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# Gilgit-Baltistan conflict between India and Pakistan

### **Aqlima Bano**

M.Phil Research Scholar FUUAST @ Abdul Haq Campus Karachi Pakistan limaroma89@gmail.com

# Dr Asghar Ali Dashti

Assistant Professor FUUAST IR @ Abdul Haq Campus Karachi Pakistan masghardashti@gmail.com

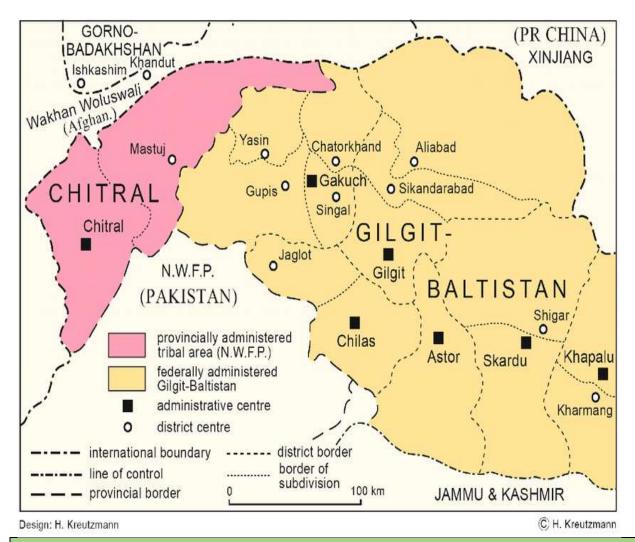
#### **Abstract**

Gilgit-Baltistan is a disputed territory with longstanding geo-strategic complications between India and Pakistan. This research examines the multifaceted dynamics of the conflict, including the historical perspectives of Gilgit-Baltistan, the strategic interests of international powers, the imposed domestic bureaucratic governance system, constitutional packages, their impacts, and the conflict resolution mechanisms that are less influential. Moreover, the research examines the historical connections between Jammu & Kashmir and Gilgit-Baltistan. It also investigates the articles of various writers regarding the abrogation of Article 370 by the Indian Parliament. It further investigates the interests of external actors like China, India, and the US, which have economic and strategic interests in the territory. The central research question for this paper is "How is the contemporary constitutional status influencing the youth of Gilgit-Baltistan? What strategies are adopted by non-local stakeholders to extract natural resources from the region? This research paper employs a qualitative research method. The research has focused on the central theory of International Relations, "Realism". As India and Pakistan are trying to suppress the matter under the Kashmir cause. Both superpowers are in competition with each other in military installations in the area. These two Asian powers are not willing in referendum to shift their contemporary status. The contemporary constitutional status of the region has increased frustration among the youth of Gilgit-Baltistan. The conflict requires regional cooperation with a holistic approach to regional stability.

**Keywords:** Gilgit-Baltistan, Conflict, Kashmir- Cause, Constitutional Framework, Political deprivation, Resource exploitation, Military Installation.

### Introduction:

Gilgit-Baltistan is a conflict zone formally known as the Northern Areas of Pakistan. The status of the region came under dispute since the disintegration of India and Pakistan in 1947. (1)



(2). (This Map of Gilgit-Baltistan is Designed by H. Kreutzmann, the Author of Gilgit-Baltistan's Cultural Heritage as a Key to Development, A German Geographer and Professor at Freie University of Berlin.) (2).

Gilgit is the capital of the entire region that comprises 9 districts. It is a territory with a Sunnigoverned, Shia majority state with a diverse history with multiple ethnicities situated on the North side of Pakistan. The conflict of Gilgit-Baltistan is interlinked with the Kashmir cause. (3). This elongated territory comprises a vast area of 72496 SKM with a huge population, with an average estimate of two million people. The local people of Gilgit-Baltistan are divided into four sectarian groups while speaking 25 local languages. (4).

Historically, this region has remained under the influence of foreign empires. The British Empire played "The Great Gilgit Game" to counter the Central Asian Empires. British Indians considered these frontiers made for their dynastic existence in the region. (5). The area was converted into

a conflicted territory when the British applied their "Divide and Rule" Strategy. This research paper highlights the historical, political, and geostrategic dynamics of Gilgit-Baltistan. It also explains the legal and constitutional variations concerning the region.

