepalli Radhakrishnan, 21 April 1960, available at <https://digitalarchive.wilsoncenter.org/document/175921.pdf?v=451d5a6bb17ca1f40df951558ab02ad3>. <Accessed 25 August 2021>

China could negotiate its position on Kashmir. In such a scenario, China could at least maintain a tangible neutrality instead of an anti-India position, which in turn would prevent it from unleashing manoeuvres in tandem with Pakistan. At the same time, it is important to understand that these developments were occurring in a complex polarized backdrop where international relations were deeply divisive. In a bigoted setting, choices for developing nations like India were quite few. Therefore, to state that India incurred an irreparable loss by not being able to fetch a deal with China on Kashmir may not be unqualifiedly correct. There was a window of opportunity undoubtedly-the potential outcome of which could go either ways and therefore, hard to estimate precisely.

INDIA'S PROTEST

Faced with a severe strategic crisis, India undertook strident diplomatic measures to express its displeasure on the boundary pact-what it considered an illegitimate act by Pakistan and China. India categorically put forth that this was an act of 'interference with the Sovereignty of India over the State of Jammu and Kashmir' and made it emphatically clear that it would neither tolerate such machinations nor was it 'bound' by it even though it was of 'provisional nature'.

The agreement was a definite setback for India's strategic interests as the two adversaries on its northern periphery had colluded to occupy disputed portions of territory claimed by India. More importantly, this was happening at a time when India and Pakistan were in the middle of holding multiple rounds of talks to resolve the Kashmir issue. Reacting to this act of deceit, India in a protest note registered its legitimate objections to both the China and Pakistan. The note read:

In lodging an emphatic protest with the government of the People's Republic of China for this interference with the sovereignty of India over the state of Jammu and Kashmir, the Government of India solemnly warns the Government of China that any change, provisional or otherwise, in the status of the state of Jammu and Kashmir brought about by their parties which seek to submit certain parts of Indian territory to foreign jurisdiction will not be binding on the Government of India and that the Government of India firmly repudiate any agreements,

provisional or otherwise, regarding her own territories arrived at between third parties who have no legal or constitutional *locus standi* of any kind. It is clear that the Government of China are in this matter acting in furtherance of their aggressive designs and are seeking to exploit the troubled situation in Kashmir and India's differences with Pakistan for their advantage. The Government of India will hold the Government of China responsible for the consequences of their action.²⁸

THE CHINESE RESPONSE

The Chinese were aware of the ramifications of getting into a provisional border agreement with Pakistan over a disputed territory. And so they had their responses tailored to meet the subsequent exigencies. The Chinese response to India's objections read as follows:

More than ten years have passed and despite the best wishes and expectations all along cherished by China, this dispute between India and Pakistan remains unsettled. In this circumstance, any one with common sense can understand that the Chinese Government cannot leave unsettled indefinitely its boundary of several hundred kilometres with the areas the defence of which is under control of Pakistan merely because there is a dispute between India and Pakistan over Kashmir. It is entirely necessary, proper, legitimate, and in accordance with International practice for the Chinese Government to agree with the Government of Pakistan to negotiate a provisional agreement concerning this boundary pending a final settlement of the Kashmir question. What fault can be found with this.²⁹

THE AGREEMENT: A STOPGAP MEASURE OR A ROCK-SOLID FOUNDATION?

Fundamentally, the boundary agreement between China and Pakistan was based on the principle of transience. As noted earlier, Article 6 of

²⁸ Sisir Gupta, *Kashmir: A Study in India-Pakistan Relations*, Asia Publishing House, Bombay, 1966, p. 428.

²⁹ *Ibid.*, pp. 428-429.

the document delineates this aspect in a substantial measure. There was a definite caution given the expectation that India could react sharply given its claim on those areas that were swapped between the two sides. Due to such factors it was decided that 'the boundary between the areas under Chinese Communists and Pakistan administration should be shown as a demarcated, international border. However, because of Indian claims to Jammu and Kashmir, the standard boundary disclaimer must be used to indicate the provisional nature of the present boundary delimitation'.³⁰

On the other hand, even though the agreement was conceived as being 'notionally provisional', it provided the necessary framework to 'entrench Chinese and Pakistani control' over Gilgit-Baltistan situated on a key point of confluence near Pakistan's north.³¹ By virtue of Pakistan's illegitimate occupation of the region, Gilgit-Baltistan continues to serve as the as only land link between the two sides. It was this provisional agreement that sowed the seeds of an enduring strategic collaboration between Pakistan and China 'providing the basis for a mammoth set of infrastructure projects between the two sides which continues to this day'.³²

SINO-INDIAN-PAK MATRIX AND THE GREAT POWER POLITICS

That the Sino-Pakistan gambit forged against India started taking concrete shape on a fundamentally illegitimate border agreement, must not be viewed in isolation. The agreement was forged in a context that was surcharged with Cold War politics where the terms of engagement were more or less clearly defined. The events surrounding the Sino-Pak boundary agreement carried implications for the tremendously dynamic equilibrium between the great powers. Pakistan was rallying hard to persuade the US and the UK to cease aid to India or else link

³⁰ International Boundary Study, p. 6.

³¹ Andrew Small, *The China-Pakistan Axis: Asia New Geopolitics*, C. Hurst & Co. Publishers Ltd, New York, 2015, p. 24.

³² Ibid., p. 25.

it to the negotiations on Kashmir. However, if at Pakistan's insistence, the US did withdraw aid to India, Russia would happily fill its shoes—something the Americans probably preferred to avoid given their Cold War-centred strategic calculations.

There was a thinking in the State Department that the temporary border arrangement between China and Pakistan had potentially impeded the possibility of progress being made on the Kashmir issue with support from the western powers. However, even while the border agreement was underway, the Americans felt there was little they could do to avert it as Pakistan was 'a treaty ally'.³³ The western powers were caught in a real fix essentially in how to deal with a situation where 'a staunch American ally against Communism is negotiating with the Chinese communists to the resentment of an erstwhile neutral'.³⁴ India's requirement of arms and aid in the aftermath of the border war with China was overshadowed by looming connivances on the part of great powers such as the UK whose leadership based on 'divergencies of thought and policy' perhaps dissuaded the western camp including the US to be forthcoming in arming up India in the face of Chinese Himalayan aggression.³⁵

Pakistan was already a part of the western military alliances. Whereas Pakistan was willing to oblige powerful nations, India was adamant and determined to follow an independent course of policy. India, therefore, was perceived as being rather rigid and dogmatic. India could no longer hope for a fair resolution of the Kashmir issue and it increasingly felt this was not possible anymore. Second, India had just fought a war with China over what it claimed to be its territory as part of the princely state of Jammu and Kashmir—a part of which was eventually traded by Pakistan to the latter.³⁶

³³ D.N. Panigrahi, p. 218.

³⁴ Ibid.

³⁵ Ibid., 215.

³⁶ Bruce Riedel, *JFK's Forgotten Crisis: Tibet, the CIA, and the Sino-Indian War*, Harper Collins, New Delhi, 2015, p. 154.

Whether the Sino-Pak treaty was a well thought out act or an off the cuff endeavour, it bode far reaching repercussions for the equations between India, China and Pakistan in the years and decades to come.

STRATEGIC PARTNERSHIP

For several reasons, the China-Pakistan border agreement was the bedrock of the bilateral equations shared between the two. It provided a niche for growing Sino-Pakistan ties by consolidating trust between them especially given their incongruent geopolitical adherences in the Cold War-charged landscape. It was on the edifice of the provisional border agreement that the mighty Karakoram Highway, acknowledged as an engineering marvel, was later built. The linking of the two sides through this highway is instrumental both practically and symbolically. It was put to commercial use as goods including nuclear material was allegedly ferried through this route. At the same time, the highway continues to stand as the foremost symbol of strong bilateral strategic partnership between China and Pakistan. The China-Pakistan ties have withstood test of oddities that make them different from each other in their fundamental character, stark disparities in their statures, politically and economically, but binds them together by ever converging strategic objectives in the region and beyond.

CHINESE 'NEUTRALITY' ON KASHMIR: AN ILLUSORY PRISM

In the contemporary CPEC (China Pakistan Economic Corridor)—helmed regional discourse, the role/ stakes of China with regard to the Kashmir issue has become undeniable. Given the enormity of the project and the geopolitical chimera around it, some may still mistake attaching China's role in Kashmir with the building of the ambitious CPEC and more recent developments. Undoubtedly, the enunciation of CPEC and the built-up narrative is a watershed in terms of China and Pakistan further cementing their strategic ties with a prolific economic partnership in which China would funnel more than USD 60 billion into a chain of infrastructure and development projects spread across Pakistan and Pakistan occupied Kashmir.

Despite the strategic capital attached to CPEC almost globally, and its high-attention span and popularity in the current discourse, it is hard to ignore the historicity of the Chinese role in the Kashmir issue. Such strong are the historical links in this context, it is no exaggeration to argue that China's advent on Kashmir is as old as the Kashmir issue itself. Certainly however, over the decades, there are varying shades of Chinese stance on Kashmir that one needs to understand carefully. There are varied nuances that must be understood and a range of grey areas that need to be deciphered. The chapter attempts to explore and collate the layers of Chinese stance on the Kashmir issue in the past 70 years to produce insights that may help to gauge its responses to developments in future and the likely consequences of that.

SELF-PRONOUNCED 'NEUTRALITY' ON KASHMIR

The Kashmir issue gained prominence and has remained on the radar of international politics for long. It has in several ways dictated terms of relationship between India and Pakistan with the other countries for more than seven decades. In this context, it is interesting to note that no other country has pronounced its neutrality on Kashmir as

much as China. This strand of showcased neutrality has roots in how China conducted its Kashmir stance in the early years when the issue was under the UN's purview. As President of the Security Council, China put forward a set of proposals the content of which were largely amenable to India given its primary thrust on calling upon 'Pakistan to try to secure the withdrawal of the raiders to prevent any further intrusion'.¹ In fact, there was a point of time when the onus to convince Pakistan was put on China to issue 'a more specific direction to Pakistan to stop the hostilities and to question the need for establishing an entirely new regime in Kashmir'.²

As a result of deliberate posturing adopted in the previous years, a pretence of neutrality prevailed in China's Kashmir policy. This was despite the fact that China was and continues to be in possession of a substantial chunk of territory that was originally part of the erstwhile princely state of J&K. The term 'forgotten' or the 'other Kashmir' is more often attributed to parts of Kashmir under Pakistan's control, that is, PoK. Seldom has adequate attention been devoted to the other strategically crucial region of 'forgotten' Kashmir that lies under China's control, what is being now referred to as China-occupied Kashmir.³ As noted, China is in possession of chunks of territory of J&K resulting from its close ties with Pakistan on one hand, and its adversarial ties with India, on the other. China took control of Aksai Chin—a white desert where it deceitfully built a road to acquire it. The announcement of the road in Aksai Chin in 'September 1957 marked a turning point in China's Kashmir policy' bringing to the 'fore the previously dormant territorial dispute'.⁴ While India holds what is 45 per cent of the former

¹ C. Dasgupta, *War and Diplomacy on Kashmir: 1947-48*, Sage, New Delhi, 2002, p. 127.

² Ibid., p. 119.

³ For details refer: Sujan R. Chinoy, 'The Forgotten Fact of China-occupied Kashmir', MP-IDSA Special Feature, 13 November 2020, at <https://idsa.in/system/files/comments/sf-china-occupied-kashmir-srchinoy.pdf>. <Accessed 12 March 2021>

⁴ Santosh Singh, 'China's Kashmir Policy', *World Affairs*, Summer 2021 (April-June), 16 (2), p. 104.

princely state of Jammu and Kashmir, Pakistan and China occupied and still retain 35 and 20 per cent of the territory of J&K.⁵ Irrespective of it holding a part of territory, China has, for many years, officially proclaimed and maintained a standard line of approach towards Kashmir—that Kashmir is a bilateral issue between India and Pakistan and both sides must make mutual efforts to resolve it.

An article published in the *Global Times* in June 2017 deliberated on the potential Chinese interests and stakes in playing a role in the Kashmir issue between India and Pakistan. The article swirled some important facets further elucidating how China has ingratiated itself into the issue by investing billions in projects all over Pakistan including in the PoK region- part of territory of the former princely state.⁶ The article remarked how 'China has always adhered to the principle of non-interference in the internal affairs of other countries, but that doesn't mean Beijing can turn a deaf ear to the demands of Chinese enterprises in protecting their overseas investments' and therefore, China has 'vested interests' in mediating in the India-Pakistan dispute.⁷ It, therefore, became incrementally apparent that China has a 'latent interest in playing a bigger role in the region' and Beijing's strategic and economic entanglements make it an active stakeholder in the future of Kashmir.⁸ However, China for long avoided taking a stand on India-Pakistan mediation

⁵ Bukhari and Tahira Parveen, 'China's Approach Towards Kashmir Conflict: A Viable Solution', *Journal of Professional Research in Social Sciences (JPRSS)*, 1 (1), July 2014, p. 14.

⁶ Manikanth P, 'How Kashmir Issue Affects China?' *Socialpost.news*, 9 June 2017, at www.socialpost.news/opinions/how-Kashmir-issue-affects-China. <Accessed 18 June 2018>

⁷ 'China has a 'vested interest' in the resolution of Kashmir dispute: Chinese daily', *Dawn*, 2 May 2017, at <https://www.dawn.com/news/1330585>. <Accessed 24 July 2021>

⁸ 'China has vested interest in helping resolve Kashmir issue: Beijing daily', *The Economic Times*, 12 July 2018, at <https://economictimes.indiatimes.com/news/defence/china-has-vested-interest-in-helping-resolve-kashmir-issue-beijing-daily/articleshow/58474462.cms?from=mdr>. <Accessed 2 August 2021>

officially- all this while it maintained that the Kashmir issue was a bilateral problem to be resolved mutually.

CHINA'S KASHMIR APPROACH: OSCILLATIONS, SHENANIGANS

Has China's Kashmir approach oscillated? The question needs to be probed in detail to understand China's long term strategy on Kashmir and whether a strategy was well in place long before India or the outside world realized. An important reality to factor in while discussing China's Kashmir strategy is the correlation between the provisional Sino-Pakistan Border Treaty and the pending resolution of the Kashmir issue—significant being the fact that once/ if/ when the ultimate Kashmir resolution is arrived at, it would automatically nullify the Sino-Pak Border Agreement of 1963 and necessitate its re-negotiation as entailed in Article 6 of the provisional agreement. It is important to deliberate how far the Chinese are going to be comfortable with this potential eventuality. China has remained in control of the strategically important Shaksgam Valley for almost 6 decades. With the passage of time and their expanding stakes in the region (Gilgit-Baltistan in particular), China's strategic interests have become incrementally intertwined with their continued control over the Pakistan-gifted Trans Karakoram Tract.

Links have also been drawn between China's wider spectrum of strategic interests and its vested stakes in the Kashmir issue that have been viewed through the prism of or a 'function of its own domestic challenges, as well as the fact that it is also a party (to the disputed territory), so even if the geopolitical fault lines in the region harden, the Chinese position won't solely be driven by a greater tilt towards Pakistan and against India'.⁹

⁹ Tom Hussain, 'China turning up heat on India through Pakistan flank amid Doklam standoff?' *South China Morning Post*, 21 July 2017, at <https://www.scmp.com/week-asia/geopolitics/article/2103646/china-turning-heat-india-through-pakistan-flank-amid-doklam>. <Accessed 21 May 2020>

Portrayal of Righteousness: In a note sent across to India, China on 16 September 1965 observed: 'non-involvement' on China's part 'doesn't mean failure to distinguish between right and wrong; it absolutely does not mean that China can approve of depriving the Kashmiri people of their right of self-determination'.¹⁰

Artificial Concerns for India's Position on Kashmir: As in the past, China in more recent developments has tried to publically impress that it is sensitive to India concerns on Kashmir. In his address at The United Service Institution of India entitled, 'In My Eyes: India, Indians and India-China Relations', in May 2017, former Chinese Ambassador Luo Zhaohui noted: 'Take Kashmir issue for example, we supported the relevant UN resolutions before 1990s. Then we supported a settlement through bilateral negotiation in line with the Simla Agreement. This is an example of China taking care of India's concern'. He also commented on India's reservations vis a vis BRI and CPEC in particular and on whether the upcoming corridor is violating India's sovereignty, the Chinese Envoy observed: 'China has no intention to get involved in the sovereignty and territorial disputes between India and Pakistan. China supports the solution of the disputes through bilateral negotiations between the two countries'.¹¹

In September 2017, Chinese foreign ministry Spokesman, Lu Kang responding on being asked about the Organisation of Islamic Cooperation (OIC) Contact Group suggestion that UN resolutions on Kashmir be implemented, stated: 'The Kashmir issue is left over from history. China hopes India and Pakistan can increase dialogue and communication and properly handle relevant issues and jointly safeguard regional peace and stability'.¹² Parallel to this, the *Xinhua* in

¹⁰ Bukhari and Tahira Parveen, p. 20.

¹¹ 'In My Eyes: India, Indians and India-China Relations', Remarks by H.E. Ambassador Luo Zhaohui at The United Service Institution of India (USI), 5 May 2017, New Delhi, at http://in.china-embassy.org/eng/embassy_news/t1459430.htm. <Accessed 19 December 2020>

¹² 'China Dismisses Outside Interference, Says Kashmir A 'Bilateral Issue' Between India, Pak', *NDTV*, 22 September 2017, at <https://www.ndtv.com/india-news/china-dismisses-outside-interference-says-kashmir-a-bilateral-issue-between-india-pak-1753943>. <Accessed 17 December 2020>

September 2017 published the following lines on Kashmir and the India-Pakistan equations in general. 'A separatist movement and guerrilla war challenging New Delhi's rule is going on in Indian-controlled Kashmir since 1989. Gunfights between militants and Indian troops take place intermittently across the region. Kashmir, the Himalayan region divided between India and Pakistan is claimed by both in full. Since their independence from Britain, the two countries have fought three wars, two exclusively over Kashmir', it read.¹³

Stapled Visas to People from Jammu and Kashmir and Denial of Visas: In the period 2010-11, some Chinese actions reflected a tangible reset in its oft-stated neutral positioning on the Kashmir issue. Prevailing perceptions were tossed as China issued stapled visas to residents of Jammu and Kashmir travelling to China. Similarly, the Chinese side refused visa to Lieutenant General B.S. Jaswal of the Indian Army for travel to China as he was then heading the Northern Command in Jammu and Kashmir.¹⁴

Map Controversy: In 2015, a furore was raised when Chinese state-owned television China Central Television (CCTV) channel showed map of India without Jammu and Kashmir and Arunachal Pradesh.¹⁵ Significantly, the same was used while reporting on the visit of Indian Prime Minister Narendra Modi to China in May 2015. Incidentally, it was during this visit that India formally raised objections towards CPEC, the flagship project from the BRI stable, with the Chinese side at the highest level.

¹³ 'Indian troops kill top militant commander, associate in Indian-controlled Kashmir gunfight', *Xinhua*, 14 September 2017, at http://www.xinhuanet.com/english/2017-09/14/c_136610114.htm. <Accessed 20 December 2020>

¹⁴ Pramit Pal Chaudhuri, 'China's flip-flop on Kashmir', *Hindustan Times*, 15 April 2011, at <https://www.hindustantimes.com/world/china-s-flip-flop-on-kashmir/story-0jADdlxwEnCB3XuW3XycRP.html>. <Accessed 22 November 2020>

¹⁵ 'Chinese State-Owned Television Shows India Map Sans Jammu-Kashmir, Arunachal', *The Wire*, 14 May 2015, at <https://thewire.in/diplomacy/chinese-state-owned-television-shows-india-map-sans-jammu-kashmir-arunachal>. <Accessed 22 December 2020>

Warming up to Kashmiri Separatists: In 2009, China hosted Mirwaiz Umar Farooq of the Awami Action Committee from the All Parties Hurriyat Conference. Prior to the visit, Mirwaiz's statement that China has direct link with the Kashmir issue raked up controversy in India.¹⁶

Entente Cordiale¹⁷: Mapping China's Posture on Kashmir Across Decades

Projections of China's Kashmir policy have shown variations. Even though most of it may be merely optical, the variations in pattern of China's posturing is true for the period spanning decades. China's Kashmir positioning is broadly divided into phases starting with a neutral note during the 1950s. Geopolitical pulls and China's growing bilateral affinity towards Pakistan shaped its Kashmir stance henceforth during the 1960s through the 1970s. China's position on Kashmir became more pro-Pakistan and this coincided with the decline in its equations with India. In the wake of India-China border war in 1962, as India started 'to seek and accept military aid from the United States and other Western countries' leading to an increase in 'American influence', the Chinese side became wary. In the bloc politics-governed world, 'India was perceived by China as part of the chain of the encirclement of China effected by the US anti-Communist strategy' and 'Pakistan as a strategic counterweight against India in South Asia'.¹⁸ Beginning late 1970s till 1980s as China became heavily invested in its domestic development processes and growth, it adopted a hands-off neutral approach on the Kashmir issue. At that point of time, China's prime focus was to 'balance the need to satisfy demand for support on the Kashmir issue and its own growing interest in developing a better

¹⁶ 'China has direct link with Kashmir, says Mirwaiz', *Rediff.com*, 20 November 2009, at <https://news.rediff.com/report/2009/nov/20/china-has-direct-link-in-kashmir-resolution-mirwaiz-omar-farooq.htm>. <Accessed 17 December 2020>

¹⁷ For details refer: 'The Sino-Pakistani Entente Cordiale', in John W. Garver, *Protracted Contest: Sino-Indian Rivalry in the Twentieth Century*, Seattle: University of Washington Press, 2001, pp. 187-215.

¹⁸ Mao Siwei, 'China and the Kashmir Issue', *Strategic Analysis*, March 1995, p. 1581.

relationship with India'.¹⁹ Since then, Beijing's 'unequivocal position' has been that Kashmir is a bilateral issue between India and Pakistan and it needs to be resolved by 'peaceful means'.²⁰ This again coincided with the period when India-China relations were on the upward trajectory especially in the wake of the 2004 working groups talk to resolve matters relating to border disputes between the two sides.

Broadly, China's Kashmir strategy has been influenced by parameters primarily governed by the border entanglements with India- a factor that has driven China's geopolitical pursuits and strategy. China's strategy is also related to the Kashmir issue being clubbed with the nuclear fallout in the subcontinent. This is because China was actively engaged in arming Pakistan with the nuclear wherewithal and it continues to do so even today.

1. In the context of **China's South Asia policy**: It is apparent that if one views China's Kashmir position in isolation, especially contemporarily, it may not explain or account for its broader geopolitical goals and strategic objectives in a holistic manner. Therefore, one must see whether and how China's Kashmir posturing relates to its designs on South Asia and what are the 'underlying rationales' behind by carefully delineating the 'change and continuity' in its Kashmir policy.²¹ Further, in order to understand significant nuances in the Chinese posture on Kashmir, one must take note of the essential strand of dynamism in how China has manoeuvred to 'demonstrate solidarity' with Pakistan over the issue in times of 'estrangement and hostility' with India and vice versa, and taken a more balanced approach as and when its ties with India improved in order to 'avoid unnecessarily alienating India and running the risk of entrapment'.²²

¹⁹ See no. 4.

