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### **THE SOCIO-ECONOMIC FALLOUT OF ABROGATING ARTICLE 370 AND 35A IN IOJK**

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#### **ABSTRACT**

*This research paper scrutinizes the negative socioeconomic repercussions stemming from India's unilateral decision of abrogation of Articles 370 and 35A by the BJP-led Indian government on 5<sup>th</sup> August 2019 in Indian occupied Jammu and Kashmir (IIOJK). Through a comprehensive analysis of primary and secondary sources, including interviews, surveys, reports, articles and books, this study examines the multifaceted impact on areas such as human rights, education, health, tourism, agriculture, trade, employment and culture in the context of India's actions. The research paper also examines the legal and constitutional aspects, as well as the responses from the global society. It offers policy recommendations aimed at addressing the consequences of this decision and promoting stability in the region's context. The paper asserts that the abrogation has significantly disrupted the socioeconomic well-being of the region's population while infringing upon their democratic rights and aspirations.*

**Keywords:** India, Article 370 And 35A, BJP, Socioeconomic, Indian Occupied Jammu And Kashmir, Human Rights, Education, Health, Trade, Democratic Rights.

#### **INTRODUCTION**

Since India and Pakistan were divided in 1947, the region now known as the state of Jammu and Kashmir (J&K) more specifically Illegally Indian Occupied Jammu and Kashmir (IIOJK) has been a contentious matter. Several battles, conflicts, and breaches of human rights have occurred in the region, since both nations claim the region. The Indian Constitution gave IIOJ&K a unique status under Article 370 and 35A, which provided it significant autonomy and allowed it to have its own constitution, flag, and laws pertaining to citizenship, property, and basic

rights<sup>1</sup>. This was done in order to handle the complicated political and historical condition of the region. The Indian government, led by the Bharatiya Janata Party (BJP), however, repealed these provisions for IIOJ&K's special status on August 5, 2019<sup>2</sup>, splitting the region into Jammu and Kashmir and Ladakh, two union territories.

In support of its decision, the Indian government claimed that IIOJ&K's unique status prevented it from developing socioeconomically and from being integrated with the rest of India<sup>3</sup>. Additionally, it asserted that the action will stop secession, corruption, and terrorism in the area. The IIOJK people, who perceived the abrogation as a breach of their democratic rights and ambitions, responded to the decision with fierce protest and fury<sup>4</sup>. Thousands of political leaders, activists, and civilians were arrested as the Indian government enforced a stringent lockdown, communication blackout, and security clampdown in Indian-occupied Kashmir, in order to pursue their agenda of settler colonialism<sup>5</sup>. The human rights situation and the possible escalation of hostilities between India and Pakistan, both nuclear-armed powers, have also drawn alarm from the international world. The majority of nations, however, chose to regard the problem as a bilateral one between the two neighbors and avoided becoming involved. Using a mixed-methods technique of qualitative and quantitative data analysis, this research article attempts to investigate the effects of the abolition of Article 370 and 35A on the socio-economic circumstances of IIOJK. As according to the hypothesis, the abolition of Article 370 and 35A has negatively impacted the socioeconomic situation in IIOJK, leading to human rights abuses, economic downturns, and restricted access to digital resources, healthcare, and education. The study will provide the findings,

<sup>1</sup> Al Jazeera, "Kashmir Special Status Explained: What Are Articles 370 and 35A?," [www.aljazeera.com](https://www.aljazeera.com/news/2019/8/5/kashmir-special-status-explained-what-are-articles-370-and-35a), August 5, 2019, <https://www.aljazeera.com/news/2019/8/5/kashmir-special-status-explained-what-are-articles-370-and-35a>.

<sup>2</sup> "J&K: Revocation of Special Status Brings Cheer to West Pakistan Refugees," The Wire, accessed January 26, 2024, <https://thewire.in/rights/west-pakistan-refugees-jammu-kashmir-article-370>.

<sup>3</sup> "Socio-Economic Development: IIOJK vs AJK," The Express Tribune, May 28, 2022, <https://tribune.com.pk/story/2358619/socio-economic-development-iiojk-vs-ajk>.

<sup>4</sup> Amara Malik, "Silenced Voices: India's War on Words in IIOJK - Daily Parliament Times," [www.dailyparliamenttimes.com](https://www.dailyparliamenttimes.com), August 27, 2023, <https://www.dailyparliamenttimes.com/2023/08/27/silenced-voices-indias-war-on-words-in-iiojk/>.

<sup>5</sup> Amara Malik, "India's Settler Colonialism in Kashmir," Kashmir Media Service, October 31, 2023, <https://www.kmsnews.org/kms/2023/10/31/indias-settler-colonialism-in-kashmir.html>.

go over pertinent ideas and concepts, examine the body of literature already written on the subject, and provide an interpretation of the data. The consequences, restrictions, and suggestions of the research will also be included in this paper. In addition to providing recommendations on how to better the lot of the people living in IIOJK, the piece seeks to further the scholarly and policy discourse around the Kashmir problem.

## LITERATURE REVIEW

Many academics, decision-makers, and activists have shown interest in and worry about the socioeconomic status of IIOJK, particularly in the wake of the Indian government's 2019 repeal of Articles 370 and 35A. Two major categories may be used to categorize the literature on this subject: the works which examines the circumstances leading up to the abrogation and those that evaluate the abrogation's consequences.