## **United Nations Mission on Gilgit-Baltistan**

The mission of the United Nations offers a resolution for the mutual dialogue and plebiscite. Hence, India refuses to go for a referendum as well, and Pakistan also disagrees. Diplomacy is another means of channel for both India and Pakistan for the settlement of the Gilgit-Baltistan dispute. The dispute has international implications, yet the matter remains unresolved. India is a pioneer that took the Kashmir Conflict to the United Nations on 1<sup>st</sup> January 1948. Then, the Security Council passed a resolution for the withdrawal of Pakistan from Kashmir. Also, India was suggested to reduce its military installations in Kashmir to a minimum level for the approval of a referendum for the betterment of both parties. But neither party follows the pattern of a plebiscite. The actual problem here is both parties are insecure about each other's security installations in the region.

#### **Theoretical Framework**

This section introduces the theoretical models and perspectives that guide good literature review analysis. That includes appropriate theories, hypotheses or a theoretical framework to solve the research question. The central theory of International Relations, "Realism," is the most applicable theory of this research paper. India and Pakistan are increasing their military installations to compete with each other for power accumulation. Hence, the realist school of thought can be historically dated back to the Thucydides of thousands of years. (Korab-Karpowicz, 2010). Later, Hans J Morgenthau made several changes while introducing six principles to this school of thought. The realist elaborates that the world is anarchic in structure. This school of thought further suggests that states should act rationally if they want to exist and survive. (Ali Irfan). According to the new realists, power is an end goal. States are power maximizers by nature. India has been growing both economically and militarily. Its military installations are increasing day by day. New Delhi has adopted a realist approach while gaining nuclear power for several decades. India has insecurity with China and Pakistan regarding the Gilgit-Baltistan Conflict. It claims Gilgit-Baltistan as a political unit of Jammu and Kashmir. On the other hand, Pakistan also has adopted a realist approach. It is also increasing military installations and personnel on a larger scale. Most of the posh areas are under military institutions.

### **Research Methodology**

This research employs a qualitative research method to investigate the hidden realities underlying the conflict in Gilgit-Baltistan between India and Pakistan. Additionally, the research paper incorporates both primary and secondary data. The researcher has collected data from the main stakeholders of the concerned area. This paper is based on the information and literature collected through books, magazines, articles, policy briefs, symposium papers, research journals, and published theses and interviews of the main stakeholders of the area.

## Significance of the Study

The present study has both theoretical and practical significance. The present study is a valuable addition to the existing literature. This study can be beneficial for future researchers on the chosen topic. The concerned research provides recommendations and findings about the conflict. The region of Gilgit-Baltistan has a significant strategic location. Superpower states, including India, Pakistan, and China, surround the territory. Moreover, the United States has an interest in the region. The government of Pakistan has given an incomplete constitutional status to the territory. It should grant the complete annexation to relax the furious mob.

### **Objectives of the Study**

The present study examines the following research objectives:

- To examine the historical and demographic conflict between India and Pakistan
- To know about the issues and problems of the Gilgit-Baltistan Conflict between India and Pakistan, with special reference to the UN Resolution
- To analyze the opinions and views of stakeholders, political leaders, researchers, experts, and students of Gilgit-Baltistan about the given constitutional status

### **Research Questions**

- Q.1. What are the historical facts and political dynamics of Gilgit-Baltistan?
- Q.2. How has the contemporary constitutional status influenced the youth of Gilgit-Baltistan, and what are the social impacts of the given status of Gilgit-Baltistan?
- Q.3. What are the interests of the involved stakeholders, and what strategies have they adopted to extract natural resources from the territory?

#### Limitation

The research regarding the chosen topic is not sufficient according to the requirements. Pakistani authorities are banning research related to the topic "Gilgit-Baltistan Conflict" as they have not accepted it as a fully autonomous province of Pakistan. The local people of the area are not delivering information regarding the chosen topic due to state pressure. Twenty total main stakeholders were chosen for the interview. Eight of them gave their complete data regarding the given topic, and the rest of them avoided any discourse during the interview sessions. Due to the ongoing conflict in the region, the research topic is controversial by its nature. Many writers and political activists are facing state pressure, and many youth leaders are put into imprisonment only for their involvement in political activity.