²⁰ Jindong Yuan, 'China's Kashmir Policy', *China Brief*, The Jamestown Foundation, at <https://jamestown.org/program/chinas-kashmir-policy/>. <Accessed 17 December 2020>

²¹ Ibid.

²² Ibid.

2. Second, more importantly, in the context of the **India-Pakistan equations**: The Kashmir issue has remained and has, henceforth, been used as a potential hedge to balance out India vis-a-vis the China-Pakistan strategic combine. More effectively, Pakistan has been seen to be receiving tacit if not active support from China during its hostilities against India. According to John Garver, there is need to understand and gauge 'whether China has stood quietly but effectively behind Pakistan during periods of Pakistan-India conflict over Kashmir'.²³ During the 1960s, while China upheld Pakistan's self-determination bogey for the people of Kashmir and even 'endorsed war' to achieve the same, it refrained from employing terrorism as a tool/ instrument to 'pressurize India' towards conceding 'concessions' for Pakistan on Kashmir.²⁴ In the broader context of oft-debated China-Pakistan's 'Entente Cordiale'²⁵, it is important to gauge as to what extent shared adversarial ties with India provided the two sides the impetus to bury their differences and stand in strategic unison against India.

In the aftermath of Simla Pact of 1972, the pursuit of rapprochement between India and China gained some traction. This was upon Prime Minister Indira Gandhi's resumption of power in 1980 after which she expressed desire to continue the process of normalization of ties that were set in motion by the previous incumbent.²⁶ By the time India-China border talks started in 1981, China showed a great deal of flexibility on Kashmir vis-a-vis India especially as Deng Xiaoping pronounced Kashmir as a India-Pakistan bilateral matter-this was a somewhat categorical stance advocating a bilateral approach marking a major shift in China's posturing- a breakaway since 1960s given China's pronouncements on Kashmir now referred to a 'bilateral settlement' instead of 'in accordance with the UN resolutions'.²⁷ However, what

²³ John Garver, 'China's Kashmir Policies', *India Review*, 3 (1), 2004, p. 8.

²⁴ *Ibid.*, p. 2.

²⁵ See no. 17.

²⁶ Ghulam Ali, *China-Pakistan Relations: A Historical Analysis*, Oxford University Press, Karachi, 2015, p. 110.

²⁷ *Ibid.*, p. 111.

needs greater attention is the plausibility whether the so-called paradigmatic shift in China's approach was a mere illusion or a diversionary strategy to sway attention away (of India and the wider international community) and facilitate its discreet nuclear aid to Pakistan that continued throughout the 1980s.

A closer look at the sequential unfolding of events during the late 1980s reveals that Pakistan was on the one hand actively developing nuclear weapons with China's help and on the other, unleashing terrorism and bloodbath across the Line of Control in the Kashmir Valley. More significantly, the occurrence of the events bear some indication that Chinese stances of purported neutrality during the late 1980s and early 1990s were probably a strategic eyewash—maintaining a facade that Kashmir is a bilateral issue all along arming Pakistan with nuclear weapons to balance out equations with India. Besides, keeping the spotlight on bilateralism also served majorly to divert focus from the parts of Kashmir under China's control. Therefore, it is observed that the Chinese approach has overall been misleading. China has been playing its game of shielding its territorial expansion in Kashmir all these years.

China has used Kashmir as a bargaining chip not only against India but also with the United States. On India, China has invariably maintained a considerable degree of threat perception both in times of peace and war—that India must refrain from acting against what could perceptibly be against China's core interests and one that would lead to 'a more pronounced Chinese shift towards Pakistan on Kashmir'.²⁸ Similarly the United States, considering Chinese strategic proximity to Pakistan, could incentivise the former to seek China's role/ cooperation in resolving the Kashmir issue.²⁹ It is also argued that China favoured keeping the balance hanging, leaving it open to interpretation as to which side it would ultimately 'tilt'. This particular strategy is aimed to keep India guessing and, hence, give China more space to exercise leverage. 'Managing the contradiction between maintaining the Sino-Pakistan entente cordiale and pushing ahead with greater Sino-India

²⁸ John Garver, p. 2.

²⁹ Ibid.

cooperation is China's strategic problem in South Asia. Kashmir has served as a useful mechanism in Beijing's management of that contradiction', it is noted.³⁰

Noted sinologist, John Garver, broadly categorized six parameters of Chinese position on Kashmir issue. Garver's broad estimate in this regard were detailed as follows:

1. China's projected/ perceived neutrality on the Kashmir issue;
2. Chinese 'demonstrations of security support to Pakistan' in times of the latter's times of confrontation/ war with India;
3. Aside from the Kashmir issue, China's steady support towards strengthening Pakistan's armed forces;
4. China's position to concerning 'modalities' to solve the Kashmir issue;
5. Chinese interests in Kashmir and 'latent policies' that could lead up to 'a possible substantive solution of the Kashmir issue';
6. China potentially employing Kashmir as a bargaining chip against India and the United States to accrue diplomatic leverage.³¹

In September 1965, Chinese Foreign Minister Marshal Chen Yi 'reaffirmed complete Chinese sympathy and assistance for the Kashmiri freedom fighters that were in constant struggle to liberate Kashmir from the illegal control of India. He also condemned the Indian provocative action and supported Pakistan's strategy of hitting back for her self-defense'.³²

³⁰ Ibid., p.19.

³¹ Ibid., p. 1.

³² Manzoor Khan Afridi and Abdul Zahoor Khan, 'China's Seat in United Nations, Kashmir Issue and the India-Pakistan War of 1965', *Global Journal of HUMAN-SOCIAL SCIENCE: F Political Science*, 15 (3), 2015, at https://globaljournals.org/GJHSS_Volume15/3-Chinas-Seat-in-United-Nations.pdf, p. 19. <Accessed 13 March 2021>

GEOPOLITICAL FACTORS DRIVING CHINA'S KASHMIR POLICY: THE COLD WAR, THE UNITED STATES AND FORMER SOVIET UNION

The US has been historically a factor defining China's approach towards India and by extension on the Kashmir issue in particular. In the wake of the invasion of Tibet and the resultant decline in the relationship with India, and in order 'to create some semblance of a counterbalance, Peking turned to Pakistan, pledging support for its Kashmir policy for the first time as well as a border treaty in exchange for new opportunities for regional influence'.³³ As soon as border talks with India showed signs of distress, China turned towards Pakistan and issued a communique at the end of Chou En-lai's visit to Pakistan in February 1964. The communique notably endorsed support to Pakistan's stance on granting self-determination to Kashmiris. Similarly, when Pakistan's President, Ayub Khan, visited Peking in March 1965, a similar communique with similar content upholding the right to self-determination was issued noting that the problem must be 'resolved in accordance with the wishes of the people of Kashmir as pledged to them by India and Pakistan'.³⁴

Meanwhile, China's New China News Agency (NCNA) was quick to contrast China's support to Pakistan on the Kashmir issue with Soviet support to India at the UN in order to undercut Soviet Union's 'bridge building efforts' towards Pakistan.³⁵ At the same time, the NCNA also derided the UN as a 'sanctuary for the Indian aggressor'.³⁶ Dissuading Pakistan from accepting Soviet Union's mediation on Kashmir after the India-Pakistan war of 1965, the *People's Daily* in its editorial noted: 'It is easy though to imagine the kind of "good offices" that would be offered by those who have all along supported India in annexing

³³ Sheldon W. Simon, 'The Kashmir Dispute in Sino-Soviet Perspective', *Asian Survey*, 7 (3), 1967, p. 177.

³⁴ *Ibid.*, p. 178.

³⁵ *Ibid.*

³⁶ *Ibid.*, p. 183.

Kashmir....what the Soviet leaders intend to do is, in the name of "good offices," to aid the Indian aggressors to force Pakistan to accept India's annexation of Kashmir as legitimate'.³⁷

China was keenly interested that it has some kind of a string-pulling role as far as the issue of Kashmir was concerned. Therefore, getting the sense that Soviet Union was taking proactive interest in diplomatic engagement with the Kashmir issue, caused considerable discomfiture on the Chinese side based on the thinking that its 'diplomatic leverage' on Kashmir would dramatically reduce if the UN and more so, the Soviet Union became more involved.³⁸ Chinese reaction to the Tashkent Agreement was rather sharp and critical and they turned it down calling it a 'product of U.S.-Soviet conspiracy'.³⁹ China strongly dissuaded Pakistan from accepting a UN-initiated ceasefire in the Kashmir region after the September 1965 India-Pakistan War.⁴⁰

ELEMENT OF CATEGORICAL SUPPORT TO PAKISTAN ON THE KASHMIR ISSUE DURING THE INDIA-PAKISTAN WAR- SEPTEMBER 1965

Before and during the India-Pakistan hostilities of 1965, China was perceivably taking a categorical pro-Pakistan stance. The 1965 India-Pakistan War was fought in the backdrop of China feeling emboldened having put India through a difficult situation during the 1962 war followed by the provisional border agreement with Pakistan. In a 'remarkable' move, 'China attempted to prove its 'innocence' in 1962 by pointing out the 'innocence' of Pakistan in the 1965 conflict with India'.⁴¹ Chinese position became apparent when during his visit to

³⁷ Ibid.

³⁸ Ibid.

³⁹ Ibid., p. 185.

⁴⁰ It was probably due to factors/ baggage from the past that there was a thinking as to whether conclusion of India's nuclear deal with the US would lead to hardening of Chinese stand on Kashmir.

⁴¹ B. R. Deepak, 'Sino-Pak Entente Cordiale and India: A Look into the Past and Future', *China Report*, 42(2), Sage Publications, 2006, p. 132.

Pakistan in September 1965, Chinese premier Chen Yi while addressing a press conference in Karachi, observed complete 'sympathy and support' for Kashmir's 'just struggle'.⁴² At the same time, he condemned the so-called 'slander spread by the Indian press that China helped train Kashmir's guerrillas'.⁴³ The *People's Daily* raised the ante and the level of propaganda against India by calling the crisis in Kashmir an 'armed uprising' and an 'inevitable' outcome of 'reactionary India Government rule'.⁴⁴ A similar statement by the Chinese People's Republic (CPR) called India's response to Pakistani hostilities in 1965 and decision to expand the sphere of war as 'naked aggression' thereby fully resolving 'firm support for Pakistan'.⁴⁵

China continued to disparage the UN as 'a tool of U.S. imperialism' criticizing how it was partisan in dealing with the Kashmir issue. It also rejected the ceasefire proposal from the UN. In this context, the NCNA noted on 13 September 1965 that the World body 'persisted in its prejudiced stand in favor of India'.⁴⁶ On the other side, China threatened India with 'the prospect of a two front war' replicating Chinese aggression and military dominance in the 1962 hostilities.

A subsequent statement from the CPR reiterated China's threat to India and support to Pakistan. It noted in plain terms:

The Chinese government has consistently held that the Kashmir question should be settled on the basis of Kashmiri people's right of self-determination, as pledged to them by India and Pakistan. This is what is meant by China's non-involvement in the dispute between India and Pakistan...So long as the Indian Government oppresses the Kashmiri people, China will not cease supporting the Kashmiri people in their struggle for self-determination. So long as the Indian Government persists in its

⁴² Sheldon W. Simon, p. 181.

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ Ibid.

⁴⁶ Ibid., p. 182.

unbridled aggression against Pakistan, China will not cease supporting Pakistan in its just struggle against aggression'.⁴⁷

PROPOSAL TO MEDIATE?

It is a foregone conclusion that China has been an inherent part of the Kashmir problem. Not only is China a part of the problem but it has contributed in great measure to further complicate the issue. Therefore, in the backdrop of the Doklam crisis of 2017, when the Chinese Foreign Ministry Spokesperson, Geng Shuang conveyed China's willingness to play a 'constructive role' in resolving the Kashmir issue, India's response was an emphatic no.⁴⁸ Spokesperson of the Ministry of External Affairs noted that India continues to steadfastly abide by its previously-held position that all issues with Pakistan, including J&K will be resolved bilaterally.

The Chinese proposal to mediate on Kashmir is at best an absurd proposition. Hypothetically if ever, China is indeed in a mediating position, India is bound to lose whereas Pakistan will sit in a favourable situation. China can never be a mediator on the Kashmir issue as it is a part of the dispute while also being in possession of a considerable chunk of the Jammu and Kashmir territory. Second, China is a strong ally of Pakistan, and has defended acts of terror and violence perpetrated by Pakistan at all times including at international fora such as the UN and Financial Action Task Force (FATF). China's role whether through mediation or otherwise is expected to certainly be partisan and lop-sided. By triggering off controversial statements on Kashmir, China's policy has been to persistently undermine India's position on Kashmir and to maintain a constant threat against India.

⁴⁷ Ibid.

⁴⁸ 'India repudiates China's Kashmir mediation offer', *The Hindu*, 13 July 2017, at <https://www.thehindu.com/news/national/india-virtually-refuses-chinas-offers-for-mediation-on-kashmir/article19271466.ece>. <Accessed 23 July 2020>

FORAYS IN PoK

Over a period of time, China has been involved in multifarious activities in parts of PoK from road building to infrastructure building amongst various other investments. The Chinese have also been actively involved in the rich mining sector in Gilgit-Baltistan even after having been criticised for harming the ecosystem by using crude methods of mining.⁴⁹

In the wake of the massive landslide that hit the Hunza region in Gilgit-Baltistan in January 2010, a huge lake was formed at Attabad also submerging section of the Karakoram Highway. Beside exploring options to utilize the lake as a fish hatchery, the Chinese were instrumental in raising tunnels that helped to restore traffic hampered after the calamity. The Chinese have been commended for their remedial innovative approach towards the Attabad Lake for successfully overcoming tough obstacles by renewed focus and implementing projects like additional tunnelling in difficult mountain terrain. Till the tunnels came up, local boatmen were hired to get around the transshipment of goods but their subsequent unemployment when traffic on the highway was restored in record quick time led to a degree of discontent and dejection as well.⁵⁰

In recent history, China's Kashmir policy has overwhelmingly been discussed in the realm of its unflinching intervention in PoK especially Gilgit-Baltistan, that abuts its fragile western periphery. The Chinese activities in PoK became somewhat known in the wider domain in the aftermath of *The New York Times* article written by noted thinker and

⁴⁹ For a detailed analysis of the Chinese activities in PoK refer: Priyanka Singh, *Re-Positioning Pakistan Occupied Kashmir on India's Policy Map: Geopolitical Drivers, Strategic Impact*, IDSA Monograph No. 62, 2017, at <https://idsa.in/system/files/monograph/monograph62.pdf>. pp. 44-48. <Accessed 12 July 2021>

⁵⁰ Tim Craig, 'Pakistan's route to China see Ferrymen's livelihood dry up', *The Guardian*, 12 October 2015, at <https://www.theguardian.com/world/2015/oct/12/landslide-closed-road-ferry-pakistan-china>. <Accessed 17 August 2021>

author Selig Harrison. Harrison's article revealed a steep rise of Chinese intervention in the Gilgit-Baltistan region with the presence of at least 11000 PLA soldiers.⁵¹ The details outlined in the article fed considerably into an exhaustive debate that evolved around the nature and extent of Chinese role in a region that is territorially claimed by India.

By this time, India had started raising objections to China's unwarranted role in parts of PoK. The Bunji Dam built in the Astore district of Gilgit-Baltistan with Chinese assistance was officially objected to by New Delhi.⁵² Thereafter, the controversial Diamer Bhasha Dam in Gilgit—a project that languished for years due to dearth of funds, was resisted by India especially because of the possibility of the Chinese pitching in for funds either under or outside CPEC. If one looks at the web of hydropower projects that are being built in both parts of PoK (the Indus and its tributaries make it a ripe location for hydropower projects), Chinese involvement will become apparent in some proportion or measure. The 969 MW Neelum-Jhelum (Kishenganga) hydropower project situated in Muzaffarabad, the capital of the so-called 'AJK', was inaugurated in the year 2018.⁵³ Work on the project began in 2008 after the consortium comprising China Gezhouba Group Company (CGGC)—the main builder in the Three Gorges project and China Machinery Engineering Corporation was awarded a contract worth 21 billion Chinese Yuan in 2007.⁵⁴

Similarly, another 700 MW hydropower project is being built on River Jhelum in the Sudhanoti district of the so-called 'AJK'. The project

⁵¹ Selig S. Harrison, 'China's Discreet Hold on Pakistan's Northern Borderlands', *The New York Times*, 26 August 2010, at <https://www.nytimes.com/2010/08/27/opinion/27iht-edharrison.html>. <Accessed 17 September 2021>

⁵² Priyanka Singh, 'Chinese Activities in PoK: High Time for India to Put its Act Together', IDSA Strategic Comment, 9 September 2010, at https://idsa.in/idsacomments/ChineseActivitiesinPoKHighTimeforIndiatoPutitsActTogether_psingh_090910. <Accessed 24 October 2021>

⁵³ 'Pakistan Neelum-Jhelum project to start operation: Chinese contractor', *Xinhua*, 4 April 2018, at http://www.xinhuanet.com/english/2018-04/12/c_137106695.htm. <Accessed 29 July 2021>

⁵⁴ Ibid.

constructed under the aegis of the Azad Pattan Power Private Limited (APPL) is an 80: 20 joint power venture between the China Gezhouba Group and Pakistan's Laraib Group, a private business company based in Islamabad that undertakes renewable energy and hydropower projects.⁵⁵ The joint body, APPL will hold the control over the project for 30 years before transferring the ownership to Pakistani government. Approximately 7 km upstream of the Azad Pattan project is the Kohala hydropower project that is a joint venture featuring the Three Gorges Corporation, the Silk Road Fund and International Finance Corporation (IFC).⁵⁶ Both the projects are part of the ambitious CPEC, the slated focus of which has been to contain the growing energy crisis in Pakistan. Other potential hydropower projects in parts of PoK, especially under the CPEC umbrella, include the Phander project and Karakoram Hydropower Project (KIU) in Gilgit. In the CPEC ambit, a special economic zone is proposed to be developed at Moqpondass in Gilgit-Baltistan.

Besides, a dry port at Sost in Gilgit-Baltistan was jointly run by the Sino-Trans of China and Dry Port Limited Company of Pakistan. The port was instrumental in the transport and shipment of Chinese goods through Chinese containers until 2016 when a dispute erupted between the officials of the two countries. A court ruling later shifted the control of the port via a 20-year lease to National Logistics Cell (NLC).⁵⁷

Alarming media reports in late 2020 indicated that People's Liberation Army (PLA) was assisting the Pak Army settling up surface-to-surface missile at Pauli Pir near Lasadanna Dhok in PoK. Quoting intelligence

⁵⁵ For details see: Azad Pattan Power Private Limited, at <http://www.azadpattanhpp.com/>. <Accessed 20 June 2021>

⁵⁶ Nirupama Subramanian, 'Azad Pattan: What is the PoK hydel project deal signed by Pakistan, China?', *The Indian Express*, 16 July 2020, at <https://indianexpress.com/article/explained/azad-pattan-pok-hydel-project-pakistan-china-6507640/>. <Accessed 18 September 2021>

⁵⁷ Shabbir Mir, 'CPEC: Chinese barred from working at Sost Dry Port', *The Express Tribune*, 27 October 2016, at <https://tribune.com.pk/story/1212574/cpec-chinese-barred-working-sost-dry-port>. <Accessed 30 April 2021>

sources, further reports suggested similar developments in the Chinar village and Chakothi village in the district of Hattian Bala. Explicit details regarding the presence of at least 120 Pak Army personnel along with some civilian workers at the site were reported.⁵⁸ Later however, such conjectures were put to rest after Corps Commander Lt Gen B.S. Raju, Commander of the Army's Srinagar-based Chinar Corps noted: 'whether Pakistan is helping China or China is helping Pakistan, we have no such indication' further adding: 'because of the CPEC (China-Pakistan Economic Corridor), there is the presence of China in Pakistan. The military cooperation in terms of equipment is there, but we are not seeing any tactical help'.⁵⁹

CHINA'S ANTI-INDIA BID AT THE UN

Broadly speaking, China is believed to be opposed to India's persistent stance over the long pending reforms and restructuring of the UN. India has often spoken about how it is time that fundamental changes that have occurred across the globe must reflect in the composition of the UN as well. Simultaneously, India's attempt to pursue and convince the world community about restructuring the UN Security Council to promote its claim towards permanent membership has been continuously and negatively overshadowed by China.⁶⁰ As far as the Kashmir issue is concerned, China has tacitly and overtly supported Pakistan's stance. This is also due to China being in possession of parts

⁵⁸ 'China helping Pak to set up surface-to-air missile sites in PoK: Report', WION, 9 October 2020, at <https://www.wionews.com/india-news/china-helping-pak-to-set-up-surface-to-air-missile-sites-in-pok-report-333949>. <Accessed 29 May 2021>

⁵⁹ 'We have no such indication: Top Army commander on reports of China helping set up missile sites in PoK', *The Week*, 11 October 2020, at <https://www.theweek.in/news/india/2020/10/11/we-have-no-such-indication-top-army-commander-reports-china-helping-set-up-missile-sites-pok.html>. <Accessed 25 May 2021>

⁶⁰ Shishir Gupta, 'China is biggest stumbling block in India's UNSC permanent membership', *Hindustan Times*, 19 November 2020, at <https://www.hindustantimes.com/india-news/china-is-biggest-stumbling-block-in-india-s-uns-c-permanent-membership/story-yTPTstOwjEY7vYz5t2NiNN.html>. <Accessed 20 July 2021>

of the former princely state. In the wake of Government of India's move to revoke Article 370 and convert Jammu and Kashmir and Ladakh into union territories, both China and Pakistan in unison seemed to be critical of the decision.

China has been vying to rake up the issue of Kashmir at the UN in trying to corner India at the global platform. India, on its part, has been doing its bit to fend off the Chinese offensive by bringing up issues related to its position on terrorism especially given China-helmed obstacles with regard to branding of Masood Azhar as a terrorist (head of Jaish- e-Mohammed responsible for a series of ghastly terror attacks against India).⁶¹ Shy of being branded as a country that fails to shun terrorism, China ultimately had to withdraw its position based on the pretext of 'technical' objections. These 'technical' objection prevented measures under (UNSC) 1267 Committee against Masood Azhar and continued to shield him from punitive action. China's change in stance occurred in what it called after a 'lengthy consultative process with all the concerned parties'.⁶²

A RENEWED AGGRESSION

The clashes between India and China at the Line of Actual Control (LAC) in the aftermath of the revocation of Article 370 is a grim repetition of China's aggression on unresolved territorial issues with India including parts of the former princely state of Jammu and Kashmir that continue to be under China's physical control. The deadly incident at the Galwan Valley in the summer of 2020 between the two militaries, amidst a global pandemic, reiterated amongst other things, China's restiveness on India's assertive action in Jammu and Kashmir, the territory India has always considered a legitimate part of the Union.

