



Research Report

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Drawing Fair borders in the kashmir region

Julius Sanders

(Deputy Chair)

Introduction

The Kashmir region has been the focus of one of the longest-running territorial disputes in modern history. Since the 1947 partition of British India, competing territorial claims by India, Pakistan, and indirectly China have resulted in repeated conflict, militarization, and widespread human rights concerns. The region is currently divided by the Line of Control, a de facto border that has not fully resolved claims, ethnic divisions, or political aspirations.

Populations living in Kashmir face restrictions on movement, periodic outbreaks of violence, limited economic opportunities, and political instability. Calls for self-determination among segments of the Kashmiri population have further complicated diplomatic negotiations. For decades, the United Nations has called for peaceful dialogue, demilitarization, and respect for human rights as prerequisites for any discussion of fair border arrangements.

As geopolitical tensions rise and the humanitarian situation remains fragile, establishing clearer, fairer, and mutually agreed borders in Kashmir is vital for regional stability, human security, and sustainable peace.

Definitions of Key Terms

s The current military control line dividing Indian-administered Kashmir from Pakistan-administered Kashmir, established after the 1972 Simla Agreement. It is not an internationally recognized border.

Self-Determination:

The principle that people have the right to freely determine their political status. In Kashmir, this remains a central point of contention due to divided public sentiment.

Demilitarization:

The reduction or removal of military forces from a disputed or sensitive area. Often proposed as a confidence-building measure in Kashmir.

Plebiscite:

A direct vote by the population on a specific political question. Historically proposed by the UN for Kashmir (UNSC Resolution 47, 1948).

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General overview

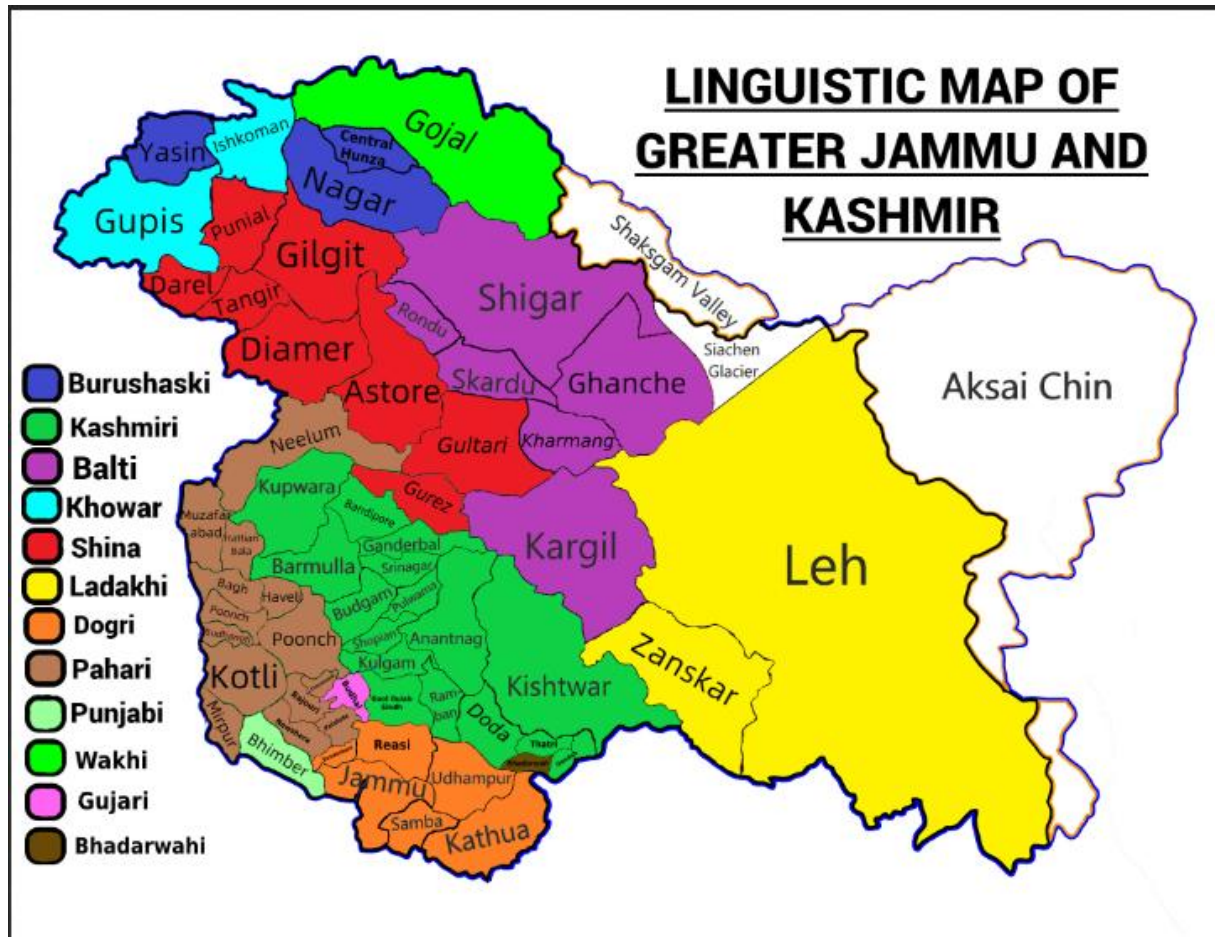
The Kashmir conflict is rooted in the turbulent partition of British India in 1947, when princely states were forced to choose between joining India or Pakistan. The Maharaja of Jammu & Kashmir initially attempted to remain independent but acceded to India during an armed incursion, triggering the first Indo-Pakistani war. Since then, Kashmir has been divided among India, Pakistan, and China, forming one of the world's most militarized and politically sensitive regions.