### **Literature Review**

The unequal sovereignty is the central characteristic of Pakistani political authority. The matter of Gilgit-Baltistan is sensitive due to its geostrategy. Without complete annexation with Pakistani political units, the matter will remain challenging for Pakistan at any stage. India asserts Gilgit-Baltistan is a formal political unit of Jammu and Kashmir. The majority of GBIANS reject India's narrative instead. Martin Sokefeld elaborates:

"Gilgit-Baltistan was a former segment of the Princely state of Jammu and Kashmir. A military troop established by the Britishers revolted against the Maharajas in November 1947. Afterwards, the political destiny of GB has remained under the influence of the Pakistani

administrative setup. Previously, the territory was invaded by the forces of Dogra Gulab Singh in the late 1830s. (Hutten Back, 1961). (6).

The territory fell under the control of the Pakistani administration after the 1<sup>st</sup> November 1947. The administrative transfer was made after the Karachi agreement of 1935, without the political representation of the area. According to some sources, the local people were not involved in the annexation of Gilgit-Baltistan to Pakistan. However, the GB leadership showed a willingness to join the newly formed Pakistan. The liberation movement was led by Col Hassan Khan. The region was named as "Islami Jamhuria-e-Gilgit" and remained independent for the entire 15 days. At the initial stages, the status of Gilgit-Baltistan was not ambiguous. But Pakistani authorities created their status doubtful by putting it into a plebiscite during a negotiation at the United Nations Security Council. (F.M. Khan, 2002). (7).

According to Pakistan's structure, GB is a liminal mechanism. The British authorities and Kashmiri Dogras shifted the authority to local Mirs and Rajas to govern the territory by means of them. Later, Pakistan was directly involved in administration after the 1970s. (8) It is important to notice that Pakistani representatives entered the territory without prior declaration other than the "Karachi Agreement" of 1948. Without representation of GB leadership, in collaboration with Kashmiri leadership and Pakistani authorities, all matters are finalized behind the curtains. Pakistan's executive authority is willing to uphold its legitimacy by imposing a non-static legal status. (9) The current status of Gilgit-Baltistan is given a specified terminology, "constitutional limbo". During the partition period, the Gilgit Agency consisted of the noble states of Hunza and Nagar. Gilgit-wazarat consisted of a small town of central Gilgit linked to the Kashmir affairs. Other districts, including Hunza, Nager, Yasin, Diamer, Ghizer, and Ishkomen, were not a part of Kashmir affairs. They were considered under the Gilgit agency. These districts were named the Gilgit Agency during the "Great Game" of the British in 1889. According to the "Bangash" of Three Forgotten Accessions:

Hunza, Nager, and Gilgit, 2010,

A lease commitment had been held between the two parties, the Royal of Kashmir and the British Indian government. According to that agreement, the Gilgit Agency was given on a lease for 60 years to the Maharaja of Kashmir. Now the Britishers had to control only the Gilgit Agency. Britishers were insecure because of the communist rebellion and unrest on the Chinese border. The British Indian government considered the demarcation of boundaries mandatory. The British-Indian government was notified after that agreement by the Maharaja of Kashmir that the Gilgit agency is also a part of Kashmir. (10).

After the immediate annexation of Gilgit-Baltistan to the Pakistani state, Pakistan's political agent took over administrative control over the territory as its partial political colony. The political agent of Pakistan was enjoying full authority to exercise his power over administration, judiciary, and legislation. (By Hamid et al, 2016). An exorbitant law was imposed, named FCR (Frontier Crimes Regulation). This outrageous law has historical linkages with the murderous, outrageous regulation that was launched by the British against anti-state elements in 1877. The FCR was imposed in British India in 1901. The FCR rejects Pakistan's constitution and Universal

Declaration of Human Rights but supports administrative processes through which the rights of people are executed. (Khan, 2016). (11).