⁶¹ 'Pakistan's Masood Azhar: China blocks bid to call militant terrorist', *BBC*, 14 March 2019, at <https://www.bbc.com/news/world-asia-47565132>. <Accessed 20 July 2021>

⁶² Sujan R. Chinoy, 'Why China changed its stand on Masood Azhar', *The Hindu*, 23 May 2019, at <https://www.thehindu.com/opinion/op-ed/why-china-changed-its-stand-on-masood-azhar/article27211058.ece>. <Accessed 20 July 2021>

China's aggression on the LAC has reignited the debate around the two-front scenario for India where it may have to contend with the dual threat on its periphery as a result of further unravelling of the China-Pakistan strategic nexus particularly with regard to the issue of Kashmir.⁶³

WHAT LIES AHEAD?

Today, Kashmir is pivotal but only one part of the series of strategic contentions between India and China. There are long standing irritants between the two sides, foremost being the raging insecurities that China suffers vis-a-vis India on account of the Tibet factor. India decided to provide The Dalai Lama refuge as he escaped Chinese aggression in 1959. This was when ties with China were far more cordial than what they are today. Besides, India provided asylum to several hundreds of Tibetans after China's invasion. Most of those refugees still reside in India. Because of past history and few ground realities concerning presence of vast numbers of Tibetans in India, there are overriding concerns on the Chinese side whether India still harbours 'residual interest' in the Tibetan cause.⁶⁴

Similarly, China's expanding footprints in India's neighbourhood has been a perennial source of tension between the two countries. What is apparent from the Chinese moves on India's periphery and in its vicinity is that China intends to undercut India's sphere of influence. China is aware of India's structural dominance in the subcontinent and its expanse of influence in the region at large. China does not want India to be able to play a substantial role in regional affairs. It is probably with this purpose and strategy that China believes and, hence, manoeuvres in multiple ways, to keep India confined and boxed in a constant discord with Pakistan. China possibly feels the best bet to achieve this goal is by raking up the protracted issue of Kashmir at geopolitically opportune times.

⁶³ Kamran Bokhari, 'China Joins India and Pakistan in the Kashmir Battlespace', Newline Institute, 18 June 2020, at <https://newlinesinstitute.org/kashmir/china-joins-india-and-pakistan-in-the-kashmir-battlespace/>. <Accessed 20 July 2021>

⁶⁴ Michael Yahuda, 'China and the Kashmir crisis', *BBC*, 2 June 2002, at http://news.bbc.co.uk/2/hi/south_asia/2020788.stm. <Accessed 30 June 2020>

PAKISTAN'S KASHMIR BANDWAGON: BEYOND OPTICS

Pakistan's creation was pillared on the two-nation theory put forward by the leadership that envisioned a separate homeland for the subcontinent's Muslims. Pakistan's claim over Kashmir was intertwined in this Muslim identity paradigm of politics. The Kashmir Valley per se in the princely state of Jammu and Kashmir was a Muslim majority region. This reality abetted Pakistan's territorial greed especially as the Kashmir region straddled what was the newly formed dominion of Pakistan. Pakistan's Kashmir assertion was particularly unmindful of the principle of Lapse of Paramountcy provided by the exiting British rulers as a provision to determine the future of the princely states under British India. According to this provision, all princely states including that of J&K had an option—either join India or Pakistan or else remain independent.

A few months into India's independence, in October 1947, the Maharaja of the princely state of Jammu and Kashmir, Hari Singh, signed the Instrument of Accession to join India. The Maharaja's decision was partially hastened by Pakistan's violent aggression against the J&K state prior to it. In a bid to seize the territory, the leadership of Pakistan unleashed a war-like situation in the state by infiltrating tribesmen/raiders including its regular soldiers in the garb of tribesmen. These raiders wreaked chaos and rioting outnumbering the state's forces that were not only ill-equipped to fight the Pakistani raiders, but were a divided house due to religious polarization and large scale desertions. The Maharaja had little option but to seek India's help. India categorically noted it could not intervene in J&K unless the Instrument of Accession was signed. Indian troops landed in Jammu and Kashmir and freed a majority of the state after intense fighting with the raiders and the Pakistan Army. India's control over the territory of J&K, a picturesque landscape, has been contested by Pakistan ever since.

The Salience of Kashmir in Pakistan's India Policy: A Missing Piece in Pakistan's Territorial Jigsaw?

The Kashmir issue has governed Pakistan's India policy since 1947 and still continues to do so. The desire to acquire control over the state has been entrenched in Pakistan's strategic behaviour towards India and manifested into wars—at least three times on the territorial quest over Kashmir. Soon after partition, Mohammed Ali Jinnah commissioned an invasion of the state that was actively aided and participated in by the Pakistan Army. The leadership in Pakistan attempted to cover up this intrusion labelling it as a tribal raid by the disgruntled population of the state. Given this political stance, it is not inapt to call the first Kashmir war-1947-48 the origin of Pakistan's guerrilla strategy against India—a practice that still continues in serious proportions in the Indian union territory of Jammu and Kashmir. Henceforth, in the years to come, India and Pakistan were engaged in a situation akin to 'divorcees' who 'have a custody battle to resolve: the question of who will control Kashmir'.¹ The rivalry over Kashmir was intensified by insecurities that beset Pakistan. Born out of India's partition, Pakistan was uncertain about its future as its 'nation-building enterprise faced serious difficulties'.²

As the two sides engaged in a war soon after, Pakistan's apprehensions vis-a-vis structurally dominant India intensified. The seeds of what was to become an unrelenting rivalry between India-Pakistan were permanently sown. The earliest hostilities during the 1947-48 confrontation between the two sides had important ramifications for the India-Pakistan equations with regard to Kashmir. This was primarily due to these reasons: a) It left a substantial chunk of territory under Pakistan's control; b) It also led to a massive internationalization of the Kashmir issue and became hostage to great power equations and politics.

¹ Haqqani, Husain, 'Pakistan's endgame in Kashmir', *India Review*, 2 (3), 2003, (Published online in June 2010), at <https://www.tandfonline.com/doi/pdf/10.1080/14736480412331307072?needAccess=true>, p.35. <Accessed 12 September 2019>

² Ibid., p. 39.

Pakistan's geopolitical choices in the Cold War years were strictly governed by shades of enmity it had developed with India over Kashmir. Being part of the western alliances like SEATO (South East Asia Treaty Organization) and CENTO (Central Treaty Organization), Pakistan enjoyed deep leverage amongst the mighty western powers. At this point of time, an acutely anti-imperialist China on one hand and a west-leaning Pakistan on the other, had their own versions to resolve the Kashmir issue which were not necessarily congruent. Hence, in the aftermath of the first Kashmir War of 1947-48, Pakistan was actively exploring support amongst the wider world given its reluctance and possibly pessimism regarding the issue being resolved bilaterally (to Pakistan's satisfaction) with India. It was perhaps Pakistan's pursuit to internationalize the issue and pressurize India that it 'approached the UN, the US, the Commonwealth, and Muslim countries to get support'.³ China developed a degree of scepticism about Pakistan's geopolitical preferences given its aversion to the US. However, China's reservations were not strong or serious enough to refrain it from entering into border talks with Pakistan a little later. It is argued that it was the issue of Kashmir that catalysed Pakistan into 'switching recognition to the communists'.⁴ There was also this domino impact after India extended recognition to the PRC and, hence, 'Pakistan quickly followed suit'.⁵

CARDINAL FEATURES OF PAKISTAN'S KASHMIR POLICY

Kashmir has been often referred to as Pakistan's jugular vein. Rifaat Hussain argues that Pakistan perpetually and 'historically, has viewed its dispute with India over Kashmir as the key determinant of its strategic behaviour in the international arena'.⁶ Hussain further lists out the following salient features of Pakistan's Kashmir game plan: '1) The State of Jammu and Kashmir is a disputed territory; 2) The disputed status

³ Ghulam Ali, *China-Pakistan Relations: A Historical Analysis*, Oxford University Press, Karachi, 2017, p. 18.

⁴ Ibid., p. 13.

⁵ Ibid.

⁶ Syed Rifaat Hussain, 'Pakistan's Changing Outlook on Kashmir', *South Asian Survey*, 4 (2), 2007, at <https://journals.sagepub.com/doi/pdf/10.1177/097152310701400202>, pp. 195-196. <Accessed 11 September 2019>

is acknowledged in the UN Security Council resolutions of 13 August 1948 and 5 January 1949 to which both Pakistan and India are a party; 3) These resolutions remain operative and cannot be unilaterally disregarded by either party; 4) Talks between India and Pakistan over the future status of Jammu and Kashmir should aim to secure the right of self-determination for the Kashmiri people. This right entails a free, fair and internationally supervised plebiscite as agreed in the UN Security Council resolutions; 5) The plebiscite should offer the people of Jammu and Kashmir the choice of permanent accession to either Pakistan or India; 6) Talks between India and Pakistan, with regard to the future status of Jammu and Kashmir should be held in conformity both with the Simla Agreement of July 1972 and the relevant UN Security Council resolutions and an international mediatory role in such talks may be appropriate if mutually agreed'.⁷

The Raison D'être of Pakistan's Claim on Kashmir: The principle of religious contiguity and logic based on the geographical proximity to the princely state of Jammu and Kashmir was at the core of Pakistan's Kashmir approach. As noted above, the rationale behind Pakistan's fixation with integrating the princely state was abided by a firm belief that envisioned 'Kashmir as a natural outcome of the two-nation theory'.⁸ Pakistan's stance was also shaped by the assumption that since the Maharaja of Kashmir had signed the Standstill Agreement with Pakistan, he was forbidden from 'entering into relations with any other power unilaterally'.⁹ Additionally, since the Maharaja had left for Jammu after the tribal raids into his state, whether he had the mandate to sign the Instrument of Accession in India's favour was a point of argument in Pakistan's Kashmir quest.¹⁰

⁷ Ibid.

⁸ Lateef Ahmad Dar, 'Dynamics of Territorial Justification: An Analysis of Pakistan's Claims over Kashmir', *South Asian Survey*, 22 (1), 2015, p. 108.

⁹ Pervaiz Iqbal Cheema, 'The Kashmir Dispute and Pakistan's policy', *Asian Affairs*, No. 27, available at https://kipdf.com/the-kashmir-dispute-and-pakistans-policy-by-pervaiz-iqbal-cheema_5ab563ff1723dd339c811494.html, p. 74. <Accessed 5 February 2021 >

¹⁰ Ibid.

Unceasing Obsession, Unrelenting Zeal: There have been a multitude of assertions brought forth by Pakistani perspective in order to buttress its policy and claim on Kashmir. In this context, Pakistan's Kashmir obsession has been rather widespread and entrenched. So much so that the Kashmir issue is often linked to the country's very existence and survival. The strong effect of this passion permeates deep into the all-powerful military and the political class who seem to 'believe that the economic well-being of Pakistan is inalienably linked to Kashmir'.¹¹ Sardar Abdul Qayyum, the first President of the so-called 'Azad Jammu and Kashmir' noted: 'Pakistan cannot exist as an independent entity by withdrawing its claim on Kashmir. It will be turned into a virtual hostage to India, and its lease of life will depend upon the period which India will allow it to exist'.¹² Similarly, Hussain Haqqani argues that 'for Pakistan, giving up Kashmir means denying the ideological basis of partition' for 'Pakistan assumes that a plebiscite will result in a vote in its favor, based on the logic of partition that led to all contiguous Muslim-majority provinces and princely states under British rule or paramountcy in India to form Pakistan in 1947'.¹³

Opting for a Belligerent, Unscrupulous Raid: Pakistan's role in commissioning the tribal invasion has been defended by certain analysts. For instance, William Barton in his 1950 article observes that Pakistan did not have an option to avert the tribal raid in Kashmir in 1947-48. This is so because Pakistan forces were not as well-equipped and were still to receive their share of military hardware and supplies from India that was left over by the British rulers. Second, any attempt to drive away the raiders would potentially end up flaring violence along 'the whole border from Chitral south to Quetta'.¹⁴

Second, Pakistan was carved out by slicing up provinces of what constituted the British India. It had developed a heightened sense of

¹¹ Smruti S. Pattanaik, 'Pakistan's Kashmir policy: Objectives and approaches', *Strategic Analysis*, 26 (2) 2002, p. 201.

¹² Ibid.

¹³ Haqqani, p. 35.

¹⁴ William Barton, 'Pakistan's Claim to Kashmir', *Foreign Affairs*, 28 (2), 1950, at www.jstor.org/stable/20030250, p. 303. <Accessed 5 February 2021>

insecurity vis a vis structurally dominant India. Willaim Barton further argues that Pakistan feared India could attack it anytime and in case of that eventuality, countries like the United States and Britain would refrain from helping Pakistan as both these powerful countries needed support of the Indian government under Jawaharlal Nehru 'to save Middle East from Communism'.¹⁵

Pakistan's Obsession with Kashmir: A Post Partition Phenomena? To get a comprehensive understanding of Pakistan's Kashmir strategy, it is important to gauge the Muslim League's approach to Kashmir prior to 1947. It must be noted that the Muslim League's famous Lahore Resolution in the year 1940 did not mention anything about the state of Jammu and Kashmir or, for that matter, it being a part of what would constitute Pakistan. In June 1947, Jinnah noted, 'We do not wish to interfere with the internal affairs of any State, for that is a matter primarily to be resolved between the rulers and the peoples of the State... [Again on 30 July 1947] The Muslim League recognizes the right of each state to choose its destiny. It has no intention of coercing any state into adopting any particular course of action'.¹⁶ Close on the heels of Partition, Mohammed Ali Jinnah retracted and was in full acquaintance and support of the tribal invasion against the princely state. He is known to have issued orders to General Douglas Gracey, the then Commander-in-Chief of Pakistan Army, to dispatch Pakistani troops into Jammu and Kashmir.¹⁷ As per records put forth by Jinnah's physician, Dr. Riaz Ali Shah, the Quaid-e-Azam even with a failing health noted: 'Kashmir is the Jugular vein of Pakistan and no nation or country would tolerate its Jugular vein remains under the sword of the enemy'.¹⁸

¹⁵ Ibid., p. 307.

¹⁶ M. Rafique Afzal, Selected Speeches and Statements of the Quadi-i-Azam Mohammad Ali Jinnah, 1911-34 and 1947-48, Lahore: Research Society of Pakistan, University of Punjab, 1966 as quoted in Lateef Ahmed Dar, no. 8, p. 108.

¹⁷ Humayun Aziz Sandeela, 'Quaid-e-Azam and Kashmir Solidarity Day', *The News*, 7 February 2021, at <https://www.thenews.com.pk/print/786203-quaid-e-azam-and-kashmir-solidarity-day>. <Accessed 12 September 2021>

¹⁸ Ibid.

Some arguments have been put forth intertwining the idea of Pakistan's creation and the necessity of Kashmir's integration into it. The proponent of the idea of creation of Pakistan Dr. Allama Muhammad Iqbal, a Kashmiri himself apparently 'made it clear that, the dream of Muslim India would be incomplete without the freedom of the Islamic State of Kashmir'.¹⁹ Allama Iqbal's proposition is considered as 'the formal announcement of Kashmir as an inalienable part of the new ideological Muslim State in Sub-continent, Pakistan'.²⁰

In the years following the creation of Pakistan and the subsequent tribal raid, Pakistan's Kashmir stratagem became further acute and Ayub Khan adhered to a policy of pursuing the matter with allies such as the United States and China.²¹ It was in this context that President Ayub Khan frequently harped that India and Pakistan 'were stuck over the problem of Kashmir' despite the fact that the two countries were able to arrive at some semblance of consensus on other issues, making 'little progress' towards developing some kind of mutual understanding. Ayub Khan further blamed India's reluctance in this regard and duly cautioned that 'a running sore like this between two neighbors is a dangerous thing'.²²

Is Kashmir Issue for Pakistan About Water? There are strains of thinking in the discourse concerning Kashmir whether the dispute is in reality a dispute on the River Indus. This is so as the excruciating territorial bifurcation that partitioned India collaterally led to the division of the mighty River Indus between the two countries-India and Pakistan-whose strategic path were diametrically opposed. The complexity

¹⁹ Raja Muhammad Khan, 'Quaid-i-Azam: Kashmir The "Jugular Vein of Pakistan"', 28 December 2010, available at <http://www.jinnahofpakistan.com/2010/12/quaid-i-azam-kashmir-jugular-vein-of.html>. <Accessed 12 September 2021>

²⁰ Ibid.

²¹ For details of Sino-Pak stratagem on Kashmir see: <http://www.nazariapak.info/Kashmir/china-kashmir.php>. <Accessed 11 June 2019>

²² Mohammed Ayub Khan, 'The Pakistan-American Alliance: Stresses and Strains', *Foreign Affairs*, 42 (2), 1964, p. 556.

concerning division of river arterially flowing across parts of undivided India, through the princely state of Jammu and Kashmir was in several ways perceived as one of the key and perhaps the most contentious issue between the newly independent India and Pakistan.

REVISIONISM: A PERPETUAL STRAND IN PAKISTAN'S KASHMIR STRATEGY

Pakistan has failed thus far to accept the reality pertaining to the princely state of J&K's accession to India in 1947. Due to this, Pakistan has developed and maintained an attitude where it finds itself constantly at odds with India. As a result, the two countries have been either at war or in war-like situations on several occasions in the span of over 70 years. Out of the 4 major confrontations between India and Pakistan, (apart from the Bangladesh Liberation War of 1971), there have been 3 wars between the two sides particularly involving Kashmir. Basically, Pakistan's Kashmir policy is ruled by the tenet of revisionism that entails altering the territorial status quo.

The Hostilities of 1947-48, the First Kashmir War: In 1947, as it became apparent that the state of Jammu and Kashmir would accede to India, Pakistan committed aggression on the state to avert the state's merger with India. However, the Pakistani raid prompted the indecisive Maharaja of Kashmir to initiate proceedings that would lead to the signing of the Instrument of Accession in India's favour. It is important to note that prior to these developments, the Maharaja had offered to sign the Standstill Agreement with both India and Pakistan. While India did not sign the agreement citing its preoccupation with the accession of other princely states, Pakistan in fact, did sign the Standstill Agreement. The signing of the Standstill Agreement entailed the trade and supplies that were effective during British rule would continue to flow even after Independence at least till a further agreement defining the nature of linkages and ties between the two sides was negotiated. However, pre-empting the danger that the state of Jammu and Kashmir will accede to India, Pakistan's then leadership unleashed aggression in the hope that the Maharaja forces were ill-equipped to meet the challenge. Pakistan's leadership concluded this would be an opportune moment to seize control of the territory. Hence, the first Kashmir War fought between 1947-48 was Pakistan's first bid towards revisionism over Kashmir.

The India-Pakistan War of 1965: Subsequently, in the aftermath of the India-China war of 1962, Pakistan planned and executed full-fledged hostilities, thinking 'humiliated' Indian forces will not be able to put up much resistance. Pakistan's 1965 aggression against India was yet another attempt to alter the status quo and seize parts of Jammu and Kashmir under India's control. Under code name Operation Gibraltar, a calibrated manoeuvre was unleashed to plant infiltrators inside Jammu and Kashmir and flare up a mass movement in the valley. Pakistan's machinations, however, did not fructify as it hoped they would. There was neither a mass rebellion in Jammu and Kashmir nor did the war gradually spread beyond the then ceasefire line to areas comprising Pakistan's border with India.²³

Unleashing Terrorism and Abetment of Militancy in the Kashmir Valley: Pakistan's concerted support in the abetment of terrorism and militancy in Jammu and Kashmir beginning around 1989 was the next lap in its effort to challenge the status quo. Pakistan was quick to grab an opportunity to infest the state with violence as large sections of population in the then state of Jammu and Kashmir became politically disgruntled suffering from acute political disaffection. Pakistan was able to unleash terror by infiltrating militants inside the valley in an attempt to pose challenge to the Indian security forces and then erode India's control on the territory. The late 1980s and early 1990s was a critical phase when under the garb of the *Azadi* slogan, Pakistan-enabled forces wreaked havoc in the Kashmir Valley. The challenging circumstances and bloodshed all around forced the residents of Jammu and Kashmir to flee to other parts of the country.

The Kargil Conflict in 1999: Immediately after the conclusion of the Lahore Resolution between India and Pakistan-one that delineated contours of comprehensive dialogue and engagement between the two sides, Pakistan committed yet another aggression, this time in the Kargil sector of the former state of Jammu and Kashmir. Pakistan infiltrated its regular army troops inside the territory under India's control. On being questioned, General Pervez Musharraf, who later

²³ Hussain Haqqani, p. 42.

took over as Pakistan's President, noted that the infiltrators were not members of Pakistan Army, rather they were Mujahideen who were fighting for the freedom of Kashmir. The Kargil conflict was planned and executed in a manner to surprise India, get it caught in a situation where it was absolutely not in a position to offer tough resistance to Pakistani aggression.

Pakistan's strategy during the Kargil War was to acquire key areas in the Ladakh sector. Most importantly, Pakistan wanted to seize control over the highway that connects Srinagar with Kargil and Leh. The design to seize control over strategic areas during the Kargil conflict did not materialize. After hostilities that lasted over two months, India was able to flush out Pakistani military from all the posts they had deceitfully stationed themselves at in the weeks prior to the conflict. Notably, Pakistan refused to take custody of the dead bodies of its own soldiers most of whom belonged to the Northern Light Infantry (NLI) on the pretext that they were not part of the Pakistan Army and that they were Mujahideen devoted to the Kashmir cause.²⁴

Support to Separatists in the Valley: Pakistan's bid to alter the status quo in Jammu and Kashmir is still apparent in the scale of material support it proffers to separatist groups and elements in the J&K state (now union territory). This insidious support to the separatist constituency in the state is not tacit or hidden. Apparently, Pakistan has, on several occasions, proclaimed moral support to the so-called freedom fighters who according to it are working tirelessly towards the disintegration of Jammu and Kashmir from the Indian Union.

Restructuring Parts of PoK: Pakistan's predominant strand of revisionism concerning Kashmir can also be linked to its attempts to restructure PoK. For the first few years after 1947, the two entities within PoK, the so-called 'Azad Kashmir' and Gilgit-Baltistan, remained administratively conjoined. Through the Karachi Agreement signed on

²⁴ Barry Bearak, 'India Buries Soldiers That Pakistan Won't Claim', *The New York Times*, 17 July 1999, at <https://www.nytimes.com/1999/07/17/world/india-buries-soldiers-that-pakistan-won-t-claim.html>. <Accessed 2 March 2022>

28 April 1949 by Mushtaq Ahmed Gurmani, a minister without portfolio from Pakistan (in charge of the Ministry of Kashmir Affairs), President of the so-called 'AJK', Sardar Mohammed Ibrahim Khan and Chaudhry Ghulam Abbas who was chief of All Jammu and Kashmir Muslim Conference, the government of the so-called 'AJK' handed over the administrative control of Gilgit-Baltistan to the government in Pakistan.²⁵ Pakistan has, for decades, made irrevocable changes in the demography of the PoK region.²⁶ Gilgit-Baltistan was originally a Shia-majority region, peculiar in the Sunni-dominant landscape of Pakistan. It is argued that owing its 'location and complex sociality, the region has been subjected to the twin processes of militarization and sectarianization by the Pakistani state'.²⁷ This Pakistan did by revoking the State Subject Rule in Gilgit-Baltistan during the late 1970s that otherwise was implemented in the entire princely state of Jammu and Kashmir since 1928. As a result, the districts of Diamer and Astore in Gilgit-Baltistan have witnessed massive demographic transitions. The Pakistan government has achieved favourable demographic changes by encouraging more and more outsiders, primarily Punjabis and Mirpuris to settle in various regions of Gilgit-Baltistan.