The difficulty in drawing fair borders lies in the intersection of geopolitical interests, ethnic and religious diversity, strategic geography, and competing historical narratives. India claims the entire region as an integral part of its sovereign territory and maintains large military deployments across the Kashmir Valley, Jammu, and Ladakh. Pakistan, on the other hand, argues that the Muslim-majority population of Kashmir should have been incorporated into Pakistan during partition and cites the principle of self-determination. China controls the sparsely populated but strategically crucial region of Aksai Chin and has its own border interests intertwined with the Sino-Indian rivalry.



The current dividing line between Indian and Pakistani-administered territories, known as the Line of Control (LoC), is a legacy of ceasefire agreements rather than a mutually recognized or internationally formalized border. While it has brought intermittent stability, the LoC remains contentious: frequent ceasefire violations result in civilian casualties, displacement, and destruction of property. Border villages on both sides experience disrupted livelihoods, limited access to education and healthcare, and recurrent evacuation during escalations. The LoC also restricts social and cultural ties between divided families and ethnic communities.

Kashmir's population is diverse, including Kashmiri Muslims, Kashmiri Pandits, Gujjars, Dogras, Ladakhi Buddhists, Shia and Sunni communities in Gilgit-Baltistan, and Balti populations. Each group has distinct historical, cultural, and political identities, complicating any attempt to impose a single border solution. While some groups advocate integration with India or Pakistan, others support varying forms of autonomy or independence. These internal divisions must be acknowledged in any fair border-drawing process, as a uniform settlement risks marginalizing certain communities.



Human rights concerns also shape the debate around borders. Reports from international organizations highlight issues including limitations on free movement, restrictions on political expression, arbitrary detentions, communication blackouts, and the presence of large numbers of military personnel. These conditions create an environment of tension and distrust that undermines productive negotiation and local confidence in political processes. Ensuring that any border solution aligns with international human rights standards is therefore essential.

Furthermore, Kashmir holds major strategic, environmental, and economic significance. Its rivers form essential water sources for both India and Pakistan, making water security a key factor in border negotiations. The mountainous terrain contains critical military access points, trade routes, and high-altitude passes, intensifying competition for control. Climate change is also impacting the region, with glacial melt and shifting weather patterns affecting agriculture, water supplies, and the stability of mountain communities.