### Karachi Agreement

The locals of Gilgit-Baltistan critically see the Karachi Agreement for the insufficiency of transparency in its mechanism. The local people are bypassed during the agreement session. This agreement allows Pakistani authorities to make decisions against them in the region. The agreement has been a source of power transfer from Jammu and Kashmir to the Pakistani administration directly. Meanwhile, the Pakistani state controls its foreign affairs, defense, and communication. The agreement was recorded on four pages without the representation of Gilgit-Baltistan. It is based on four sections; the first and second sections highlight the administration process and financial matters between Pakistan and Kashmir. The third and most essential part deals with power distribution. Only in a single sentence, the entire Gilgit-Baltistan is completely shifted to Pakistan with defense matters, including UNCIP (January 1948) and Control over Azad Jammu and Kashmir & Force. According to this line, the control over Gilgit and Ladakh has been shifted under Pakistan's political agent. Martin Sokefeld called the agreement "Transfer" and further says, Kashmiri aristocrats do not have previous experience of Gilgit-Baltistan governance. (12).

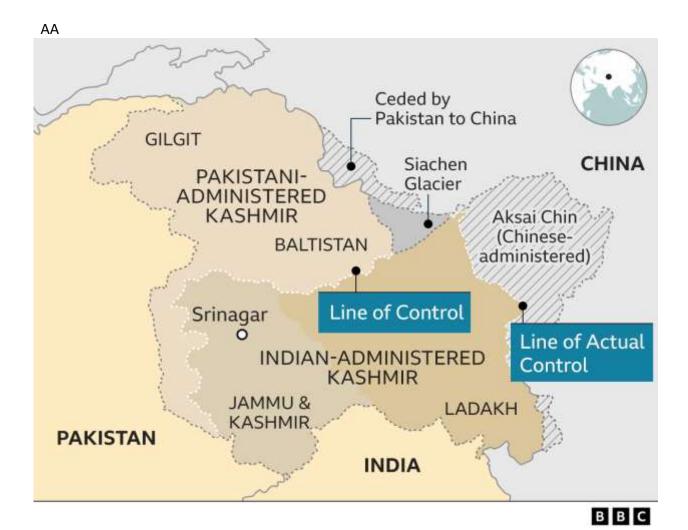
### **Kashmir VS Gilgit-Baltistan**

The people of Kashmir and India had a stance; they have a legal right to claim the territory of Gilgit-Baltistan. The Modi government made an open assertion while repealing Article 370." While Kashmiris have a similar narrative that Gilgit-Baltistan is a legal unit of their territory. Gilgit-Baltistan has a complex phenomenon historically. It was linked constitutionally with Jammu and Kashmir till the evolution of Pakistan, since Dogras entered into the territory. British India established the Gilgit-Agency comprising the Princely states of Hunza, Nagar, Yasin, Ishkomen, Chilas, and Puniyal, the small political units. The most important point here is, Gilgit-Wazarat only had a political affiliation with Kashmir; other political units were under the control of British India.

A mutual legal agreement was signed between British Indians and the Crown of Kashmir for the lease of Gilgit-Wazarat for 60 years, other for Gilgit-Agency. However, after the communist revolution in Russia, unrest was seen on the borders of Gilgit Northwards. The British Indians terminated the lease because the borders around Gilgit-Wazarat were important for security matters. The suzerainty of the British was re-established in the Gilgit region. The Maharaja of Kashmir sent a letter to the British-Indian government to claim the entire Gilgit Agency. The British government rejected this claim and stated that Hunza-Nager, although part of Kashmir suzerainty, was two separate states, not under the Kashmir government. Other smaller units that include Chilas, Ghizer, Yasin, Ishkomen, and Puniyal are coming under the tribal areas, not under the Kashmir. In August 1947, the British-Indians terminated the lease of the agency, Kashmir authorities sent a Governor to the agency. The local people of Gilgit-Agency and the British created the Gilgit Scouts rejected the Governor of Kashmir. The voices for independence started

in the territory. But India always delivers a narrative of Gilgit-Baltistan under the Kashmir dispute. (13).

BBC News produced an important map on December 19, 2023, in an article named "Kashmir Profile."



According to the displayed map of BBC News:

Gilgit-Baltistan is above the line of control. Meanwhile, Kashmir has its separate territory. Gilgit-Baltistan comprised small agencies considered autonomous political units, which later came under the Suzerainty of Kashmir in the 19<sup>th</sup> century. Then, Dogra Gulab Singh expanded his dominion to the entire territory of Gilgit-Baltistan after formalizing the Amritsar agreement in 1846. (14).