Parts of PoK, especially Gilgit-Baltistan, have undergone incessant political changes to suit the objectives and convenience of Pakistan. The latest in the series of political changes being brought about is the bid to absorb Gilgit-Baltistan as the fifth province ending its connection

²⁵ This Karachi Agreement was different from the Karachi Agreement signed by the military representatives of India and Pakistan, under the supervision of the United Nations Commission for India and Pakistan, establishing a cease-fire line in Kashmir following the Indo-Pakistan War of 1947.

²⁶ 'How Pakistan altered demography of Gilgit-Baltistan', *South Asia Monitor*, 1 September 2020, at <https://www.southasiamonitor.org/pakistan/how-pakistan-altered-demography-gilgit-baltistan>. <Accessed 18 December 2021>

²⁷ 'Nosheen Ali: Rule and Development in Northern Pakistan', The Lakshmi Mittal and Family South Asia Institute, Harvard University, 23 October 2019, available at <https://mittalsouthasiainstitute.harvard.edu/2019/10/nosheen-ali-rule-development-northern-pakistan/>. <Accessed 10 January 2022>

with the dispute Pakistan has harboured with India over Kashmir. In the aftermath of the annulment of Article 370 by the Government of India in August 2019, on 1 November 2019, Prime Minister of Pakistan, Imran Khan, announced that Gilgit-Baltistan will be converted into a full-fledged province of Pakistan. The announcement is yet to be formalized into a legislative decision given the umpteen complexities in materializing this proposal. This is owing to the region's permanent link to the dispute of Kashmir by Pakistan's own admission.

LIFEBLOOD FOR ARMY

The Kashmir issue and the principle of oddity with India is quintessential to the existence of the all-powerful Pakistan Army. 'Pakistan's Kashmir policy remained in the hands of the military even when civilian Prime Ministers held office between 1988 and 1989', notes Hussain Haqqani.²⁸ Just as the anti-India approach is an existential issue for Pakistan, for the army per se, the anti-India bandwagon, and the Kashmir issue in particular, is its lifeblood. The army enjoys unperturbed salience in the Pakistani state system. It has waged wars against India pivoted around the issue of Kashmir in a bid to snatch away the territory from India's control. Hence, it may not be an exaggeration to state that the stature of the Pakistan Army is intertwined with enmity vis-a-vis India and the issue of Kashmir is central to this anti-India paradigm.

Husain Haqqani argues that: 'Pakistan Army is the sole architect of the country's policy making vis a vis the dispute. Whatever decision Pakistan has taken through the six decades long course of the Kashmir dispute, its military has had a leading role'.²⁹ For decades, acrimony with India and the Kashmir issue by extension has provided the necessary fuel for the Pakistan Army to maintain its dominance and superiority over the civilian class. Kashmir is invariably embodied in the justification for the army's predominance. The army has acted as the custodian of the

²⁸ Haqqani, p. 47.

²⁹ As quoted in Khadija Abid, 'Post 9/11 and Pakistan's Policy on Kashmir Issue', at http://cscr.pk/pdf/rb/RB%20_Post%20911%20.pdf, p. 3. <Accessed 13 June 2020>

India policy and the broader Kashmir policy as well. Pakistan Army has a certain hold on popular nerves in the Pakistani state given Kashmir is a politically emotive issue for a sizeable section of Pakistani population. Optically for Pakistan and, more so, for its propaganda value, the Kashmir issues governs its equations with India. With a strong hold on national security and foreign policy parameters of the country, the Pakistan Army has never missed highlighting the essentiality of Kashmir and its preferred resolution in Pakistan's national discourse. For the army in Pakistan, therefore, it is absolutely vital that Kashmir issue is proactively kept alive and burning.

THE NATURE OF PAKISTAN'S KASHMIR STRATEGY: BLEND OF AGGRESSION, PROPAGANDA AND PROXY MEANS

Pakistan's Kashmir strategy has transitioned through several phases. Significantly, each such phase marks application of newer tactics and instrumentalities even though fundamental principles of territorial seizure of Kashmir remains at the core. Broadly, Pakistan's Kashmir strategy could be divided into 4 distinct phases with underlying characteristic features.

The First Phase Starting 1947: As discussed above, Pakistan's Kashmir stratagem started with aggression on the eve of Partition. The hostilities continued over 1947-49 and ended only after a UN-initiated ceasefire was announced. Post the announcement of ceasefire, Pakistan resorted to a change in tactics and got itself involved in diplomatic parleys and lobbying in order to construct its claim on the Kashmir issue internationally.

Pakistan as the newly independent state was in dire need of resources and, therefore, was willing to ally with nations that could cater to its growing requirements. In a Cold War-governed world bitterly divided into power blocs along ideologies and orientation, Pakistan was desirous to take sides. It is the proposition of Pakistan's propensities to strategically partner or align, irrespective of ideological bent that hugely benefitted its position on Kashmir. The support from important world powers like the United States and United Kingdom was quite significant. The world powers could potentially dole out aid to support Pakistan's nation building process and were fine to stand with it on the Kashmir issue. These dynamics were detrimental to India's position. Due to a

perceptible tilt of powerful nations, Pakistan's case on Kashmir received traction in the critical initial phase. Pakistan seemed to have made some superficial gains through propaganda and lies. Enthused with the support of few nations it actively obliged, Pakistan continued to lobby against India at the international fora.

The Second Phase During 1960s: This particular phase was of planning and deceit. While the Kashmir talks between Swaran Singh and Zulfiqar Ali Bhutto were underway, Pakistan's President, General Ayub Khan, was in the process of planning to ink a border agreement with China. This was in the immediate aftermath of the India-China conflict of 1962. Not only this, the border agreement was in fact announced while the Indian delegation was travelling to Pakistan for a round of negotiations with the Pakistani side.³⁰ Motivated by the fact that India was unable to put up a stiff resistance to the Chinese offensive, Pakistan thought it was opportune to launch an offensive against India in order to gain control over Kashmir. This resulted in another round of hostilities between India and Pakistan. The war ended with the ceasefire declaration made in Tashkent (now Uzbekistan, then part of the USSR). At the end of it, the war did not afford Pakistan any territorial gains in Jammu and Kashmir. The idea behind the treacherous misadventure against India remained unfulfilled.

Proxy Tactics for Active Abetment of Terror: Gradually, Pakistan further expanded on employing guerrilla tactics in Jammu and Kashmir. Pakistan once again started sneaking in infiltrators in the valley to unleash violence and bloodshed. During the late 1980s, this strategy coincided with growing political disenchantment amongst the local population of Jammu and Kashmir. It has been argued that Pakistan's nuclearization process nurtured its infiltration capabilities that could be employed in a 'subconventional conflict' with India over a period of time.³¹ This sort of 'adventurism' seemed prudent to Pakistan as at that point of time it

³⁰ Y. D. Gundevia, *Outside the Archives*, Sangam Books, Hyderabad, p. 260.

³¹ Christine Fair, *Fighting to the End: The Pakistani Army's Way of War*, Oxford University Press, New York, 2014, p. 243.

planned to shield this reinforced gambit by its newly acquired 'nuclear umbrella'.³²

Whether or not it is wholly appropriate to call Pakistan's act of assiduously supporting militancy in Jammu and Kashmir as a proxy war or guerrilla tactic, is a matter of debate. This is especially since Pakistan's involvement in brazenly abetting terrorism and violence in the former Jammu and Kashmir state has always been far more than obvious and its direct complicity proven over a period of time. Apart from transiting into more direct aggression such as the Kargil War, Pakistan's role in abetting terror was more explicit and direct—all in the name of the so-called Kashmir cause. The Mumbai attacks of 2008 and prior to this, the December 2001 Parliament attack was a manifestation of Pakistan's grit to indiscriminately harm India's security interests. It must be noted, however, that proxy tactics were part of Pakistan's 1965 aggression as well when it did try to create unrest in J&K by infiltrating miscreants inside the erstwhile state.

IS PAKISTAN'S KASHMIR STRATEGY LEADERSHIP-DRIVEN?

It is relevant to ask whether Pakistan's Kashmir gambit is leadership-driven. A close look at the turns of Pakistan's political history makes it amply clear that the issue is not confined to regimes and leaders. On the contrary, the Kashmir issue is entrenched and more like an institutionalized arm of policy over the period spanning several decades. Meanwhile, Pakistan may have oscillated between civilian rule and military dictatorship. However, for the majority part of its evolution, the country has been under military rule. Considering how successive leadership in Pakistan have strictly adhered to the Kashmir issue, its relevance in the political milieu is steadfast and perpetual. Despite showing willingness to engage with India on the subject, no leadership or government in Pakistan could afford to undermine the salience of the issue in the country's political discourse and practice.

The raids to launch an attack in Jammu and Kashmir in October 1947 were sanctioned under the leadership of Mohammed Ali Jinnah, the founder of Pakistan. Jinnah was probably living under an impression

³² Ibid.

that being a Muslim majority state, 'Kashmir will fall' in Pakistan's 'basket like a ripe apple'.³³ However, 'the Hindu Maharaja has frustrated him'.³⁴ The genesis of Pakistan's obsessive and obstinate approach towards usurping Kashmir started with Jinnah who first called it Pakistan's 'jugular vein'.³⁵ Later, President Ayub Khan took a particularly hard line on the issue and went to the extent of unleashing full-fledged aggression to gain control over the territory. Across decades and successive dispensations, Kashmir has been projected as the 'jugular vein' of Pakistan.

During the Simla conference in July 1972, former President of Pakistan, Zulfikar Ali Bhutto, did respond positively to India's proposal towards maintaining territorial status quo. The ceasefire line between the two sides that was, henceforth, to be converted into LoC would gradually be taken to be considered as the border between the two sides. Soon after securing the release of Pakistani Prisoners of War (PoW) that were in Indian custody, Zulfikar Ali Bhutto went back on his commitment as soon as he returned to Pakistan. He was able to bargain the release of the PoWs in exchange for this understanding on Kashmir between the two sides.³⁶ Bhutto is also known to have said during the one-on-one negotiation with Prime Minister Indira Gandhi that he could not commit anything formally on paper regarding things that were agreed to between India and Pakistan at that point. He is also said to have noted that since the leadership was under great pressure owing to the loss of Bangladesh in the 1971 war, formally acknowledging that he agreed to permanently retain the territorial status quo in Kashmir would be hugely detrimental and may strike him and his political career a severe blow.³⁷

³³ Sandipan Sharma, 'In autumn of life, 1947, Jinnah's Eid dreams', *The Federal*, 22 October 2020, available at <https://thefederal.com/operation-gulmarg/in-autumn-of-life-1947-jinnahs-eid-dreams/>. <Accessed 21 August 2021>

³⁴ Ibid.

³⁵ See no. 17.

³⁶ For details see: P.N. Dhar, *Indira Gandhi, the 'Emergency', and Indian Democracy*, Oxford University Press, 2001, New Delhi.

³⁷ Ibid.

During President Zia-ul-Haq's tenure, Pakistan's attention was diverted towards US-aided Mujahideen offensive against the Soviet Union's forces in Afghanistan. At this point, Zia was 'already contemplating transferring the skills of covert operations learnt in Afghanistan to a "liberation struggle" in Kashmir'.³⁸ Post Zia's end, there were civilian governments in Pakistan that alternated between the PML-N (Pakistan Muslim League-Nawaz) and Benazir Bhutto-led PPP (Pakistan Peoples Party). This period also coincided with unprecedented levels of violence and terror that was unleashed by Pakistan-led state sponsored terrorism in order to end India's control over the J&K state.

In the backdrop of nuclear tests in India and Pakistan in 1998, the Kargil War of 1999 was unleashed under the leadership of then Chief of Army Staff General Pervez Musharraf. Subsequently, the civilian leadership under Nawaz Sharif was overthrown in a bloodless coup in October 1999. The Musharraf era also coincided with the post 9/11 developments, when under US pressure Pakistan was forced to take up a front-line role in eliminating the Al Qaeda from Afghanistan and the adjoining region. Post 9/11 was also a period when the definition of terrorism became widely accepted and acknowledged by countries in the West. There was perhaps a change in perception and definition of terrorism. These countries had till then mostly turned a blind eye to what Pakistan was doing in Kashmir by unleashing relentless violence against India. After Pakistan-based group, the Jaish-e-Mohammed, launched an attack on the Indian Parliament in December 2001, Pakistan came under scrutiny. Some pressure was built especially as India mobilized forces on the border with Pakistan-Operation Parakram.

It was probably the emerging context that compelled Musharraf to relent to some degree on the Kashmir issue. He was unable to give way to a democratically elected civilian government in Pakistan and there was increased international pressure, especially from the US, to call elections and restore democracy. India also announced a ceasefire in 2003 under the Atal Bihari Vajpayee-led government. Hence, Musharraf felt the need to engage with India and came up with a

³⁸ Hussain Haqqani, p. 45.

proposal, which later came to be known as the 4-point formula. The Musharraf formula on Kashmir is known to bear the following 4 characteristics: a) gradual demilitarization with phased withdrawal of troops; b) local self-governance; c) status quo in the LoC in Kashmir along with free movement of Kashmiris across the LoC; d) and a joint supervision mechanism in Jammu and Kashmir in which Kashmiris would be third party apart from India and Pakistan.³⁹

The truth and hype behind the much-publicized Musharraf formula and whether the Pakistani establishment squarely accepted it is a matter of debate. The truth remains they could never formally own up this proposal before pushing it into backburner. Musharraf backtracked from the proposal noting that Pakistan and its people were 'allergic' to a settlement that revolved around permanently retaining the territorial status quo.⁴⁰ Hence, once again the leadership of Pakistan kneeled before domestic forces of compulsions and pulls for 'pondering outside the box' in order to arrive at viable options for solution of the Kashmir issue.⁴¹

In more recent times, it has been witnessed how even a minute casual reference about Kashmir has caused highest office bearers in Pakistan to buckle under pressure before disowning their own statements and commitments. President Zardari leading the PPP government in Pakistan faced severe backlash after noting: 'Kashmir cause should not become an impediment to normalization between India and Pakistan' and was compelled to retract from his statement soon after.⁴² Similarly, the PML-N government (2013-18), under Nawaz Sharif, has been accused of being soft on India despite the fact that former Prime Minister Sharif was vociferously raising the Kashmir issue at international platforms including at the UN General Assembly.

³⁹ A. S. Dulat, *Kashmir: The Vajpayee Years*, HarperCollins, New Delhi, 1st edition, 2015, p. 278.

⁴⁰ Victoria Schofield, 'WHY KASHMIR IS STILL IMPORTANT', *Asian Affairs*, 46 (1), p. 21.

⁴¹ Syed Rifaat Hussain, no. 6, p. 196.

⁴² Khadija Abid, p. 4.

In Pakistan's context it has also been argued that 'the path to true independence and progress lies through peaceful economic development, not through a perpetual wartime economy'.⁴³ Pakistan's *raison d'être* on Kashmir issue has often been questioned in the context of the dire state of its economy. There is a debate with regard to resources that have incrementally been allocated to defence particularly against India. The humungous 70 percent surge in Pakistan's defence budget during 2010-2019 appears unmindful of the daunting domestic challenges Pakistan continues to face with rising inflation and unemployment figures. On the external front, the stringent Financial Action Task Force (FATF) scanner and the sword of Grey list besets Pakistan's economic pursuits in a major way.⁴⁴

Whether or not 'an unstable and economically weak Pakistan can project the case of Kashmir in a befitting manner?' is a question that inhabits the mindsets of Pakistani people.⁴⁵ Another contention is whether a dismal 'sorry state of affairs' undercuts Pakistan's negotiating capability against India especially with regard to the protracted Kashmir issue.⁴⁶ It is, therefore, also argued that 'Pakistan's Kashmir policy has also been suffering from systemic flaws in that it has been more whimsical and less institutional'.⁴⁷

A leading news media publication observed in February 2015: 'Even as Kashmir Day was observed on Wednesday, few people realised the

⁴³ Taha Siddiqui, 'Poor Nation, Rich Army', *Foreign Policy*, 21 March 2019, at <https://foreignpolicy.com/2019/03/21/poor-nation-rich-army/>. <Accessed on 22 August 2021>

⁴⁴ Dr. Dalbir Ahlawat & Air Cmde Kedar Thaar, 'Kashmir Imbroglio Resolved: Strategic Options for Pakistan', *Journal of Indo-Pacific Affairs*, 4 February 2021, Air University Press, available at <https://www.airuniversity.af.edu/JIPA/Display/Article/2493118/kashmir-imbroglio-resolved-strategic-options-for-pakistan/>. <Accessed 29 November 2021>

⁴⁵ Sahibzada Hussain and Mohi-ud-Din Qadri, *Whither Kashmir Policy*, 7 February 2010, at <https://www.minhaj.org/english/tid/9732/Whither-Kashmir-Policy.html>. <Accessed 10 October 2021>

⁴⁶ Ibid.

⁴⁷ Ibid.

enormous damage done to the cause of Kashmir's freedom by Pakistan's past cultivation of non-state actors. True, some political governments were mindful of the hazards inherent in such a policy but they were helpless in the face of the military's stiff opposition to their views. The issue was the generals' insistence that they alone knew how to run Pakistan's security policy. Conceding this point meant handing over to the army the gamut of security issues from Afghanistan and Kashmir and N-weapons'.⁴⁸

Pakistan's Kashmir Stratagem: Jammu and Kashmir Minus PoK

In the entire discourse on Kashmir, perhaps the least challenged proposition has been how Pakistan and its successive governments have kept their Kashmir strategy disjointed from parts of the former princely state under its illegitimate control. The entire span of attention has trained solely on parts of Jammu and Kashmir under India's control while parts of territory under Pakistan have been totally left out from the so-called dispute matrix. Both parts of PoK—the so-called 'Azad Kashmir' and Gilgit-Baltistan—have still not been incorporated formally as parts of Pakistan. The former has been given farcical trappings of an independent nation with a President, Prime Minister and a separate flag while Gilgit-Baltistan has been perennially struggling to gain a constitutional identity and fair representation.

THE POLITICAL *AZADI* IN 'AZAD KASHMIR': A SHAM

In August 2017, following the ouster of Pakistan's then Prime Minister Nawaz Sharif over corruption charges, a statement by the Prime Minister of the so-called 'AJK', Raja Farooq Haider, exposed yet again the duplicity of Pakistan's Kashmir policy. The government in the so-called 'Azad Kashmir' at that point was headed by the Nawaz Sharif helmed PML-N (as has been the pattern over the last several years that the party ruling in Islamabad, comes to power in both parts of PoK).

⁴⁸ Flawed Kashmir policy, *Dawn Editorial*, 7 February 2014, at <https://www.dawn.com/news/1085353>. <Accessed 17 September 2021>. Also cited in *The Friday Times*, 17 February 2015.

Enraged by Nawaz Sharif's dismissal, Haider heading the PML-N led government in the so-called 'AJK', noted that if such things continue to happen, then the region may have to rethink its accession to Pakistan. The statement stirred an immediate political furor. The Punjab Assembly passed a resolution seeking Haider's resignation. PPP Senator Sherry Rehman also condemned Haider seeking his removal from office.

The political commotion in the aftermath of the so-called 'AJK' PM's statement categorically reiterates the precariousness in Pakistan's Kashmir stratagem particularly with regard to its bandwagon on portraying the so-called 'AJK' as an independent entity. It is proven time and again that in Pakistan's strategic landscape, Kashmir opting out of Pakistan is not an option- integrating with India or attaining freedom is not an option either. Hence, Pakistan has pursued a fundamentally self-centred, self-seeking approach towards Kashmir under the garb of portraying itself as the saviour of rights of the Kashmiri people. Politics in the so-called 'AJK' has been marred by such state perpetrated tribulations further exposing the farcical institutional structures that have been deliberately installed to showcase a semblance of *azadi* to the international community.

SHAM OF SOLIDARITY WITH 'J&K' AND ABJECT EXCLUSION OF PoK: A DELIBERATE STRATEGY

While innumerable references to the Kashmir issue have been made by Pakistan at various international fora including at the UN, the parts of territory and the situation on ground in these parts of PoK have never manifested in Pakistani statements or releases. Pakistan has been celebrating 5 February as the Kashmir Solidarity Day each year since the late 1980s. The day is marked with rallies and speeches across Pakistan and the Prime Minister of Pakistan addresses the Kashmir issue as a ritual. This they do by expressing solidarity with the populace of Jammu and Kashmir and ensuring support to their purported 'struggle' against India.

PAKISTAN'S END GOAL ON KASHMIR: INDEPENDENCE OR USURPATION?

Article 257 of the Constitution of Pakistan reveals Pakistan's ultimate aim of seeking territorial control over Jammu and Kashmir. The article

states that 'when the people of the State of Jammu and Kashmir decide to accede to Pakistan, the relationship between Pakistan and that State shall be determined in accordance with the wishes of the people of that State'.⁴⁹ The supposition that people belonging to Jammu and Kashmir and parts of PoK will eventually accede to Pakistan bears testimony to Pakistan's wishful and arbitrary position regarding the future of Kashmiris.

Since its inception in the late 1980s, Kashmir Solidarity Day observed on 5 February and the ritual speech by Pakistani leadership has consistently brought forth fallacious threads in Pakistan's Kashmir approach. This is especially so as over the years, the propagandized proclamations on 5 February seemed to be selectively focusing on Jammu and Kashmir without much reference to parts of PoK. In the year 2021, Prime Minister Imran Khan's Kashmir Day speech went to the extent of further unveiling Pakistan's position on Kashmir, that, Pakistan never stood for an independent Kashmir rather it was aspiring to achieve annexation of the territory. Khan noted: '*Inshallah jab ye Kashmir ke logon ko ye haq milega ki—Azaad Kashmir aur maqbooza Kashmir ki jab aap apne mustaqbil ka faisla karenge aur Kashmir ke log inshallah jab Pakistan ke haq mei faisla karenge, main ye bhi aaj kahna chahta hun ki uske baad Pakistan Kashmir ke logon ko wo haq dega, ki unko wo right dega "ki aap Azad rehna chahte hain ya aap Pakistan ka hissa baana chahte hain" ye aapka haq hoga*'.⁵⁰ Khan's assertions implied that both the so-called 'Azad Kashmir' and Jammu and Kashmir must first accede to Pakistan and then Pakistan will provide them the right to either unite with it or become independent—an absolutely outlandish and absurd proposition.