Internationally, the United Nations has called repeatedly for peaceful dialogue and adherence to ceasefire agreements. Yet diplomatic progress has been limited by changing domestic politics, nationalist sentiment, and security concerns on both sides. While bilateral talks have occasionally produced confidence-building measures such as cross-LoC trade and bus routes these have not addressed deeper territorial disputes or established a path toward a fair and lasting border arrangement.

In summary, drawing fair borders in Kashmir requires balancing historical claims, geopolitical interests, demographic realities, cultural identities, and human rights considerations. A sustainable solution must be grounded not only in political agreements between states but also in the aspirations and safety of the people who live in the region. Achieving this will demand political courage, international engagement, and a commitment to building trust across one of the world's most complex and sensitive conflict zones.

Major parties involved

Republic of India:

Claims the entire territory of Jammu & Kashmir as an integral part of India. Maintains significant military presence and supports the LoC as the practical boundary.

Islamic Republic of Pakistan:

Claims that Kashmir's Muslim-majority areas rightfully belong to Pakistan based on partition-era principles. Pakistan supports self-determination for Kashmiris and administers parts of the region.

People's Republic of China:

Administers Aksai Chin and parts of the Trans-Karakoram Tract; seeks to maintain territorial gains for strategic and political reasons.

Local Kashmiri Groups and Communities:

Include pro-independence, pro-Pakistan, and pro-India groups; ethnic communities such as Kashmiris, Ladakhis, Dogras, Baltis, and Gujjars.

Timeline of Key Events

1947 – Partition of British India and the beginning of the Kashmir conflict.

1948 – UNSC Resolution 47 calls for ceasefire, troop withdrawal, and a plebiscite.

1962 – Sino-Indian War; China gains control of Aksai Chin.

1972 – Simla Agreement establishes the LoC.

1999 – Kargil Conflict between India and Pakistan.

2019 – India revokes Article 370, ending Jammu & Kashmir's autonomous status and reorganizing the region.

2021–2024 – Ceasefire agreements and renewed diplomatic conversations between India and Pakistan.

Previous attempts to solve the issue_

1. UN-mediated Plebiscite (1948–1950s)

Never carried out due to disagreements on demilitarization and voter eligibility.

2. Bilateral Peace Talks (Simla Agreement, Lahore Declaration)

Focused on maintaining the LoC and reducing conflict but did not address border fairness in depth.

3. Musharraf-Manmohan Four-Point Formula (2004–2007)

Proposed soft borders, demilitarization, self-governance, and joint mechanisms. Talks collapsed due to political changes.

4. Confidence-Building Measures (CBMs)

- Cross-LoC bus routes
- Trade corridors
- Cultural exchanges

These have helped reduce tensions but did not alter borders.

Possible solutions

1. Enhanced UN Monitoring and Mediation

Reinforcing UNMOGIP's mandate to monitor violations could create a more stable environment for border negotiations.

2. Phased Demilitarization

Reducing troop presence in non-strategic zones while maintaining security corridors could decrease civilian harm and build trust.

3. Joint Administration of Sensitive Areas

India and Pakistan could jointly manage environmentally or culturally significant regions (such as parts of the Kashmir Valley) without altering sovereignty claims.

4. Local-Level Referendums

Rather than a single region-wide plebiscite, smaller referendums could respect the diversity of ethnic and political identities across districts.

5. "Soft Borders" Framework

Easing movement across the LoC—while keeping sovereignty unchanged—could address humanitarian and economic needs while reducing pressure on hard border decisions.

6. Human Rights Guarantees and Monitoring

Any border agreement must include strong rights protections, independent investigation mechanisms, and access for humanitarian organizations.

7. Economic Integration Zones

Shared trade and transport corridors may incentivize peace and reduce the economic motivations for territorial competition.

Further Readings

<https://www.youtube.com/watch?v=dQw4w9WgXcQ>

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