The Dogra Rulers couldn't assemble the governance because of its complex geography, especially crossing over the high mountains, which were only accessible in the summer seasons. Establishing a permanent garrison was a very challenging task for them. They were evacuated

again in 1848 and 1852 because of the power of Raja Gohar Aman of Yasin. They stepped back into the territory after the death of Gohar Aman in 1860. (Hutten back, 1968, 100).

India claims the territory of Gilgit-Baltistan under the accession of J&K committed and declared by the Maharaja of Kashmir, while Pakistan refuses India's narrative based on two different reasons: First, according to the partition rules, J&K is a territorial unit with a full Muslim majority that should go under the sovereignty of Pakistan as a Muslim country. Secondly, Maharaja Hari Singh was not successful in declaring accession with Jammu & Kashmir at the time of division. Although, Pakistani state has claimed the region as a political unit of Kashmir as a conflict zone. However, the area is not granted any legal representation in Pakistan's national political institutions.

The people of Gilgit-Baltistan are not legally allowed to vote for the Prime Minister, National Assembly, or Senate. They also do not have any membership in the Federal Commission. The government of Pakistan also made a legal formation after the 1970s. Several amendments were made in the administration of Gilgit-Baltistan's government till Order, 2009, that relate the government of Gilgit-Baltistan to a provincial setup. New movements are rising in the territory because of the suspended annexation with Pakistan.

Johar Ali Khan an important political worker and lawyer of Gilgit-Baltistan had remained an important stakeholder in the liberation movement in 1947 says about the consolidation of Gilgit-Baltistan with Kashmir, compared the two parts' geographical size and further elaborates "Northern area's total area SKM 75496, and Kashmir 11639, you can put a glass of water into a bucket but not a bucket into a glass." Johar Ali rejects all the favorable ideas towards GB's annexation with AJK. (15)

Mohammad Ali, a young scholar hailing from remote areas of GB, gives his narrative on Kashmir's linkages with the territory. "The entire Gilgit-Agency is a political unit of Pakistan. We can never be the party to Hindustan again. Besides religious matters, the Gilgit-Agency is part of the NWFP. So, it is considered a segment of the Pakistani state. The independence of Kashmir can go in favor of the betterment of the Gilgit-Agency. The Maharaja of Kashmir can be under pressure or he can deal for any attractive package with the Indian government at any time. In such a condition, they can create such trouble once again for the people of Gilgit-Baltistan. (16).

The life of the local population is in a kind of imprisonment until the referendum concludes. During the civil war with Dogras in the region, thousands of local people lost their lives to gain liberty against the Indian-sided governance system. (17). The world is silent due to multiple reasons for Kashmir's status with linkages to Gilgit-Baltistan. India has a huge population, and Western countries have their own market for multiple products for international trade purposes. No regional power can blend the identity of Gilgit-Baltistan with Kashmir.

### **India's Stance Over the Gilgit-Baltistan Conflict**

India's narrative over Gilgit-Baltistan's territory is not hidden from global communities. It has been funded since the time of the Dogras for the attainment of the Northern mountains. The strong people of GB have defeated external powers after some of their interference in the

territory. The Indian government backed Dogra Gulab Sing, but the local people rejected and revolted against them.

### Abrogation of Article 370 by India

This section discusses the authenticity of the Indian government's trying to get around the Abrogation of Article 370, 35A. Article 370 was an alternate setup arranged by the Indian government of Narendra Modi on August 5<sup>th</sup>, 2019. While terminating Article 370 + 35A, the purpose is to increase the Hindu settler population, purchase assets, and extract natural resources from the territory. India is insecure about its Muslim majority in the territory and is willing to bring a demographic shift in the region. India wanted Srinagar and Jammu to be ruled directly from its federation. (18) The region with a heavy population was bifurcated into two federally administered tribal areas. (19). India was bound not to violate the basic rules provided by Maharaja Hari Singh. Which was made not to cross the boundaries without the consent of the local people of Kashmir. India cannot extend its powers over the people of Jammu and Kashmir while abrogating Article 370. As Nehru declared in 1952 in one of his speeches in the Indian Parliament: "It will depend on the plebiscite if the people of Kashmir go with India or not." (20) Article 370 gave the people of Jammu and Kashmir an autonomous status. The center cannot alter Article 370 without the consent of the Jammu and Kashmir Assembly. (21). Article 370 provoked a war-like situation in the region. Kashmir itself is a bone of contention in the region. Both India and Pakistan have fought four wars in the region. Revoking Article 370 can create deep social, economic, and political impacts on Kashmir. (22). Many of India's constitutional experts declared Article 370 as an illegal act and equivalent to a fraudulent case in the Indian historical acts. On the other hand, only a few stakeholders in political and legal institutions considered it to favor the Indian Federal system. (23).