The bandwagon surrounding calls of *Azadi* of Kashmir merely embodies the façade of Pakistan's Kashmir strategy. In this regard,

⁴⁹ Refer Article 257: Provision Relating to the State of Jammu and Kashmir, The Constitution of the Islamic Republic of Pakistan, Part XII: Miscellaneous, Chapter 4: General, available at <https://pakistani.org/pakistan/constitution/part12.ch4.html>. <Accessed 10 October 2021>

⁵⁰ 'PM Imran Khan addresses a public gathering on Kashmir Solidarity Day in Kotli', 5 February 2021, available at <https://www.youtube.com/watch?v=ObjO-OcZxIM>. <Accessed 10 October 2021>

Pakistan's move to install a semblance of *azad* paraphernalia in the so-called 'AJK' immediately after seizure of territory also appears to be a measured, pre-emptive tactical move at a time when India being in possession of the larger share of territory was under sharp spotlight. By doing so, Pakistan shielded its strategic position and ulterior goals in the crucial time span, largely averting being seen as the prime aggressor. By persistently fanning anti-India propaganda and spreading misinformation on Jammu and Kashmir, Pakistan's strategy has been aimed at diverting focus on what it refers to as *maqbooza* (occupied) Kashmir and conveniently siphon away PoK, the actual *maqbooza* from popular conscience and discourse around Kashmir.⁵¹

Over decades, Pakistan has consistently cried foul as to how India has shied away from implementing the United Nations Security Council resolutions on Kashmir especially with regard to the principle of self-determination by means of holding of a plebiscite. However, what has been conspicuously missing from Pakistan's statements is its failure to comply with the precondition for a plebiscite that entailed demilitarization and withdrawal of Pakistani forces from sections of the Jammu and Kashmir territory deceitfully acquired by it post tribal invasions in 1947. It was due to the non-fulfilment of this preliminary clause by Pakistan that conducive atmosphere for holding a free and fair plebiscite could never be reached.

It is also important to understand that while Pakistan has ridden the plebiscite bogey against India for long, there seems no intention on its part to allow the people of Jammu and Kashmir to practice choice in terms of determining their future course. Pakistan's dual standards are further manifested in how it makes public office bearers in the PoK sign the Bond of Allegiance, which implies that those who sign it will never ever question the state's accession to Pakistan. This is despite the fact that the territory seized by Pakistan post 1947 invasion never signed any Instrument of Accession in favour of Pakistan. Nor was it

⁵¹ Also discussed in Priyanka Singh, 'Elections in the so-called Azad Kashmir', MP-IDSAs Issue Brief, 3 September 2021, at <https://www.idsai.in/issuebrief/elections-so-called-azad-jammu-and-kashmir-psingh-060921>. <Accessed 15 October 2021>

authorized to do so since signing an Instrument of Accession under the British Lapse of Paramountcy was to be done by the ruler of the princely states.

If one surfs through Pakistan's propaganda on Kashmir, it is conspicuous how its statements have varied from offering moral support to purported movement for freedom in Kashmir to earlier ones where a mention was made about the holding of a plebiscite. During the years after Partition, Pakistan had offered its logic based on geographical proximity and religious contiguity. This line of justifying its claim implies that Kashmir should be part of Pakistan and not become independent. On the contrary however, Pakistan-spurred propaganda, at times, entails independence as one of the potential possibilities in the event of a referendum.

WHITHER PAKISTAN'S KASHMIR STRATEGY?

On 5 August 2019, India rescinded Article 370 that was provided to the state of Jammu and Kashmir as an instrument of semi-autonomous status. The former princely state was bifurcated into two Union Territories—Jammu & Kashmir and Ladakh. This move by the Government of India caught Pakistan in a strategic anxiety before it could gather itself to revive its efforts and try internationalize the issue.

By ending J&K's special status and autonomy, India tightened its 'grip' on the Kashmir issue.⁵² In the wake of India's pre-emption and a turnaround in strategy, Pakistan was short of options other than indulging in 'high-level hand wringing'.⁵³ To Pakistan's dismay, none of the countries it hoped would stand behind it were willing to take a position on the changes brought about in the state of Jammu and Kashmir. Pakistan's traditional friends like Saudi Arabia refused to consider Pakistan's wish to take a critical stand against India's decision. With an economy 'teetering on the brink of collapse', Pakistan has

⁵² Maria Abi-Habib, 'Pakistan Runs Out of Options as India Tightens Grip on Kashmir', *The New York Times*, 9 August 2019, at <https://www.nytimes.com/2019/08/09/world/asia/kashmir-india-pakistan.html>. <Accessed 20 October 2021>

⁵³ Ibid.

increasingly felt isolated as 'a nation with its back against the wall, with few options to protect its existential interests'.⁵⁴ Not only this, Pakistan's constant raising the Kashmir issue at multilateral forums like the Organization of Islamic Countries (OIC) eliciting international attention on the issue is known to have also infuriated the Saudi establishment.⁵⁵

India has probably caused a certain dent in Pakistan's Kashmir strategy by constitutionally absorbing Jammu & Kashmir and Ladakh. Pakistan will have to rework the contours of its approach and also reset its equations with other countries especially if it continues to hope to get a favourable hearing on the Kashmir issue in the community of nations.

⁵⁴ Ibid.

⁵⁵ Nishank Motwani, 'Anticipating Pakistan's next move in Kashmir', *War on the Rocks*, 6 January 2020, at <https://warontherocks.com/2020/01/anticipating-pakistans-next-move-in-kashmir/>. <Accessed 15 October 2021>

THE UNRAVELLING OF SINO-PAKISTAN COLLUSION: A CORRIDOR OF DISCORD

When I was young, I heard many touching stories about Pakistan and the friendship between our two countries. To name just a few, I learned that the Pakistani people were working hard to build their beautiful country, and that Pakistan opened an air corridor for China to reach out to the world and supported China in restoring its lawful seat in the United Nations. The stories have left me with a deep impression. I look forward to my upcoming state visit to Pakistan. This will be my first trip to Pakistan, but I feel as if I am going to visit the home of my own brother.

-Excerpt from Xi Jinping's article published in *The News* at the time of his visit to Pakistan in April 2015.¹

Much acclaimed as the flagship project under China-helmed Belt and Road Initiative, the China Pakistan Economic Corridor (CPEC) has featured as a 'game changer' in the regional geopolitical discourse since its formal unveiling in April 2015. It is also being considered as the foremost bilateral initiative between China and Pakistan, entailing a massive budget that now stands above USD 60 billion. CPEC has captured the popular imagination on growth and development in Pakistan at a time when it is struggling to get its economy back on track. Simultaneously, China looks forward to adding significant brand value to its developmental initiatives abroad (originally enunciated as One-belt-One-Road) through successful execution of the CPEC. With a spectacular GDP having trillions of dollars in reserve, China is seeking to invest in projects abroad that can enhance connectivity, utilize idle capital and sustain its economic growth.

¹ President of the People's Republic of China, Xi Jinping, 'China Pakistan Dosti Zindabad', ((Long live China-Pakistan friendship!), *The News*, 20 April 2015, at <https://www.thenews.com.pk/print/36126-china-pak-dosti-zindabad>. <Accessed 12 October 2021>

In this context, CPEC is conceived as a project that will give China overland access to Arabian Sea through the Pakistani port of Gwadar, bring development and prosperity to Pakistan, a long-time friend and ally and cement strategic ties between the two. The project envisaged “the 1+4” cooperation mode, namely, taking CPEC as the core while prioritizing in Gwadar, Energy, Transport infrastructure and industrial Cooperation’.² Innocuous as it may appear, with its passage through the disputed territory of Gilgit-Baltistan and its access and control of Gwadar port, situated in close proximity to the energy-rich Western Asian region, CPEC has provoked the subcontinental security debate ever since it was announced with great gusto by China and Pakistan.

Enveloped in a geopolitical chimera, the focus of the emerging discourse on CPEC has remained clearly tilted towards the economic and strategic output emanating from it. However, what seems to be dominated by the overarching economic-strategic undertones is the flip side of the project that concerns political aspects of viability. Considering that the CPEC is set to traverse through lands (amongst others) where political discontent scales significantly high, such as Xinjiang, Gilgit-Baltistan and Balochistan, there are lurking uncertainties about the future prospects of the project. Chronic uncertainties shrouding at least three major regions that the corridor is slated to cut through stare down the CPEC project, widely hailed as a harbinger of enhanced regional connectivity and trade.

The staple justification being constantly fed into the CPEC discourse is: China’s geographical constraints vis-a-vis southern waters in Indian Ocean and Pakistan’s ever intensifying energy crisis. Nonetheless, the idea of connecting China to the strategically important waters of the Arabian Sea has evolved over a period of time going way back to the time when the Karakoram Highway was constructed during the 1960s and 1970’s. The strategic highway built through the only land link between

² Li Qingyan, ‘China-Pakistan “Iron Brotherhood”: 70 Years Hand in Hand’, China Institute for International Studies (CIIS), 8 August 2021, at https://www.ciis.org.cn/english/COMMENTARIES/202109/t20210908_8122.html. <Accessed 11 March 2021>

the China and Pakistan (read Gilgit-Baltistan) in many ways blueprinted the idea of an intensive connectivity network of what is today envisaged as the grand CPEC project.

Against this backdrop, the chapter attempts to assess the CPEC on the viability quotient as it stands on the plank of long-raging political questions—evaluating the level of concord in the three major geographical segments of the corridor- Xinjiang, Gilgit-Baltistan and Balochistan. Premised on the fact that the political conflict in these regions has received comparatively lesser attention in the overall CPEC discourse, the chapter tends to un-layer strands of commonalties in these regions vis-a-vis political unrest and collate the larger complexities of prolonged neglect and abject exclusion. Parallel to the political prism, the information provided takes into account the geopolitical discontent triggered by the CPEC, between India and China, Pakistan whilst looking at impacts likely to be incurred on the complex triangular geopolitical equations in general and CPEC in particular.

ACROSS CONTESTED GEOGRAPHIES

The CPEC stretches across zones witnessing conflict, subjugation and political exclusion—regions that continue to be rooted in raging political discontent and inflicted by deep seated deficit of trust. Slated to originate in Kashgar in the Xinjiang Uyghur Autonomous Region (XUAR), the corridor is designed to connect Gilgit-Baltistan via the Khunjerab Pass to other parts of Pakistan. In Pakistan, the CPEC travels through Khyber Paktunkhwa, Punjab before culminating at the warm water deep sea port at Gwadar, situated at the southern edge of the restive Balochistan province. While Xinjiang for long has witnessed an incessant ethnic strife offering stiff resistance to Han dominance, Gilgit-Baltistan is reeling under lack of constitutional status and political ambiguity since the region's violence-embroiled accession to Pakistan in 1947. Balochistan in Pakistan is infested by insurgency and prominent political groups led by ethnic Balochs who have directly challenged the writ of the state during multiple phases of extreme violence and conflict.

All three regions—Xinjiang, Gilgit-Baltistan and Balochistan—share rather conspicuous parallels concerning territorial contestations, rejection

of state apparatus and challenging physical control over what they perceive to be their legitimate right over local resources. Similarly, all these geopolitically key regions contain vast expanses of landmass—Xinjiang is the largest administrative division of China, Balochistan forms 46 per cent of Pakistan while Gilgit-Baltistan forms the major portion of what is referred to as PoK. It is rather intriguing that the CPEC, which is riding high on the developmental, network-connectivity agenda, boasting of a mammoth multi-billion budget is traversing regions that continue to indict the state of subjugation and illegitimate control. In all these regions the state has allegedly been deeply involved in altering demographics to diminish their exclusive ethnic characters. As a result, strong undercurrents of rebellion and dissidence have prevailed in these geographical areas.

Origin: Xinjiang, the western-most part of China has been reeling under political strife owing to political and ethnic reasons. The political discontent stems from ethnic or identity issues and of late have been triggered by relentless subjugation of the majority Uighur population in the province (a minority in China). Groups such as Turkistan Islamic Party (formerly the East Turkestan Islamic Movement—ETIM) advocate Xinjiang's independence from China. They have refused to accede to the Chinese control on the region obtained in 1949, challenging it on the pretext that the origin of the state lay somewhere else and it does not belong to the Peoples Republic of China (PRC).

Connection: As noted, Gilgit-Baltistan is part of the PoK. Under Pakistan's territorial control, the region is still not considered a part of it either constitutionally or politically after almost seven decades. More significantly, the region has been claimed by India as part of the erstwhile princely state of Jammu and Kashmir ever since as the Instrument of Accession was signed in India's favour by Maharaja Hari Singh in October 1947. An inordinate wait for political rights and identity has been aggravated by a prolonged phase of political neglect and state apathy. Nationalist sentiments have spawned in Gilgit-Baltistan over the years and have found vent in an array of nationalist groups, some of whom are defiant to the extent of seeking independence from Pakistan.

Destination: Balochistan did not immediately accede to the newly formed Pakistan in 1947. Its formal accession to the latter in March 1948 was preceded by a spell of uncertainty and intervention by the Pakistan military. Ever since then, the region has been embroiled in a perpetual state of turmoil and political tussle with the Pakistani state. The insurgency in Balochistan has refused to recede even after military's stringent measures to tide over the violence. The Balochistan situation has degenerated especially since 2003-04 under a patently ruthless regime involving indiscriminate state action against individuals, institutions and political groups refusing to comply with Pakistan's control over Balochistan. Draconian tales of forced disappearances, death squads and extra-judicial killings have continuously poured out of Balochistan on a regular basis.

The centrality of Gwadar in the CPEC design exceeds every other aspect related to the project. Pakistan-China understanding on developing Gwadar goes back to 2001, much before CPEC was formalized. During the visit of Chinese premier Zhu Rongji to Pakistan in May 2001, the two countries signed six agreements—China's 'willingness to finance the Gwadar deep seaport' was of prime significance amongst these.³ The longstanding significance of Gwadar is explained by continuing Chinese interest in developing this deep seaport and in turn underscores the criticality of Balochistan in the Chinese strategic game plan as manifested in CPEC.

DISENCHANTED POPULATIONS

The CPEC covers expanse of populations that are inflicted by political angst, ones that have challenged directly the writ of the state controlling them. These people for decades continue to be at cross purposes with the state authority concerning issues of political rights, resource ownership, economic rights and power sharing, etc. A significant section of population in these regions remains disenchanted, more so, disengaged to the mainstream processes.

³ Ghulam Ali, *China-Pakistan Relations: A Historical Analysis*, Oxford University Press, Karachi, 2017, p. 155.

Ethnic and Political Exclusion: The regions discussed here face ethnic exclusion against dominant majoritarian groups—Uighurs against the Han Chinese, Shias of Gilgit-Baltistan versus Pakistan's Sunni dominance and ethnic Baloch people against Punjabi patronization. In Xinjiang, China has subjected ethnic population to high-handedness and freak elements of control. The state has used all possible tools of discrimination against the ethnic Uighurs, who constitute about 90% of the local population. Popular outbursts have frequently resulted in widespread ethnic riots in Xinjiang as manifested in 2009.⁴ In 2018, there were extensive reports that the Chinese government resorted to extreme measures at times by forbidding the ethnic Uighurs from observing fast during the holy month of Ramzan.⁵

Balochistan has witnessed similar persecution of ethnic Baloch and brazen discrimination by Pakistan state. Since 1947-48, Pakistan's equations with Balochistan have been patchy and rough. Resistance against Pakistan has persisted through several phases in 1950s, 1960s, and so on. The military has been at the helm of Pakistan's equations with the Balochi people. Autocratic practices such as death squads, forced disappearances, wrongful detention and extrajudicial killings allegedly perpetrated by the state are unabated even as the region continues to be one of the flashpoints of human rights advocacy and international attention at large.⁶

⁴ 'The riots in Xinjiang: Is China fraying?' *The Economist*, 9 July 2016, at <http://www.economist.com/node/13988479>. <Accessed 30 August 2021>

⁵ 'China bans Muslims from fasting Ramadan in Xinjiang', *Al Jazeera*, 18 June 2016, at <http://www.aljazeera.com/news/2015/06/china-bans-ramadan-fasting-muslim-region-150618070016245.html>; 'China imposes customary ban on civil servants, students from fasting during Ramadan', *The Indian Express*, 6 June 2016, at <http://indianexpress.com/article/world/world-news/china-imposes-customary-ban-on-civil-servants-students-from-fasting-during-ramadan-2838128/>. <Both accessed 3 October 2021>

⁶ Frederic Grare, 'Balochistan: The State Versus the Nation', *The Carnegie Papers*, 11 April 2013, at <http://carnegieendowment.org/files/balochistan.pdf>. p. 2. <Accessed 3 December 2021>

Simultaneously in Gilgit-Baltistan, the sense of political alienation and malaise is extremely deep-rooted. The lack of a political status and constitutionality in Gilgit-Baltistan has ratcheted up popular sentiments against Pakistan. Complementing the popular attitudes, a number of political groups have come to exist in the region dissenting Pakistan's high-handed rule, while others seek autonomy or even complete independence. Politics in Gilgit-Baltistan has remained subservient to Pakistan's larger agenda against the region—one that has reduced it to a mere pawn in Pakistan's Kashmir gambit.

Outsourced Resources: Coincidentally, the three in-focus regions here are rich in natural resources. Designated as “national energy strategy base”⁷, Xinjiang houses oil reserves that run in billions of tons, accounting for China's 1/5th of aggregate oil reserves. Besides, coal reserves are about 40 per cent of the total followed by the largest gas reserve within China.⁸ Despite ethnic strife, China has engaged in expanding refineries and extraction activities in the region. Gilgit-Baltistan has vast reserves of minerals and hydropower potential while Balochistan is blessed with significant gas reserves. The availability of resources unfortunately does not reflect as much in the development indexes concerning these regions. For long, these resources remained untapped before the states in question decided to harness these by either outsourcing them to external players like China (in Balochistan and Gilgit-Baltistan) or diverting the resource wealth towards purposes other than local development. Sustained neglect of local interests have accentuated popular angst in these regions frequently manifesting in the form of protests and disruptive activities.

⁷ Jinhui Duan, Shuying Wei, Ming Zeng and Yanfang Ju, ‘The Energy Industry in Xinjiang, China: Potential, Problems, and Solutions’, *Power*, 1 January 2016, at <http://www.powermag.com/energy-industry-xinjiang-china-potential-problems-solutions-web/>. <Accessed 30 August 2021>

⁸ Edward Wong, ‘China Invests in Region Rich in Oil, Coal and Also Strife’, *The New York Times*, 20 December 2014, at http://www.nytimes.com/2014/12/21/world/asia/china-invests-in-xinjiang-region-rich-in-oil-coal-and-also-strife.html?_r=0. <Accessed 30 May 2021>

Trepidation Against China: A common strand of widespread China-centric apprehensions, and in some cases, strong undercurrent of anti-China trepidations, is prevalent in Xinjiang, Gilgit-Baltistan and Balochistan. While in Xinjiang, anti-China sentiments are attributed to marginalization and suppression of ethnic Uighurs, in Balochistan the quest against Chinese revolves around the fear that local resources are being exploited to serve Chinese interests. Notably, the broader understanding is that the immediate trigger for the outbreak of the current spell of insurgency in the region was due to the award of the Saindak mining field contract in the Chagai hills to the Chinese.⁹ Similar sense of apprehensions and resistance overcast the handing over of the Gwadar Port administration to China in 2013 after the previous Singaporean enterprise decided to withdraw.

Disenchantment against the Chinese within Pakistan, especially in Balochistan has peaked in recent years. A bus carrying Chinese workers was attacked by a suicide bomber in August 2018 in Dalbandin, injuring several people.¹⁰ This was closely followed by another attack on the Chinese consulate in the port city of Karachi in November 2018 in which several security persons died.¹¹ In May 2019, the Zaver Pearl Continental hotel at Gwadar was under militant attack where Chinese workers were said to be frequenting for stay.¹² Chinese workers are under constant threat of insurgents in Pakistan. There are perpetual

⁹ Ashok K. Behuria, 'State versus Nation: Sindhi, Baloch and Pakhtun Responses to Nation Building', IDSA Monograph Series No. 43, January 2015, at http://www.idsa.in/monograph/StateversusNationsinPakistan_akbehuria, p. 99. <Accessed 17 August 2020>

¹⁰ Gul Yousafzai, 'Five wounded in attack on bus ferrying Chinese workers in Pakistan', *Reuters*, 11 August 2018, at <https://www.reuters.com/article/us-pakistan-blast-china-idUSKBN1KW05B>. <Accessed 4 September 2021>

¹¹ 'Karachi attack: China consulate attack leaves four dead', *BBC*, 23 November 2018, at <https://www.bbc.com/news/world-asia-46313136>. <Accessed 4 October 2021>

¹² 'Pakistan attack: Gunmen storm five-star hotel in Balochistan', *BBC*, 12 May 2019, at <https://www.bbc.com/news/world-asia-48238759>. <Accessed 5 October 2021>

fears of abductions of workers by the insurgents.¹³ This has resulted in heightened apprehensions and put additional pressure on the security agencies in Pakistan. Notably, in the wake of the bus attack near Dasu Hydropower project, in Khyber Pakhtunkhwa, where at least 9 Chinese workers were killed, China is said to have mounted pressure on Pakistan for the threat from terror outfits apart from sending a team to enquire and investigate the ghastly incident.¹⁴

CPEC: A CORRIDOR OF DISCONTENT?

Apart from the geography-driven factors as discussed above, the CPEC has already unleashed a series of discord both at the political and geopolitical level. In Pakistan, the CPEC is emerging as the latest flashpoint of inter-provincial tussle after the controversial Kalabagh dam project. On the other side, CPEC has been at the centre of bilateral and trilateral discord between India, China and Pakistan. Some of the broad drivers of discontent already playing out, well before the CPEC could actually culminate, are as follows:

Political Dissonance: In Pakistan, the CPEC is currently hailed by metaphorical adjectives such as 'game changer', etc. and is being advertised as a fountainhead of peace, stability and development.¹⁵ The corridor that spreads across several parts of Pakistan has spurred interprovincial rivalry and discord regarding share and benefits. Within Pakistan, dynamics of inter-provincial discord concerning significant

¹³ Tom Hussain and Umar Bacha, 'After Dasu bus blast in Pakistan, Chinese workers on go-slow over lax security, terrorism fears', *South China Morning Post*, 14 August 2021, at <https://www.scmp.com/week-asia/politics/article/3144882/after-dasu-bus-blast-pakistan-chinese-workers-go-slow-over-lax>. <Accessed 6 October 2021>

¹⁴ Jibrán Ahmad, 'Chinese investigators visit site of Pakistan bus blast', *Reuters*, 17 July 2021, at <https://www.reuters.com/world/asia-pacific/chinese-investigators-visit-site-pakistan-bus-blast-2021-07-17/>; Also see: 'Pakistan bus "blast" kills at least 12, including nine Chinese', *Al Jazeera*, 14 July 2021, at <https://www.aljazeera.com/news/2021/7/14/chinese-nationals-among-several-killed-in-pakistan-blast-report>. <Both accessed 10 October 2021>

¹⁵ 'Is China-Pakistan 'silk road' a game-changer?' 22 April 2015, *BBC*, at <http://www.bbc.com/news/world-asia-32400091>. <Accessed 11 October 2021>

projects have marred the pace of development-oriented infrastructure projects, glaring examples being the Kalabagh dam. Similar discontent besets the Diamer Bhasha dam project in Gilgit-Baltistan.¹⁶ The interprovincial ties within Pakistan have perennially been fragile and equally precarious—explicit during the Kalabagh dam controversy, wherein a much wanted hydropower project was shelved owing to interprovincial discord between Sindh, Khyber Pakhtunkhwa and Punjab.¹⁷ It is important to note that had the Kalabagh dam project reached fruition, the much pronounced energy woes in Pakistan today would have largely been averted.

Years down the line, the ghosts of Kalabagh appear to hover over the CPEC route controversy. There is much bad blood between the provinces over preferred route options and share in the proceeds from several projects within. For instance, there were several routes floating in the public domain and consensus on zeroing in on a particular route had been eluding ever since. For a long time, there was uncertainty whether Balochistan to the extent possible would be avoided in the CPEC routing. This was mainly due to concerns on continuing political strife and cyclical occurrence of violence in the region. Besides, there is bitter resistance in Balochistan, a crucial province in the CPEC layout, where people believe their resources are being exploited to serve Chinese interests.

Over the years, CPEC has courted a great deal of controversy on the proposed routes of the corridor. The western route that crosses through

¹⁶ 'Controversial topic: All parties urged to agree on Kalabagh dam', *The Express Tribune*, 25 July 2015, at <http://tribune.com.pk/story/926032/controversial-topic-all-parties-urged-to-agree-on-kalabagh-dam/>; 'Diamer-Bhasha dam: risks and controversies', *Dawn*, 17 November 2008, at <http://www.dawn.com/news/968061>; 'Diamer-Bhasha boundary dispute: Gilgit rejects K-P's claim to part of dam', *Pamir Times*, 26 November 2011, at <http://pamirtimes.net/2011/11/26/diamer-bhasha-boundary-dispute-gilgit-rejects-k-p%E2%80%99s-claim-to-part-of-dam/>. <All accessed 21 October 2021>

¹⁷ Khaleeq Kiani, 'Sindh, KP resist moves to resume discussions on Kalabagh dam', *Dawn*, 18 March 2016, at <http://www.dawn.com/news/1246420>. <Accessed 30 October 2021>

Balochistan and Khyber Pakhtunkhwa has been in the eye of storm where it is alleged that deliberate neglect and prejudice has been perpetrated by the authorities in early implementation of the same. The design and construct of the western route has been compromised at the expense of the eastern route which was being developed as a 'fast high-speed six-lane modern motorway with controlled-access design'.¹⁸

In May 2021, addressing a gathering of the Karachi Chamber of Commerce and Industry (KCCI), Asim Saleem Bajwa, the then CPEC Authority Chairman noted that the western route was progressing after China's approval and will be completed in a three-year time-frame.¹⁹ Bajwa also informed the business community that under the western alignment, work was commencing on a route between Islamabad to Dera Ismail Khan and from Dera Ismail Khan to Zhob and on the one between Zhob-Quetta.²⁰ Further in July 2021, it was reported that the western route of the corridor would be expanded to include Gilgit region through Swat, Chitral and Shandur. After the proposed extension to include Gilgit, the western route would stand at 1617 kms.²¹

Likewise in Gilgit-Baltistan (part of PoK) people are oblivious about their role and share in the CPEC.²² In August 2015, the Gilgit-Baltistan Legislative Assembly passed resolutions demanding setting up of economic zones in the region under the CPEC stable. At the same

¹⁸ Rafiullah Kakar, 'Making sense of the CPEC controversy', *The Express Tribune*, 21 January 2016, at <https://tribune.com.pk/story/1031850/making-sense-of-the-cpec-controversy>. <Accessed 22 September 2021>

¹⁹ Usman Hanif, 'CPEC western routes to be completed in three years', *The Express Tribune*, 4 May 2021, at <https://tribune.com.pk/story/2298241/cpec-western-routes-to-be-completed-in-three-years>. <Accessed 29 October 2021>

²⁰ Ibid.

²¹ 'Pakistan approves to extend western route of CPEC to Gilgit', *ANI*, 19 July 2021, at <https://www.aninews.in/news/world/asia/pakistan-approves-to-extend-western-route-of-cpec-to-gilgit20210719170425/>. <Accessed 30 September 2021>

²² Afzal A. Shigri, 'No space for GB on CPEC table', *Dawn*, 11 January 2016, at <http://www.dawn.com/news/1232094>. <Accessed 29 September 2021>

time, the house also demanded Gilgit-Baltistan's participation in the Consultative Committee on the CPEC.²³ Seething under the lack of a constitutional status, popular opinion in the region seems incrementally driven towards knowing their actual stakes in the multibillion corridor. Concerns on getting a rightful share in the CPEC harvest have also resonated in the so-called 'AJK'. Former President Masood Khan once contended before the Standing Committee of the National Assembly on Kashmir and Gilgit-Baltistan that the region too should get its 'due share', being a 'natural part' of the CPEC.²⁴

The Punjabi overbalance in Pakistani politics and army spurred apprehensions especially as some sections started referring to the CPEC as the 'China Punjab Economic Corridor'.²⁵ There is a constant sense of apprehension in Pakistan's constituents units whether somewhat similar to the character of politics and army in Pakistan, the CPEC will be comprehensively dominated by the Punjabis/Punjab. Such disconcerted thinking and opinion has been prevalent in Pakistan gravely overshadowing the popular enthusiasm involving the sheer size and volume of an over USD 46 billion Chinese-aided development corridor.

Geopolitical/ Strategic Discord: The CPEC is slated to cut through swathes of territory in PoK on which India has a standing claim. India's rather underplayed policy on PoK has, nevertheless, featured several objections to Chinese involvement in building hydropower projects

²³ Shabbir Mir, 'New resolutions: G-B Assembly demands setting up of economic zones', *The Express Tribune*, 13 August 2015, at <http://tribune.com.pk/story/936982/new-resolutions-g-b-assembly-demands-setting-up-of-economic-zones/>. <Accessed 29 September 2021>

²⁴ 'Development: AJK wants its due share in CPEC projects: AJK president', *The Express Tribune*, 11 November 2016, at <http://tribune.com.pk/story/1227284/development-ajk-wants-due-share-cpec-projects-ajk-president>. <Accessed 23 September 2021>

²⁵ Syed Irfan Raza, 'Senators say CPEC turned into "China-Punjab" corridor', *Dawn*, 24 November 2015, at <http://www.dawn.com/news/1221849>; Qadeer Tanoli, 'Punjab gets lion's share in Chinese projects', *Dawn*, 3 September 2016, at <http://tribune.com.pk/story/1175160/economic-corridor-punjab-gets-lions-share-cpec-projects/>. <Both accessed 11 September 2021>

and infrastructure in parts of PoK. In sync with its official stance, India has been opposed to the idea that a connectivity corridor be built through a contested territory that is, Gilgit-Baltistan, a geographically essential part of India's extant claim. India's concerns have been taken up at the highest level with China—including during Prime Minister Modi's visit to PRC in May 2015. India's reservations on the CPEC have also been emphasized in the bilateral parleys with China and Pakistan. In India, the public opinion on CPEC is still shaping up—at the moment however, it appears somewhat divided with a sizeable constituency viewing the corridor as a potent challenge for India's long term security interests.

India-Pakistan ties yet again hit a rough patch in the wake of the Uri attack and subsequent cross LoC strikes. This was in the immediate aftermath of the spate of violence in Jammu and Kashmir in July 2016 followed by Prime Minister Narendra Modi's Independence Day speech in which he expressed gratitude to the people of PoK and Balochistan.²⁶

India not only appears to substitute the policy rut on PoK with proactive forthrightness but also looks prepared to harden its stance on PoK and Balochistan, if need be. India-China ties have been tested due to the NSG (Nuclear Suppliers Group) episode and China's gambit in obstructing Jaish e Mohamed's chief Masood Azhar's proscription at the United Nations. Disturbing trends such as these afflict triangular dynamics between the three countries. Coupled with India's freshly acquired Balochistan pitch, constellation of forces such as these may impact the feasibility of the CPEC in some, if not considerable measure.

THE ROAD AHEAD FOR THE CORRIDOR

It is essential that the discussion on these three regions is also contextualized in the development paradox—development versus

²⁶ PM Modi at 69th Independence Day Celebrations from Red Fort, 15 August 2016, at http://www.pmindia.gov.in/en/speeches/#skip_to_main. <Accessed 31 August 2021>

discontent. There is an ongoing debate on the correlation between development and political stability ranging widely from drawing up a binary, whether the two propositions impact each other or remain diametrically opposed. Correspondingly, there is the other dilemma regarding what comes first: political stability or economic development. Considering the extent of political instability and economic lag in the regions the CPEC travels through, it would be interesting and worthwhile to observe the prospects of medium and long term impact of the CPEC over these lands.

More significantly, any approximate analysis concerning the contours of CPEC's future course must essentially factor in two drivers of prime significance—Pakistan's grim international security parameters and China's risk averse behaviour. CPEC's arterial spread inside Pakistan as well as PoK make it contingent upon Pakistan's internal security situation. Unfortunately, the security situation within Pakistan has witnessed a steep downslide over the years despite the army's projected resolve to purge militancy and violence- an idea that was much hyped during Raheel Sharif's tenure as Army Chief. In view of recurring incidents of mass killings abetted by several militant groups across Pakistan, especially Balochistan, the prospects of the CPEC acting as a harbinger of stability and development appear more than dismal. Before this happens, Pakistan needs to shed its long standing affinity to militancy as an instrument of state policy, inspire confidence amongst provinces, thereby creating an environment conducive for economic development and stability.

As the corridor charts across hotbeds of unrest and instability, through lands of contested statuses, it will litmus-test China's risk-averse investment behaviour. China in the past has steered clear of politically contentious projects such as the Diamer Bhasha Dam (in Gilgit-Baltistan)—a controversial project territorially challenged by India and also the scene of an existing boundary discord between Khyber Pakhtunkhwa and Gilgit-Baltistan. Whether or not China is able to take a deep plunge in the risk-ridden investment landscape remains to be seen as and when the multibillion CPEC gradually unfolds through swathes of political instability and unrest.

WHITHER INDIA'S CPEC STAND?

China's Silk route ambitions, both land and maritime, have grabbed much strategic attention across the region and the wider world community. Within this frame, the 'Belt and Road' initiative is pivotal to the Chinese design of optimizing its connectivity across continents of Asia, Europe and Africa. The CPEC conceived as a major connectivity project under the BRI stable will abridge China's passage to the strategic Gwadar Port in Balochistan via Gilgit-Baltistan in PoK. As noted, Gilgit-Baltistan is the lone land link between the two countries and this geographical reality underscores the significance of the region in the CPEC project. The economic corridor is an intensive long term project within which several hydropower projects will absorb major portion of the approximately revised budget estimates of CPEC now standing at about USD 62 billion.

With a humungous budget and its far reaching implications showing on the horizon, the CPEC project has unleashed wide-ranging speculations regarding its scale and impact. At the same time, it generated an intense geo-strategic debate in the region, especially in India. In India, the emerging security discourse on CPEC mainly revolves around India's claim on PoK as part of the former princely state of Jammu and Kashmir and its reservations on the corridor crossing through this disputed region. Based on its official stance, India has conveyed its reservation to both the countries, China and Pakistan, bilaterally. However, India's objection have not made much difference and the 'all weather allies' are determined to take the CPEC forward at any cost.

The thriving Sino-Pakistan alliance on India's northern periphery has been at the core of India's strategic concerns ever since the provisional border agreement was signed between China and Pakistan in 1963. As discussed in detail in Chapter II, based on this agreement, a part of the territory of Gilgit-Baltistan (Trans Karakorum Tract or the Shaksgam Valley) was ceded to China by Pakistan. The building of the Karakoram Highway through Gilgit-Baltistan and now CPEC marks the culmination of the Chinese designs in the disputed region. Despite China's best efforts to dissociate itself from the Kashmir issue, the fact

remains that China remains a crucial and complex factor in the broader issue. With CPEC, China's stake in the region will further multiply, hence, translating into a perennial source of strategic concern for India.

India's concerns on the CPEC has been articulated at the highest level during Prime Minister Modi's visit to China in May 2015. Historically, India's policy inertia on PoK over the last several decades has been a major constraint in effectively dealing with the China-Pakistan combined challenge. India's position against China-Pakistan strategic axis was quite sturdy in the years following China's initial forays in the PoK region. For instance, India's protest statements in the wake of developments around 1962-63, especially in the run-up to the signing of the provisional Sino-Pakistan Border Agreement was emphatic and robust. A letter of protest to China was given in this regard. However, with the passage of time, India's policy position on PoK and its opposition to Chinese engagement in the region per se seem to have waned.

In the prevailing geopolitical setting, the CPEC would pose multiple strategic challenges towards India. It severely undermines India's claim on PoK. Unlike in the past, when Chinese interest in PoK was confined to select infrastructure and power projects in the PoK, the economic corridor worth billions will deepen and entrench Chinese stakes in the region. Since the corridor passes through PoK, India cannot participate in the project either. This may be interpreted as a climb down from its official stance. What is, therefore, further needed to undercut its fallout is better preparation to deal with unforeseen challenges resulting from the thriving Sino-Pak nexus in PoK. Sprucing up the decades-old claim on PoK with a proactive, pronounced and consistent policy posturing is the foremost step in this regard. Apart from objecting to Chinese-aided infrastructure activities in PoK, asserting its claim on the region at the bilateral level with both Pakistan and China has become an absolute necessity in the CPEC-dominated regional connectivity context.

POLITICAL RESTRUCTURING IN PoK AND CPEC: A LINK?

The formal announcement of the massive connectivity project CPEC in April 2015 was met with India's stiff opposition based on its standing claim on parts of Jammu and Kashmir under Pakistan's control. Though

several existing and new projects in the so-called 'AJK' were announced under CPEC, the loci of India's evolving opposition on the corridor remained Gilgit-Baltistan region given its salience in the Sino-Pakistan ties as the only land link between the two sides. In view of Gilgit-Baltistan's constitutional ambivalence, doubts were raised whether China would take the risk of investing billions in a project that runs through a disputed region. In this backdrop, what was till then Pakistan's domestic debate on politically absorbing Gilgit-Baltistan despite India's resistance, got extrapolated with geopolitical attributions being attached to growing Chinese apprehensions vis-a-vis CPEC's feasibility.²⁷ Significantly, the local resistance to CPEC in Gilgit-Baltistan was for a good part spun around the region's statelessness and how this deficit would deny tangible material gains to the region and its population.

In the period following the Doklam crisis between India and China, there was increased talk about the much awaited, imminent political reforms in both parts of PoK. Both entities i.e. the so-called 'AJK' and Gilgit-Baltistan have remained politically subservient to Pakistan for decades. The long-awaited reforms were introduced in both parts of PoK in 2018 but turned out to be a mere eyewash. Upon a deliberate analysis of the two executive orders pertaining to the so-called 'AJK' and Gilgit-Baltistan, what comes to the fore rather unambiguously is that no material change would occur in the status of both these regions. The state of political deprivation is likely to continue in PoK. These structural changes in the context of PoK, howsoever immaterial they may be, necessitated a review of India's position on the CPEC. In a scenario where PoK is constitutionally or politically absorbed by Islamabad- the question whether this could impact India's CPEC stance has been perceived as a challenge in reckoning.

Meanwhile, at the 18th Shanghai Cooperation Organisation (SCO) summit at Qingdao in 2018, Prime Minister Modi yet again reiterated

²⁷ For details see: Priyanka Singh, 'Gilgit Baltistan: Province, No Province?' IDSA Strategic Comment, 27 August 2015, at https://www.idsa.in/idsacomments/GilgitBaltistanProvinceNoProvince_psingh_270815. <Accessed 1 September 2021>

India's reservations on connectivity and infrastructure projects that disrespect sovereignty and territoriality.²⁸ In his address at the Plenary session, Prime Minister Modi put forward the concept of 'SECURE', which he explained thus: 'S' for security for citizens, 'E' for economic development, 'C' for connectivity in the region, 'U' for unity, 'R' for respect of sovereignty and integrity, 'E' for environment protection.²⁹ Talking about the importance of linking the region with transport corridors, Modi said connectivity does not only mean geographical link but it should ensure people-to-people contact. He reiterated: 'India welcomes any such project which is inclusive, sustainable and transparent. And which respects member states' sovereignty and territorial integrity,' perhaps a veiled remark at China's BRI.³⁰

India firmed its opposition to the BRI, particularly the CPEC and decided to absent itself from the Strategic Dialogue/ BRI Summit being held in Beijing in 2017. This was despite a formal invite being extended by China. The fact that CPEC is flagship project under BRI and CPEC violates Indian sovereignty (as it runs through PoK), impedes India's options to come on board, has been India's persistent stance voiced frequently by the highest echelons of government. It is important to note that ever since India's absence from the BRI summit in May 2017 and the subsequent Doklam crisis being a tipping point, relations between India and China were rather strained and showed signs of

²⁸ Saibal Dasgupta, 'India only SCO member to oppose China's BRI', *The Times of India*, 10 June 2018, at <https://timesofindia.indiatimes.com/india/india-stays-out-of-move-to-support-chinas-bri-at-sco-meet/articleshow/64533390.cms>. <Accessed 27 August 2021>

²⁹ 'PM Modi calls for respect for sovereignty, economic growth, connectivity, and unity among SCO countries', *HW News*, 10 June 2018, at <https://hwnews.in/international/international-news/pm-modi-calls-respect-sovereignty-economic-growth-connectivity-unity-among-sco-countries/44755>. <Accessed 1 October 2020>

³⁰ 'Connectivity projects should respect country's sovereignty: PM Modi', *The Economic Times*, 10 June 2018, at <https://m.economictimes.com/news/politics-and-nation/connectivity-with-neighbourhood-and-in-sco-region-indias-priority-pm-modi/articleshow/64526615.cms>. <Accessed 29 October 2021>

thaw only towards the beginning of the year 2018. During this entire span, however, India's equations with Pakistan remained frosty and strained.

CPEC IN THE 'RESET' INDIA-CHINA MATRIX

Prime Minister Modi's informal meeting with China's President Xi Jinping at Wuhan in April 2018 was instrumental in breaking the ice that inhibited India-China ties since the Doklam crisis. Even though in the Wuhan statement there was nothing pertaining to CPEC as such, the summit paved way for further bilateral interactions and proved to be a harbinger of reduced India-China tensions in an improved atmosphere. Indian media also reported on how the Government of India was making some conscious efforts to show willingness to work around issues that could potentially be a source of further friction between India-China—for instance downplaying events related to the Tibetan cause. India refusing to participate in the BRI summit and further endorse the project despite most countries in its neighbourhood giving a gung-ho response to it, was one of the key elements that seemed to have aggravated the bilateral equations between the two countries. Eventually, India-China tensions culminated in the border crisis involving Bhutan. Therefore, post-Wuhan, there was a spell loaded with speculation as to where exactly India's position on the CPEC is headed in case India and China bury strategic discord for the time being.

A RENEWED SOVEREIGNTY SPIN

In a changed geopolitical scene, CPEC afforded India's claim on PoK a fresh lease of life. Based on the principal of sovereignty, India's resistance to the corridor made a considerable impact all across. Post the 1994 Parliamentary Resolution on Kashmir, which reiterated India's stance on PoK, CPEC provided a credible point of reference for India to vociferously deliberate on its extant claim on PoK.

Addressing the Raisina Dialogue in January 2017, Prime Minister Narendra Modi stated that 'only by respecting the sovereignty of

countries involved, can regional connectivity corridors fulfil their promise and avoid differences and discord'.³¹ The then Foreign Secretary and now External Affairs Minister, S. Jaishankar, speaking at the same platform reinforced upholding of sovereignty as the prime objective. Mr. Jaishankar observed: 'China is a country which is very sensitive on matters concerning its sovereignty. So we would expect that they would have some understanding of other people's sensitivity about their sovereignty'.³² At the Shanghai Cooperation Organization (SCO) forum in Astana (Kazakhstan) in 2017, Prime Minister Modi, speaking in the presence of Chinese President Xi Jinping and Pakistan's Prime Minister Nawaz Sharif, among others, asserted that given the primacy of connectivity projects, it is important that sovereignty and territorial integrity should be the key factors in such a cooperation.³³

THE 'SLOWDOWN' CONUNDRUM

Of late there is an emerging facet in the discourse around CPEC, which depicts a slowdown is occurring in the project. These assertions started trickling barely a few years down the line after CPEC's inception. The year 2017-18 was the goalpost period when early harvest projects under the CPEC were about to reach fruition. Despite the fact that not all targets were reached in the early harvest category, there was some progress made in certain select sectors. Irrespective of pockets of completion, several teething problems started to erupt in the actual implementation of the CPEC on ground, making it look 'no longer

³¹ Inaugural Address by Prime Minister at Second Raisina Dialogue, New Delhi (17 January 2017), Ministry of External Affairs, at https://www.mea.gov.in/Speeches-Statements.htm?dtl/27948/Inaugural_Address_by_Prime_Minister_at_Second_Raisina_Dialogue_New_Delhi_January_17_2017. <Accessed 26 September 2021>

³² 'Respect India's territorial sovereignty: India to China', January 2017, at http://www.ptinews.com/news/8303939_Respect-India-s-territorial-sovereignty-India-to-China.html. <Accessed 12 August 2021>

³³ 'In Astana, PM Modi Delivers A Message To China, Pakistan: 10 Points', *NDTV*, 10 June 2017, at <https://www.ndtv.com/cheat-sheet/in-astana-pm-modi-delivers-a-message-to-china-president-xi-pakistan-prime-minister-nawaz-sharif-10-p-1710161>. <Accessed 14 August 2021>

sustainable'.³⁴ Andrew Small's study on CPEC pointed out glaring deficiencies in the commencement of CPEC relegating the focus from 'mega projects' to 'peanut projects'. According to Small, the slowdown showed even before the world was hit by the pandemic and motley of factors contributed to it, Pakistan's financial woes being the prime driver. Apart from this, there were political factors that induced the slowdown once the Nawaz Sharif helmed PML-N (Pakistan Muslim League-Nawaz) government lost power to PTI (Pakistan Tehreek e Insaf) headed by Imran Khan.³⁵ Incumbent Prime Minister was critical of the CPEC in his election campaign and his tenor against the project spiked considerable apprehensions on the Chinese side. Though once in power, Khan's government espoused the CPEC but some loss of momentum may have resulted in the intervening period concerning the change of guard in Islamabad.