Ashok from India says, Ä new strategic chapter has been opened for India's policy drafters. The Kashmir conflict should be dealt with using a holistic approach to overcome an unconventional war like Kashmir. Attaining the trust of the Kashmiri people will be the top priority of Indian policymakers. (24).

The Bharati Jannata Party has been declaring since 2014 that the contemporary autonomous status of Jammu and Kashmir has been a source of terrorism and separatism that has promoted unemployment in the region. Home Minister Amit Shah says (viewpoint, 2019). Article 370 was not more than a paper piece, a symbol of emancipation for a separate state and identity. AZ Hilali collected this information through his research on the "Kashmir Combustible region". (25).

### **Findings and Conclusion**

Gilgit-Baltistan has a complex and dynamic history. Previously, it remained a part of the Princely state of Jammu and Kashmir at the time of the British partition plan of 1947. Since it has fallen under the Pakistani administration as a partial province with less & insufficient internal autonomy. Then People of Gilgit-Baltistan fought a civil war against the Dogras, defeated and ousted them from the territory. Gilgit-Baltistan's historical linkages with the Kashmir dispute have made the status more complicated and ambiguous. Most of the local people and

stakeholders of Gilgit-Baltistan have objections to no representation at the national-level institutions.

After the annexation with Pakistan, Gilgit-Baltistan has been governed through the bureaucratic system. The territory is not fully autonomous internally, nor a fully separate province. Pakistan is using its territory only for exploitative purposes. The conflict is increasing in insecurity because of its ambiguous constitutional status. The local people have remained away from education, knowledge, and awareness. Therefore, several global powers have made attempts to take over the territory for the acquisition of their political purposes.

The Pakistani government is increasing unemployment in the territory rather than increasing opportunities for the youth. The federal government has controlled the main revenue-generating departments. The local people of Gilgit-Baltistan consider themselves suppressed, marginalized, and outsiders in the major discourse of Pakistani politics. There is an absence of a plebiscite from both sides. There is no international mediation arranged by the global organizations, states, and leaders. The Pakistani state has captured its posh areas like Skardu, Naltar, Central Gilgit, and many other areas of the territory. The Pakistani state is installing militarization in different sectors of GB, and India is, on the other hand. The abrogation of Article 370 is its latest development is terminating the autonomous status of Jammu and Kashmir, which has a historical linkage with the Gilgit-Baltistan dispute.

Sectarian violence has divided the local people of Gilgit-Baltistan extremely. The Pakistani influential lobby is applying this tool for the acquisition of land in the territory for exploitative purposes. No social concessions are acquired because of this distance. The federal government takes complete credit for these divisions. The Chief Secretary is more influential than the Chief Minister in the area. The territory has no permanent constitutional setup. Only orders are given on an ad-hoc basis. This behavior of the Federal Government has created a psychological catastrophe among the youth of the region.

Pakistani authorities should find a powerful solution through mediation and dialogue with India through China. The political stakeholders of Gilgit-Baltistan are required to take a major initiative towards any permanent setup in collaboration with Jammu and Kashmir stakeholders for a successful resolution. The United Nations, regional organizations, or Multinational Organizations should come to the conflict by proposing a mediation. Also, human rights organizations can play a vital role while keeping the voices of local people integral. Finally, sustainable development should be mandatory of the top priority of the region. This would create a balance between economic progress and the conservation of the ecosystem of the entire Gilgit-Baltistan region and Pakistan.

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