Besides, Pakistan's unequivocal and unqualified embrace of Beijing in the backdrop of CPEC has caused some concern especially in the wake of bedeviling issues confronting the project's implementation. There has been a move to assess the 'costs and benefits of becoming an integral part of what Beijing hopes will become the new Pax Sinica world order', and whether 'for all its flaws, Pax Americana still offers Pakistan a good deal'.³⁶ Such fears and caution have multiplied as Pakistan has entered the repayment stage and the country is (as widely reported) finding it extremely challenging to abide by the terms and conditions of repayment.

The political class has so far refrained from making direct accusations on the Chinese being wary of offending China, but subconsciously

³⁴ Andrew Small, 'Returning to the Shadows: China, Pakistan, and the Fate of CPEC', September 2020, No. 16, at <https://www.gmfus.org/sites/default/files/Small%20-%20China%20Pakistan%20CPEC%20-%2023%20September.pdf>, p. 3. <Accessed 5 September 2021>

³⁵ Ibid., p. 4.

³⁶ Farooq Tirmizi, 'CPEC is dead. Somebody tell Beijing', 30 May 2019, at <https://medium.com/@farooqtirmizi/cpec-is-dead-somebody-tell-beijing-9e18a891ff0b>. <Accessed 11 September 2021>

they are chary to 'bend over backwards to become a Chinese satellite state either'.³⁷

Despite the refrain, there are voices of caution and dissent within Pakistan. In 2016, Senator Tahir Mashhadi, Chairman of the Senate Standing Committee on Planning and Development of Pakistan, noted: 'Another East India Company is in the offing; national interests are not being protected. We are proud of the friendship between Pakistan and China, but the interests of the state should come first'.³⁸

INDIA CANNOT BLINDLY FOLLOW CHINA'S CONNECTIVITY BANDWAGON

India-China relations hit a rough patch after it refused to attend the BRI Summit in May 2017. The spell of discord lasted for some time. Determined to safeguard its territorial interests, India decided to give the grand BRI meeting hosted in Beijing a miss. India opting out of the summit garnered quite a bit of attention. In the domestic circuit as well, there was some self-flagellation rejecting India's extreme position what some considered/perceived maximalist posturing. The fact that more than 60 countries participated in the summit was a point in case to evaluate the merits of India's position. Whether participating in the China-helmed BRI could usher in numerous vistas for India's own connectivity requirements formed part of some discussions. Notably, the large scale participation in the BRI summit was used as a pressure point to undermine India's stated BRI position in general and CPEC in particular.

On the other side, there was some discussion predicting India's looming isolation in the region and beyond. In fact India did not boycott the summit. India did send a delegation but decided against high level official participation. Another imponderable question was whether

³⁷ Ibid.

³⁸ Syed Irfan Raza, 'CPEC could become another East India Company', *Dawn*, 18 October 2016, at <https://www.dawn.com/news/1290677>. <Accessed 24 September 2021>

India's CPEC consent could be subjected to extracting a concrete strategic concession from China?

India does not seem have many options to exercise as far its claim on PoK is concerned. Second, India being structurally dominant in the subcontinent cannot be equated with or expected to follow the bandwagon led by China as is being done by some of India's close neighbours. India's sheer size and the volume of its economy and population, the requirements therein, puts it on a plank that greatly varies to countries in its vicinity.

More importantly, Chinese are good in packaging, though business viability of the BRI is still suspect. In several countries where the BRI is making inroads, there are growing apprehensions amongst locals in terms of actual benefits accruing to them. Corruption-ridden societies that are participating in China's grand project fear that a handful of their politicians will benefit from the profits of BRI and a large chunk of population would remain deprived. The strategic intent of China behind taking control over ports at key locations like Hambantota in Sri Lanka and Djibouti have given rise to security centric scepticism amongst many.³⁹ India has remained and still remains less adventurous and more cautious. Contrary to Pakistan, a country that has only piggybacked its big power allies, be it the United States or China, India that always pursued an independent course based on its calculation of national interest.

India may appear alone as it resists Chinese strategic embrace. However, this phase shall too pass. It is essential to draw on Indian experiences when it was isolated on the issue of Kashmir internationally at the UN particularly due to a non-aligned approach. India has always tried to stand its ground. Once India decided that it was time to intervene in Bangladesh due to the refugee crisis, it did so even facing stiff resistance from the United States. India has earned its position and stature in the international community partially due to an independent course. It never

³⁹ For details refer: 'Planet China: What to make of the Belt and Road Initiative', *The Economist*, 28 July 2018, at <https://www.economist.com/weeklyedition/2018-07-28>. <Accessed 11 October 2021>

joined the bandwagon back then, it will not join it now either. India still seeks to make merit-based assessment and its strategic decisions are guided by national interest and more importantly, the right/autonomy to choose its own course. For a project whose logic is still not clear to the principal recipient country that is Pakistan, India cannot plunge itself even cursorily without a cost and benefit assessment. For now, the cost of BRI to India are known but the benefits continue to be elusive.

Note: The Chapter contains as its part an Issue Brief that was published on the MP-IDSAs website on 23 November 2016 under the title: 'CPEC: Corridor of Discontent' and disclosed then as being excerpted from the larger study undertaken by the author as part of MP-IDSAs fellowship; Also, short excerpts from the Brief were part of an 'Ask an Expert' response by the author published on 4 November 2016 on the MP-IDSAs website.

RE-INVENTING INDIA'S POLICY ON PAKISTAN OCCUPIED KASHMIR

India has a steadfast unaltered position on both parts of the PoK. An emphatic reiteration of this position was made at a Parliamentary Resolution in February 1994 unanimously adopted in the House. Amongst various things, the resolution stated: 'Pakistan must vacate the areas of the Indian State of Jammu and Kashmir, which they have occupied through aggression'.¹ Besides, the resolution categorically remarked on Pakistan's illegitimate control over the PoK expressing 'regret and concern at the pitiable conditions and violations of human rights and denial of democratic freedoms of the people in those areas of the Indian State of Jammu and Kashmir, which are under the illegal occupation of Pakistan'.²

Jammu and Kashmir was under another bout of Governor's rule after the Bhartiya Janata Party-Jammu and Kashmir Peoples Democratic Party (BJP-PDP) led alliance ended amidst acrimony and bitterness. The Governor's rule was shrouded with concerns and apprehensions especially amongst the common people. While reports of meetings by political parties exploring options to forge a fresh alliance were there, no concrete understanding was reached to end the political stalemate. Coinciding with this spell of political transition, was a UN report by the UN High Commissioner of Human Rights (UNHCHR) titled: 'Report on the Situation of Human Rights in Kashmir: Developments in the Indian State of Jammu and Kashmir from June 2016 to April 2018, and General Human Rights Concerns in Azad Jammu and

¹ Text of the Parliament Resolution on Jammu and Kashmir, 22 February 1994, available at https://www.satp.org/satporgtp/countries/india/document/papers/parliament_resolution_on_Jammu_and_Kashmir.htm. <Accessed 14 April 2020>

² Ibid.

Kashmir and Gilgit-Baltistan'.³ The report made some unsavoury remarks about the situation in the then Indian state of Jammu and Kashmir. The report also covered regions in PoK and spoke about the dismal situation in those parts. The report was a mere addition to the series of such propaganda documents that have selectively targeted India over the decades by building up false claims on Jammu and Kashmir and criticizing how the Indian government has approached the issue so far.

INDIA'S KASHMIR CROSSROADS: MANAGING INTERNATIONAL PROPAGANDA

The UNHCHR report was discredited in India and, on the contrary, for obvious reasons, received well in Pakistan. The foreign ministry in Islamabad issued a press release noting the statement made by Pakistan's Permanent Representative to United Nations Human Rights Council in Geneva, Ambassador Farukh Amil. In what could be called a predictable and standard Pakistani response, Amil noted: 'the latest report reaffirms Pakistan's well known position on the grave human rights abuses committed by India in Indian occupied Jammu & Kashmir'.⁴ He further noted that 'Indian atrocities in IOK cannot be subsumed under the label of terrorism. Instead of blaming Pakistan, India should carry out introspection of its human rights violations'.⁵

Responding to the development, Spokesperson for the Ministry of External Affairs in New Delhi described the report as being 'fallacious,

³ 'Report on the Situation of Human Rights in Kashmir: Developments in the Indian State of Jammu and Kashmir from June 2016 to April 2018, and General Human Rights Concerns in Azad Jammu and Kashmir and Gilgit-Baltistan', Office of the United Nations High Commissioner for Human Rights, 14 June 2018, available at <https://www.ohchr.org/Documents/Countries/PK/DevelopmentsInKashmirJune2016ToApril2018.pdf>. <Accessed 2 July 2020>

⁴ Mati, 'Pakistan welcomes recommendation for Inquiry Commission for Human Rights violations in Indian Occupied Kashmir', *DND*, 20 June 2018, available at <https://dnd.com.pk/pakistan-welcomes-recommendation-for-inquiry-commission-for-human-rights-violations-in-indian-occupied-kashmir/143448>. <Accessed 12 March 2021>

⁵ Ibid.

tendentious and motivated', violating Indian sovereignty. He rejected the claims made in the report, calling it 'a selective compilation of largely unverified information'. The MEA further noted: 'The report violates India's sovereignty and territorial integrity. The entire state of Jammu and Kashmir is an integral part of India. Pakistan is in illegal and forcible occupation of a part of the Indian state through aggression'.⁶

Given the longevity of the Kashmir issue, it is no surprise that a majority of India's diplomatic reserves have gone into persistently defending India's position on Jammu and Kashmir. This is also because Pakistan's firm obsession with the Kashmir issue has remained intact despite perennial multitude setbacks the country has faced on every front. The vagaries of power politics and the shaky and swiftly changing international equations have ensured the Kashmir issue retained disproportionate focus mostly at the behest of Pakistan and the countries and actors it courts and obliges at any given point of time.

HOW HAS INDIA PLAYED INTO PAKISTAN'S KASHMIR STRATEGY ALL ALONG?

India has steadfastly maintained its position on Kashmir—the territorial control it has over Jammu and Kashmir and an extant unfulfilled claim over parts of the territory that have remained under Pakistan's control since 1947 and subsequently portions now under China's control. In the ambit of this stated position, India has also remained open and committed to exploring options for a satisfactory closure of the Kashmir issue as well. However, Pakistan's deceitful and mischievous approach has invariably kept both countries away from arriving at an amicable understanding.

Pakistan's strategy on Kashmir inheres towards projecting the problems or violence in Jammu and Kashmir as something of an internal uprising.

⁶ Response of Official Spokesperson (Ministry of External Affairs) to a question on the Report by the Office of the High Commissioner for Human Rights on 'The human rights situation in Kashmir', 14 June 2018, at <https://www.pmindiaun.gov.in/pageinfo/MTc2OA>. <Accessed 12 March 2021>

This has been so ever since the partition of India and the subsequent creation of Pakistan soon after which Pakistan staged an invasion in the then princely state to forcefully gain control over it. Pakistan called the raiders local tribesmen although majority of them were found to be members of its army disguised as tribal raiders. Again, before the India-Pak hostilities in 1965, the Pakistan Army attempted to plant its soldiers inside Jammu and Kashmir under what is known as Operation Gibraltar. This was a major attempt to stage infiltration in J&K. The plan was once the infiltrators entered, they would wreak havoc and this could conveniently be interpreted as an internal uprising against the Government of India. Yet again, Pakistan infiltrated its soldiers in the Kargil sector in 1999 and tried to convince the world community that the intruders were disgruntled locals. To prove its fake point that the intruders were freedom fighters or mujahideen, the Pakistan Army refused to accept bodies of its soldiers mostly belonging to the Northern Light Infantry (NLI) who were killed during the crisis.

An increased focus was somehow trained towards the then Indian state of Jammu and Kashmir, especially in the wake of killing of Burhan Wani, a Hizbul Muhajideen commander in the year 2016. From the press coverage including in the western countries on the developments taking place around this time period, there seemed a concerted attempt to convey how the conflict is transforming into an indigenous movement with a mounting scale of recruitment taking place inside the then Jammu and Kashmir state. The situation in the valley post July 2016 became somewhat conducive to Pakistan's claim that it is some kind of indigenous struggle and not an externally aided violence by Pakistani militants. Post Burhan Wani phase, there was a shift of tact by Pakistan to give the violence it perpetrates in J&K an indigenous character. Against this grim reality, it appeared India was yet again falling into Pakistan's trap. India needed to brace itself up to prevent re-emergence of negative perceptions in the world community.

With the post Burhan Wani killing backlash refusing to subside, a sense of growing internal discord on Kashmir was taking shape. In this backdrop, against past instances where only fringe groups superficially spoke of the azadi option for Kashmir, there were voices from some mainstream political parties, albeit few, that started mentioning Kashmir's azadi. The evolving situation seemed to be of some concern. The existing equilibrium regarding the Kashmir issue and the bipartisan

domestic support and consensus it commanded within India over decades, was put to question. The possibility of ruptures emerging in the domestic discourse—be it on India's position and how it is approaching Kashmir, prompted few critical measures on part of the Indian government.

In an unexpected but long pending turn of strategy, the government cracked the whip on the separatist constituency in J&K. Within India, there had been a perennial realization that New Delhi has been reluctant to deal with the culprits in a decisive manner. While successive governments in India have refused to engage separatists, effective steps to curb their constituencies of influence were, for long, falling short. Existence of a thriving separatist constituency was always at odds with the principle of territorial integrity India has long upheld. India needed to do much more than monitoring the separatists' activities and constituencies of influence. A strategy to eliminate their sphere of operation and activities had to be in place. Arrest of virulent separatist leaders as Asiya Andrabi was a step in pursuit of this changed approach. It is quite often that the fallout of the deeds of separatists lands on innocent civilians- either being killed during stone pelting processions or end up languishing in jails.

IS TALKS WITH PAKISTAN AN OPTION?

As the Kashmir Valley simmered following a fresh spell of violent outbreak, there was mounting pressure on the government to engage with 'all stakeholders' including Pakistan. The leader of the National Conference went to the extent of challenging 'either talk with Pakistan or lose Kashmir'.⁷ However, India upheld its position and continued to effectively articulate its 'no talks' can take place in the 'shadow of terror' precondition.⁸ Pakistan stood effectively isolated when the

⁷ 'Farooq Abdullah: Wake up India, talk to Pakistan or lose Kashmir', *India Today*, 11 April 2017, at <https://www.indiatoday.in/india/story/farooq-abdullah-srinagar-bypoll-kashmir-pakistan-national-conference-970665-2017-04-11>. <Accessed 23 July 2021>

⁸ Ritu Sarin, 'Prime Minister Narendra Modi at UNGA: No talks with Pak in 'shadow of terror'', *The Indian Express*, 28 September 2014, at <https://indianexpress.com/article/india/india-others/modi-at-unga-no-talks-with-pak-in-shadow-of-terror/>. <Accessed 2 March 2021>

majority of SAARC (South Asian Association for Regional Cooperation) nations refused to attend the scheduled summit at Islamabad.⁹ Pakistan's longstanding hobnobbing with terrorism was more glaring than ever.

There was some discussion on permanently retaining the status quo during the Simla Conference talks led by Prime Minister Indira Gandhi and Zulfikar Ali Bhutto in July 1972.¹⁰ At this point, Pakistan was able to bargain for the release of several thousand prisoners of war held captive by India. However, as far as the resolution of the Kashmir issue is concerned, India has learnt the hard way that Pakistan can never be trusted on reaching an amicable understanding on the Kashmir issue. It has become increasingly clear that Pakistan is fixated on attaining territorial control over Jammu and Kashmir and willing to cross any threshold of logic or rationale to do so.

In the past as well, there have been instances of the Indian government taking a firm stance and attaching stringent conditions to talks with Pakistan. The proposition of intertwining the issue of PoK with talks to Pakistan gained considerable traction during the tenure of Atal Bihari Vajpayee. During his stint as Prime Minister, Vajpayee spoke of dialogue with Pakistan to be 'confined to only the one-third portion of Kashmir which is under Pakistan's (illegal) occupation'.¹¹ Later in 2003, Prime Minister Vajpayee asserted a similar line of argument noting: 'One-third of Kashmir is under Pakistani occupation. Whenever there are talks on Kashmir we will talk about the part of Kashmir under their

⁹ Jayanth Jacob and Anil Giri, 'Saarc summit collapses after India and three other members pull out', *Hindustan Times*, 29 September 2016, at <https://www.hindustantimes.com/world-news/saarc-summit-collapses-after-india-and-3-other-members-pull-out/story-kIMWfSqrGLzB6MEfuS3CN.html>. <Accessed 16 April 2021>

¹⁰ For details see: P.N. Dhar, *Indira Gandhi, the 'Emergency', and Indian Democracy*, Oxford University Press, New Delhi, 2001.

¹¹ 'Talks Should Be Limited To Pok, Says Vajpayee', *Business Standard*, 19 May 1997 (Last Updated at 27 January 2013), at https://www.business-standard.com/article/specials/talks-should-be-limited-to-pok-says-vajpayee-197051901023_1.html. <Accessed 23 October 2021>

occupation. We will not let go of our territory'.¹² Cutting to the present, in the wake of abrogation of Article 370 from the former state of Jammu and Kashmir, Home Minister Amit Shah famously noted that when he talks of J&K, PoK and Aksai Chin are entailed in it by default.¹³

HAS INDIA'S BROADER KASHMIR PITCH BECOME SHRILLER?

India's Kashmir stance was shaped in the early years after independence. In the Cold War era, India pursued a non-aligned equidistance path in a world radically divided along ideological lines. India's overall stance and approach was, therefore, fundamentally conservative, non-rhetorical and, moreover, plain speak. Indian delegations maintained this sobriety despite the animus it faced at forums like the UN where Pakistan's position was frequently endorsed by powerful countries of the west.

However, in the last few years, a paradigmatic shift has been noticed in the way Indian representatives have taken on Pakistan. Pakistan has been discredited by the Indian side at international fora including at the UN, with adjectives like the 'Ivy League of Terrorism',¹⁴ terroristan, etc.¹⁵ This kind of name-calling and aggressive diplomacy was not what Indian delegations did very often in past. Of late, in contrast to

¹² Siddarth Singh, 'PoK is ours, says Vajpayee', *The Times of India*, 18 October 2003, at <https://timesofindia.indiatimes.com/pok-is-ours-says-vajpayee/articleshow/240087.cms>. <Accessed 21 October 2021>

¹³ 'When I talk about J&K, PoK, Aksai Chin are included in it: Amit Shah in Lok Sabha', *The Indian Express*, 6 August 2019, at <https://indianexpress.com/article/india/when-i-talk-about-jk-pok-aksai-chin-are-included-in-it-amit-shah-in-lok-sabha-5881916/>. <Accessed 1 July 2021>

¹⁴ 'Pakistan now host to 'Ivy League of terrorism': India at UNGA', *Hindustan Times*, 22 September 2016, at <https://www.hindustantimes.com/india-news/pakistan-now-host-to-ivy-league-of-terrorism-india-at-unga/story-ZWkhtXqTjFCitaxCE4qFbN.html>. <Accessed 4 May 2021>

¹⁵ 'India calls Pakistan 'Terroristan' in UN speech row', *BBC*, 22 September 2017, at <https://www.bbc.com/news/world-asia-india-41357142>. <Accessed 15 June 2021>

India's conventional and measured approach, there has been an increased push in sharpening diplomatic attacks against Pakistan to expose it further. At the same time, efforts have been underway to isolate it at world forums so that no country wants to be seen as supporting Pakistan and its relentless pursuit of violence and terrorism in the neighbourhood.

WHITHER PoK 'PUSH'?

Prime Minister Narendra Modi's Independence Day speech in 2016 marked a major shift in India's approach and tenor on PoK. Mentioning PoK in his speech and publically pronouncing it from the ramparts of the Red Fort was considered a break from the past especially as India's policy towards parts of PoK has been inert and rather passive. The specific mention of PoK was seen signalling a paradigmatic shift in India's approach. Prime Minister Modi's reference to PoK (albeit in conjunction with Balochistan) heightened conjectures on the possible trajectory of India's approach towards PoK in particular and the Kashmir issue in general. Former Prime Minister Manmohan Singh in 2005 had articulated about not changing borders but rather making them irrelevant. Prime Minister Modi's categorical reference to PoK and Balochistan during his hour and a half long speech was a striking policy watershed and more generally a breakaway from past attitude.

Prime Minister Modi's re-enunciation on PoK was not abrupt. Prior to this, as soon as the present political dispensation was sworn in office, a thread of conversation was opened whether it is more appropriate to address the Pakistan occupied territories of Jammu and Kashmir as PoJK instead of PoK. Indeed the Home Ministry has since 2015-16 been using Pakistan occupied Jammu and Kashmir (PoJK) in lieu of PoK while collating figures of volume of the Cross LoC Trade between the two sides of Jammu & Kashmir. Apart from this, there have been a series of statements from ministers that speak about India's inalienable right over the entire Jammu and Kashmir including PoK.

Subsequently, in September 2016, the surgical strikes conducted in the aftermath of the Uri base camp attack trained focus on PoK as specific targets inside PoK were mentioned in the mainstream media. The military strikes against terrorist camps in PoK captured frontline headings in the mainstream popular media. This was a rare occasion when names pertaining to villages in PoK were brought to mention and extensive

debates and discussions rolled out around those places in the Indian media.

In this backdrop, it is important to assess how and to what extent PoK will now figure in the India-Pakistan bilateral talks paradigm if and when they resume. It has been argued that perhaps a return to the old framework where PoK did not feature, may not complement the prominent posturing of the Modi government on parts of PoK all this while, proclaiming to recover the territory from Pakistan.¹⁶

GOVERNMENT'S RE-ENUNCIATION¹⁷

Home Minister Amit Shah addressing the Parliament in 2019 before the bifurcation of Jammu and Kashmir observed that PoK is part of Jammu and Kashmir and when he speaks of Kashmir, he also means PoK by default.¹⁸ As Defence Minister, Rajnath Singh has been quite vocal on India's position on PoK. He has given relevant statements on the issue not only in the house but also elsewhere. Singh categorically noted that PoK must be there on the agenda of any talks with Pakistan and that Pakistan's control over the region is illegitimate.¹⁹ The tenor

¹⁶ For a detailed analysis see: S. Kalyanaraman, 'India's Changed Approach to Kashmir Settlement', MP-IDSAs Issue Brief, 30 March 2021, at <https://www.idsa.in/system/files/issuebrief/ib-india-approach-kashmir-settlement-skalyanaraman.pdf>. <Accessed 11 August 2021>

¹⁷ For detail description of India's new approach see Priyanka Singh, 'India's Renewed Push on Pakistan-occupied Kashmir (PoK)', MP-IDSAs Policy Brief, 17 February 2020, at <https://idsa.in/policybrief/pok-psingh-120220>. <Accessed 18 June 2019>

¹⁸ Sunil Prabhu, "'PoK Included When I Talk About J&K": Amit Shah Hits Back At Opposition', *NDTV*, 6 August 2019, at <https://www.ndtv.com/india-news/article-370-jammu-and-kashmir-pok-aksai-chin-included-when-i-talk-about-j-k-amit-shah-hits-back-at-o-2080920>. <Accessed 23 August 2020>

¹⁹ Manvir Saini, 'Any talks with Pak now will only be on PoK: Rajnath Singh', *The Times of India*, 19 August 2019, at <https://timesofindia.indiatimes.com/india/any-talks-with-pak-now-will-only-be-on-pok-rajnath-singh/articleshow/70729841.cms>. <Accessed 11 July 2019>

and content in such official remarks is pivotal to the direction of India's PoK approach also because Pakistan's Kashmir strategy subtracts PoK from its self-serving, biased Kashmir projection. Unfortunately, India seemed to have subtracted it too. India has not done enough to change the existing patterns and contours of this exclusivist discourse on Kashmir. Apart from staple, standard statements calling what was the entire state of Jammu and Kashmir as its integral part, successive Governments in India, for decades, have failed to do much in concrete terms especially for others to believe in its position or take a serious note of India's territorial claim on PoK.

In October 2019, External Affairs Minister S. Jaishankar's statement at the Hudson Institute was by far the most significant articulation on India's approach over PoK in recent years. He observed: 'My sovereignty and my jurisdiction is laid out by my maps. My maps have been there for over 70 years. Now, that's my claim. And naturally if I have a claim, as you would have a claim, as anybody would have a claim, you would hope one day that if there are territories in your claim over which you don't have physical jurisdiction, one day you will. It's as simple as that'.²⁰

REVITALIZING CLAIM ON PoK: WORTH THE RISK?

After what could be a prolonged spell of political deliberation, the government of India finally decided to re-enunciate its extant claim on PoK. In his 3rd Independence Day address as Prime Minister, Narendra Modi made a straight-forward, unabashed reference to PoK. His acknowledgement of the sense of gratitude conveyed by people and groups belonging to the region was most important in this regard.

THE COSTS AND RISKS

The post 15 August 2016 public debate in India was a mix of cautious optimism and predominant pessimism especially in terms of tangible

²⁰ Sriram Lakshman, 'Jaishankar reiterates India's claim over Pakistan-occupied Kashmir', *The Hindu*, 3 October 2019, <https://www.thehindu.com/news/national/jaishankar-reiterates-indias-claim-over-pok/article61978698.ece>. <Accessed 18 September 2020>

outputs expected to be accrued from a renewed sense of policy posturing. There were perceived perils in opening up the PoK front vis-a-vis Pakistan, not considered a front running option so far. Raking up PoK would amount to opening a can of worms and also indict China being in possession of the Trans Karakoram Tract and the Aksai Chin (also part of the princely state of Jammu and Kashmir in 1947). This could potentially induce aggressive reactions from China. However, the Government of India calibrated its policy moves and seemed to have sequenced its options carefully; first by extending a friendly hand towards Pakistan and cooperating on the terror front allowing a joint investigation team to the Pathankot base. The cycle of violence in Jammu and Kashmir and Pakistan's relentless manoeuvres to diplomatically encash the situation may have triggered India's emphatic pronouncements involving PoK and Balochistan. The challenge, henceforth, lies in maintaining a measured and consistent approach on PoK and, at the same time, steer clear from the exaggerated and emotional rhetoric akin to what Pakistan has adopted on Kashmir.

THE BENEFITS

The perceived benefits from raking up claim on PoK are perhaps multitude. Not only is it bound to strengthen India's hand at negotiations but also act as a counter to malicious propaganda machinery unleashed by Pakistan. Having analysed the pros and cons, the strength, weaknesses and constraints inherent in the novel approach, there is a need for policy formulators to arrive at what could be an optimal approach on PoK. There is need to delve into various alternatives to arrive at the functional requirements of the policy re-formulation.

The annulment of Article 370 and the bifurcation of the state of J&K into Union Territories, indeed proffered India an opportunity to weigh in and call out against China-Pakistan strategic collaboration in parts of PoK particularly the CPEC. Objecting to the mention of Kashmir in one such Pakistan-China Joint Statement, the Ministry of External Affairs Spokesperson in firm words urged: 'We reject the reference to Jammu and Kashmir in the joint statement issued by China and Pakistan after the recent visit of Chinese Foreign Minister. J&K is an integral part of India. India has consistently expressed concerns to both China and Pakistan on the projects in so-called China-Pakistan Economic

Corridor, which is on the territory of India that has been illegally occupied by Pakistan since 1947'.²¹ India gaining confidence from its move to further integrate J&K caused strategic ripples in China and Pakistan—one that could potentially 'spoil the plans of both countries'.²² China which has a huge swathe of contested border with India is said to be 'testing the waters' especially with regards to its 'recent reference to Jammu and Kashmir' as it watched India's strenuously objecting to construction activity in PoK, a territory claimed by India.²³

WAY FORWARD FOR INDIA'S PoK POLICY

India needs to capitalize further on the newly pitched PoK activism and posturing and add further traction to its policy course. In fact the synergy around India's vocal stance claiming all parts of Jammu and Kashmir that are under Pakistan's control provide a conducive setting to bring out a white paper on PoK delineating and reiterating India's standing claim on PoK. This is likely to have a positive material effect and further cement India's position. A comprehensive position paper will add seriousness to India's approach and help towards reorienting policy on PoK showcasing it as a significant breakaway from the past policy lethargy. This would also substantiate India's approach towards the Belt and Road Initiative. More particularly, India's reservations towards the CPEC may in due course take a more definitive, persuasive shape.

Whether or not India's PoK plank will effectuate into something of a seismic shift in its policy pursuits remains to be seen. Meanwhile, its

²¹ Kallol Bhattacharjee, 'India asks China, Pakistan to end activities related to CPEC in PoK', *The Hindu*, 10 September 2019, at <https://www.thehindu.com/news/national/china-pakistan-economic-corridor-is-on-our-territory-india/article29382571.ece>. <Accessed 2 November 2021>

²² Panos Mourdoukoutas, 'India Is Changing The Game For China And Pakistan In Kashmir', *Forbes*, 12 September 2019, at <https://www.forbes.com/sites/panosmourdoukoutas/2019/09/12/india-is-changing-the-game-for-china-and-pakistan-in-kashmir/?sh=3a7d07b654b9>. <Accessed 1 November 2021>

²³ Ibid.

PoK posturing may create few viable options in dealing with the Kashmir (former J&K state and now Union Territory per se) issue that has long diverted majority of India's diplomatic and political energies as a key strategic distraction.

India needs to devise a focused strategy to deal with the international propaganda on Kashmir and see that it does not dampen its policy posturing on PoK. It is important that India remains cautious while dealing with international media organizations and human rights bodies—while India could criticise these bodies and their false assertions, India must be mindful that the same institutions have been scathingly critical of Pakistan. India must take note and opportunistically use such international criticisms of Pakistan to its strategic advantage. Notably, the Human Rights Watch published a scathing report on dismal human rights situation in the so-called 'AJK' in wake of the 2005 earthquake.

Additionally, India must pursue further opening up cross LoC points and work towards making progress in this direction. This kind of proactive effort is needed more in the emerging context especially in the strategic Ladakh-Gilgit-Baltistan sector—the regions in close vicinity to China.

THE WAY AHEAD FOR INDIA

The Sino-Pak nexus on India's periphery is a harsh reality- a dual geopolitical challenge that has evolved for decades. However, today, there is greater acknowledgment of the strategic complexities India faces or is likely to face. There have been several interpretations and representations of the bilateral ties between the two countries—China and Pakistan—their broader ties may have varied through phases across decades. However, a shared commonality that renders great cohesion in their thinking and binds mutual interests is the adversarial ties the two share with India. Therefore, a triangular formation consisting of India-Pakistan-China-the three countries that lie in close geographical proximity-has driven the course of strategic equations and ruled dynamics between them and the region at large.

The past seventy years and the relations between the three countries have been no less than a roller coaster. The respective one-on-one bilateral ties individually shared between them has advertently or inadvertently impinged on each set of bilateral ties the three countries have. Consequently, one could conclude that the Kashmir issue is probably an important part of the larger geopolitical interplay between the three sides.

HAS INDIA BEEN AT THE RECEIVING END?

Having closely analysed the nexus between China and Pakistan, especially with regard to the Kashmir issue over the last seventy years, it becomes clear that that this issue has been used as a pawn against India. Not only China and Pakistan, there have been several instances, when even countries like the US and UK have used the Kashmir issue to target India. As a result, India has indeed been at the receiving end when it came to unnecessary internationalization of the Kashmir issue. For meeting sheer geopolitical objectives and self-serving strategic interests, countries like China have used the Kashmir problem as a card to disadvantage India. Similarly, the issue of Kashmir has been used to

rationalize Pakistan's behaviour in the wider realm of regional politics and also at the global stage.

Despite India's resistance, China and Pakistan unrelentingly engaged in developing various projects in the PoK region, claimed by India as part of the former princely state of Jammu and Kashmir. In this context, both China and Pakistan have exhibited flagrant disregard for the Instrument of Accession that was signed in India's favour by the Maharaja of Kashmir, Hari Singh. In total violation of the Instrument of Accession, both Pakistan and China are complicit not only in occupying but also continuing to retain parts of the territory that legitimately belong to India.

It is, therefore, incumbent that India prepares itself to deal with the dual challenge it faces on its periphery. A potentially effective blueprint to deal with the wide-ranging threat emanating from this quarter must be put in place.

- 1. A Clear-eyed Strategy:** India must conceive a calibrated, well thought-out strategy to deal with the Sino-Pak nexus. Taking deep cognizance of this looming threat, India must remain focused on its long-term ambitions regarding expanding its stature regionally and globally. It needs to carve a suitable strategy to undercut the negative impact that the Sino-Pakistan collusion is likely to have on its agenda of growth and development. India, therefore, needs to think and shape out means and measures to deal with the dual challenge that has rudely raised its head on the northern periphery. In the wake of renewed Chinese aggression on the LAC, there has been a profusion of debates on India's options and ways to deal with the two-front war situation if that were to arise. The Galwan incident in the summer of 2020 was a grim reminder that India must do everything in terms of strategizing a roadmap that delineates viable options it could exercise against multiple contingencies in event of precipitous heating up of the situation simultaneously at the LAC and LoC.
- 2. Counter Nexus Alignments?:** India must explore further options of strategic alignments and realignments at the regional and global level—ones that could safeguard it from the constant threat emanating from a decades-old challenge posed by deep connivance

between China and Pakistan. India as an important partner in the Quad has been actively working towards ensuring a stable, amicable Indo-Pacific. India needs to think in terms of whether and to what extent it could gain advantage from this particular multilateral platform in terms of dealing not only with China but also against the Pakistan-China axis. India has thus far dealt ably with the bilateral challenges on both sides of its northern periphery. It is possible that in future India is able to geopolitically transact in a positive manner within the framework of the Quad in order to muster strength and reinforce its position against Chinese aggression especially in areas comprising PoK.

3. **Pinning Steadfastly PoK and Related Sovereignty Issues on the Bilateral Agenda with China:** It is time India interpolates PoK and the related sovereignty issue on the bilateral agenda with China. Beyond doubt, in the last couple of years India has prudently crafted and revived its approach and policy pronouncement towards PoK. In the wake of Chinese aggression at India's threshold, it is necessary that India emphasizes these issues and its stand on territorial sovereignty and integrity bilaterally with both China and Pakistan. India could also think in terms of raising such issues at appropriate platforms. India's representation at the UN has, of late, been interpolating Pakistan's illegal control over PoK to the diplomatic rebuttals to Pakistan's fallacious statements on the Kashmir issue at the august forum.¹ There is need to further buttress and broad base this aggressive approach in order to achieve meaningful traction in the world community. One way of holding attention on the issue of PoK would be to educate the widest possible audience about the democratic deficit and demographic transition enforced by Islamabad especially in Gilgit-Baltistan, the region that abuts China's restive Xinjiang province.

¹ 'Sneha Dubey Not the First Diplomat to Take on Pakistan at UN. Trend Began in 2016', 25 September 2021, at <https://www.news18.com/news/india/sneha-dubey-not-the-first-diplomat-to-take-on-pakistan-at-un-trend-began-in-2016-4245644.html>. <Accessed 25 October 2021>; Also see: 'Sneha Dubey: The speech that caught the world's attention and went viral, UNGA', 25 September 2021, available at <https://www.youtube.com/watch?v=vRrZn9RaKxQ>. <Accessed 10 December 2021>

4. **Be Prepared for 'if' CPEC Succeeds:** More than 7 years after its formal announcement, the CPEC is increasingly seen shrouded in hopelessness about its prospects and future course. For the time being, there may not be verifiable reasons for India to speculate or be strategically wary of the fallouts of the project. However, at the same time, there is need to prepare for an eventuality—a contingency plan must be in place to cope up with a situation—where CPEC does not fail naturally (contrary to prevalent projections) and, on the contrary, it leads to a situation where Pakistan is in a position to benefit substantially from the influx of Chinese capital via the corridor and the projects therein.

Sino-Pak strategic adhesion is decades-old but the CPEC is 'the most recent and by far the most ambitious effort by China to deepen its longstanding and resilient strategic relationship with Pakistan'.² In this context, it is quite essential that Indian policymakers devote serious attention to envisaging the aftermath of CPEC's success and what if Pakistan's economic woes go away? Constant friction with Pakistan constitutes a major source of distraction for India. Given the present phase of strategic equations between India-China-Pakistan, an economically emboldened Pakistan could potentially translate into further security vexations for India.

In the wake of US withdrawal from Afghanistan and its disastrous aftermath, China and Pakistan have been revelling over a situation in which both countries are seen to exercise control over the state of affairs under a Taliban setup. It is premature to decide whether China's oft-expressed ambition of extending the CPEC into Afghanistan will fructify under the Taliban regime. If so however, geopolitical challenges may multiply given India's enormous stakes in Afghanistan where it has already invested to the tune of approximately USD 3 billion in the war-ravaged country.

² John Calabrese, 'Balancing on "the Fulcrum of Asia": China's Pakistan Strategy', *Indian Journal of Asian Affairs*, 27/28(1/2), 2014, JSTOR, available at www.jstor.org/stable/43857989, p.1. <Accessed 5 February 2021>

- 5. Optimise Objectives in PoK and Jammu and Kashmir:** India has been vocal in urging Pakistan to vacate areas of PoK, now asserting it the only issue vis-a-vis Kashmir that remains unresolved. Since New Delhi's claim on PoK is closely linked to its position on the Kashmir issue—that the entire state of what constituted the princely state of Jammu and Kashmir in 1947 belongs to India—there is need to gauge whether a broad-based approach must possibly be conceived- one that comprehensively takes into account India's overall interests on the issue of Kashmir. At some level, there is need to brainstorm whether a larger coherent approach towards building a joint strategy towards PoK and Jammu and Kashmir could be devised- one that bolsters India's position not only on PoK but also strengthen ways and options to deal with domestic issues in Jammu and Kashmir that have been perennially perpetrated by Pakistan abetted terrorism. Revitalizing the democratic process in Jammu and Kashmir is a priority for the Government of India. The local elections held towards the end of 2020 have infused substantial energy in the political landscape of Jammu and Kashmir. What is further needed is a set of sincere, serious measures to promote a positive political culture, one that effectively reinstates faith amongst the common people in the newly created union territory and inspires popular adherence towards democracy and grassroots participation.

THE BOUNDARY AGREEMENT BETWEEN CHINA AND PAKISTAN, 1963

PEOPLE'S REPUBLIC OF CHINA–PAKISTAN

AGREEMENT ON THE BOUNDARY BETWEEN CHINA'S SINKIANG AND THE CONTIGUOUS AREAS¹

Signed at Peking March 2, 1963; in force March 2, 1963

The Government of the People's Republic of China and the Government of Pakistan,

Having agreed, with a view to ensuring the prevailing peace and tranquillity on the border, to formally delimit and demarcate the boundary between China's Sinkiang and the contiguous areas, the defense of which is under the actual control of Pakistan, in a spirit of fairness, reasonableness, mutual understanding and mutual accommodation, and on the basis of Ten Principles as enunciated in the Bandung Conference;

Being convinced that this would not only give full expression to the desire of the peoples of China and Pakistan for developing good neighborly and friendly relations, but also help safeguard Asian and world peace;

Have resolved for this purpose to conclude the present Agreement and appointed as their respective plenipotentiaries, the following:

Marshal Chen Yi, Minister for Foreign Affairs, for the Government of the People's Republic of China,

Zulfikar Ali Bhutto, Minister of External Affairs, for the Government of Pakistan,

Who, having mutually examined their full powers, found them to be in good and due form, have agreed upon the following:

ARTICLE ONE

In view of the fact that the boundary between China's Sinkiang and the contiguous areas, the defense of which is under the actual control of Pakistan, has never been formally delimited, the two Parties agree to delimit it on the basis of the traditional customary boundary line, including natural features, and in a spirit of equality, mutual benefit, and friendly cooperation.

ARTICLE TWO

I. In accordance with the principle expounded in Article One of the present Agreement, the two Parties have fixed, as follows, the alignment of the entire boundary line between China's Sinkiang and the contiguous areas, the defense of which is under the actual control of Pakistan.

(1) Commencing from its northwestern extremity at Height 5630 meters (a peak, the reference co-ordinates of which are approximately Longitude

¹ From a text in English, supplied through the courtesy of the Embassy of Pakistan, Washington, D. C.

74° 34' E and Latitude 37° 03' N), the boundary line runs generally eastward and then southeastward along the main watershed between the tributaries of the Tashkurgan River of the Tarim River system on the one hand and the tributaries of the Hunza River of the Indus River system on the other hand, passing through the Kilik Daban (Dawan), the Mintaka Daban (Pass), the Kharchanai Daban (named on the Chinese map only), the Kutejilga Daban (named on the Chinese map only), and the Parpik Pass (named on the Pakistan map only), and reaches the Khunjerab (Yutr) Daban (Pass).

(2) After passing through the Khunjerab (Yutr) Daban (Pass), the boundary line runs generally southward along the above mentioned main watershed up to a mountain top south of the Daban (Pass), where it leaves the main watershed to follow the crest of a spur lying generally in a south-easterly direction, which is the watershed between the Akjilga River (a nameless corresponding river on the Pakistan map on the one hand, and the Taghdumbash (Oprang River) and the Keliman Su (Oprang Jilga) on the other hand. According to the map of the Chinese side, the boundary line, after leaving the southeastern extremity of this spur, runs along a small section of the middle line of the bed of the Keliman Su to reach its confluence with the Kelechin River. According to the map of the Pakistan side, the boundary line, after leaving the southeastern extremity of this spur, reaches the sharp bend of the Shakagam or Muztagh River.

(3) From the aforesaid point, the boundary line runs up the Kelechin River (Shakagam or Muztagh River) along the middle line of its bed to its confluence (reference co-ordinates approximately Longitude 76° 02' E and Latitude 36° 26' N) with the Sorbulak Daria (Shimshal River or Braldu River).

(4) From the confluence of the aforesaid two rivers, the boundary line, according to the map of the Chinese side, ascends the crest of a spur and runs along it to join the Karakoram Range main watershed at a mountain-top (reference co-ordinates approximately Longitude 75° 54' E and Latitude 36° 15' N), which on this map is shown as belonging to the Shorbulak Mountain. According to the map of the Pakistan side, the boundary line from the confluence of the above mentioned two rivers ascends the crest of a corresponding spur and runs along it, passing through Height 6520 meters (21,390 feet) till it joins the Karakoram Range main watershed at a peak (reference co-ordinates approximately Longitude 75° 57' E and Latitude 36° 03' N).

(5) Thence, the boundary line, running generally southward and then eastward, strictly follows the Karakoram Range main watershed which separates the Tarim River drainage system from the Indus River drainage system, passing through the East Mustagh Pass (Muztagh Pass, the top of the Chogri Peak (K2), the top of the Broad Peak, the top of the Gasherbrum Mountain (8068) Indirakoli Pass (named on the Chinese map only) and the top of the Teram Kangri Peak, and reaches its southeastern extremity at the Karakoram Pass.

II. The alignment of the entire boundary line, as described in Section I of this Article, has been drawn on the 1/one million scale map of the Chinese side in Chinese and the 1/one million scale map of the Pakistan side in English, which are signed and attached to the present Agreement.*

III. In view of the fact that the maps of the two sides are not fully identical in their representation of topographical features, the two Parties have agreed that the actual features on the ground shall prevail, so far as the location and alignment of the boundary described in Section I is concerned; and that they will be determined as far as possible by joint survey on the ground.

ARTICLE THREE

The two Parties have agreed that:

I. Wherever the boundary follows a river, the middle line of the river bed shall be the boundary line; and that

II. Wherever the boundary passes through Daban (Pass), the water-parting line thereof shall be the boundary line.

ARTICLE FOUR

I. The two Parties have agreed to set up, as soon as possible, a Joint Boundary Demarcation Commission. Each side will appoint a Chairman, one or more members and a certain number of Advisers and technical staff. The Joint Boundary Commission is charged with the responsibility, in accordance with the provisions of the present Agreement, to hold concrete discussions on and carry out the following tasks jointly:

(1) To conduct necessary surveys of the boundary area on the ground, as stated in Article Two of the present Agreement, so as to set up boundary markers at places considered to be appropriate by the two Parties and to delineate the boundary line on the jointly prepared accurate maps.

(2) To draft a Protocol setting forth in detail the alignment of the entire boundary line and location of all the boundary markers and prepare and get printed detailed maps to be attached to the Protocol with the boundary line and the location of the boundary markers shown on them.

II. The aforesaid Protocol, upon being signed by the representatives of the Governments of the two countries, shall become an Annex to the present Agreement, and the detailed maps shall replace the Attached Maps to the present Agreement.

III. Upon the conclusion of the above-mentioned Protocol, the tasks of the Joint Commission shall be terminated.

ARTICLE FIVE

The two Parties have agreed that any dispute concerning the boundary which may arise after the delimitation of the boundary line actually existing between the two countries shall be settled peacefully by the two sides through friendly consultations.

* Omitted here.

ARTICLE SIX

The 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 the People's Republic of China, on the boundary, as described in Article Two of the present Agreement, of Kashmir, so as to sign a Boundary Treaty to replace the present Agreement.

Provided that in the event of that sovereign authority being Pakistan, the provisions of this Agreement and of the aforesaid Protocol shall be maintained in the formal Boundary Treaty to be signed between Pakistan and the People's Republic of China.

ARTICLE SEVEN

The Present Agreement shall enter into force on the date of its signature.

Done in duplicate in Peking on the second day of March 1963, in the Chinese and English language, both texts being equally authentic.

[Signatures omitted.]

China Pakistan Economic Corridor (CPEC), the multi-billion dollar flagship project under the Belt and Road Initiative (BRI) has brought the Sino-Pakistan partnership at the centre stage of contemporary strategic discourse. Against this backdrop, the monograph is an attempt to understand how the decades-strong Sino-Pak relationship has evolved intertwined around the issue of Kashmir. It collates/ examines the approaches/policies on the Kashmir issue adopted by the two countries, individually and in combination, before listing out implications and options for India.

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