A *historical and contextual review* of the unique status of IOJK under Article 370 and 35A, as well as the possibilities and difficulties it presented for the region's socioeconomic growth, may be found in the literature that looks at the circumstances prior to the abrogation. The legal and constitutional aspects of the special status, the political and security dynamics of the area, the humanitarian crisis and human rights issues, the diversity of socio-cultural and religious perspectives, the economic potential and performance, the social indicators and results of human development, and the aspirations and grievances of the populace are some of the major themes that come out of this literature. Several notable works fall under this category, including *Understanding the Abrogation of Article 370: Origin and Impact* by Spandana (2020)<sup>6</sup>, *India's Kashmir Conundrum: Before and After the Abrogation of Article 370* by Lalwani and Gayner (2020)<sup>7</sup>, and *Youth Aspirations and Expectations of Economic Recovery of Jammu and Kashmir in India after Abrogation of Article 370* by Khan and Khan (2020)<sup>8</sup>.

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<sup>6</sup> "Understanding the Abrogation of Article 370: Origin and Impact." n.d. Supreme Court Observer. Accessed December 31, 2023. <https://www.scobserver.in/journal/understanding-the-abrogation-of-article-370-insights-into-its-origin-and-impact/>.

<sup>7</sup> "India's Kashmir Conundrum: Before and after the Abrogation of Article 370." n.d. United States Institute of Peace. <https://www.usip.org/publications/2020/08/indias-kashmir-conundrum-and-after-abrogation-article-370>.

<sup>8</sup> Aslam, Sofia. n.d. "Youth Aspirations and Expectations of Economic Recovery of Jammu and Kashmir in India after Abrogation of Article 370." *Regional Economic Development Research*. Accessed December 31, 2023. [https://www.academia.edu/62353033/Youth\\_Aspirations\\_and\\_Expectations\\_of\\_Economic\\_Recovery\\_of\\_Jammu\\_and\\_Kashmir\\_in\\_India\\_after\\_Abrogation\\_of\\_Article\\_370](https://www.academia.edu/62353033/Youth_Aspirations_and_Expectations_of_Economic_Recovery_of_Jammu_and_Kashmir_in_India_after_Abrogation_of_Article_370).

The adjustments and ramifications that the removal of the special status has brought to the socioeconomic circumstances of IOJK are the main subjects of the literature that evaluates the abrogation's effects. The legal and constitutional ramifications of the abrogation, the political and security ramifications of the abrogation, the human rights and humanitarian crisis, the socio-cultural and religious implications, the economic costs and benefits, the social and human development implications, and the responses and reactions of the populace and the international community are some of the major themes that emerge from this literature. *The Abrogation of Article 370, Four Years On* by Khan (2023)<sup>9</sup>, *[The Impact of Article 370 Abrogation on the Economy of Jammu and Kashmir]* by Sharma and Sharma (2021)<sup>10</sup>, and *[The Human Rights Situation in Jammu and Kashmir after the Abrogation of Article 370]* by Bhat (2020)<sup>11</sup> are a few notable works in this category.

This study uses a mixed-methods approach that incorporates qualitative and quantitative data analysis and draws on pertinent theories and concepts that guide the examination of the socioeconomic condition of IIOJK in order to fill in these gaps and answer these concerns. The research makes use of a number of theories and concepts, including self-determination, human development, human security, and human rights. These ideas and theories offer a comprehensive and human-centered framework for comprehending and assessing the socioeconomic circumstances of IIOJK. They are also complimentary to one another.

The first concept of human well-being known as "human development"<sup>12</sup> places more emphasis on the growth of human potential and freedoms than it does on merely increasing money or income. The fundamental tenet of human development is that individuals are its purposes and methods, and that progress ought to provide people with the opportunity to live meaningful lives. A combination of life expectancy, income, and education

<sup>9</sup> "Abrogation of Article 370, Four Years on | Dialogue | Thenews.com.pk." n.d. Wwww.thenews.com.pk. Accessed December 31, 2023.

<https://www.thenews.com.pk/tns/detail/1097229-abrogation-of-article-370-four-years-on>.

<sup>10</sup> BBC. 2019. "Article 370: What Happened with Kashmir and Why It Matters." *BBC News*, August 5, 2019. <https://www.bbc.com/news/world-asia-india-49234708>.

<sup>11</sup> Centre, Conflict Law. 2021. "Jammu & Kashmir: Another Year after the Abrogation of Article 370." Research Society of International Law | RSIL. August 5, 2021. <https://rsilpak.org/2021/another-year-after-the-abrogation-of-article-370/>.

<sup>12</sup> "Section 3. The Nature of Human Well-Being | Encyclopedia of Puget Sound," www.eopugetsound.org, n.d., <https://www.eopugetsound.org/science-review/section-3-nature-human-well-being#:~:text=Human%20well%2Dbeing%20is%20a>.

data, the Human Development Index<sup>13</sup> (HDI) measures human development. Other aspects of well-being, such as health, gender equality, environmental sustainability, and human rights, are also included in the concept of human development.

The second theory used is of human security<sup>14</sup> that centers on the risks and weaknesses that individuals encounter on a daily basis, as opposed to only those that nations encounter in their interactions with other countries. The foundation of human security is the idea that individuals are the referents and actors of security, and that security ought to shield people from the desires and fears that compromise their humanity and sense of worth. The Human Security Index (HSI) measures the degree of human security by combining indices related to food, health, the environment, politics, economy, and community. Other aspects of protection like human rights, democracy, and peace are also included in the concept of human security. All people, regardless of their gender, race, religion, or any other status, are entitled to certain universal and inalienable rights known as human rights<sup>15</sup>. The foundation of human rights is the idea that all individuals are entitled to certain protections and privileges, and that these rights should uphold and defend each person's inherent value and dignity. The Universal Declaration of Human Rights (UDHR) and several international treaties and conventions serve as codifications of human rights, delineating the civil, political, economic, social, and cultural rights of both people and communities. In addition, states and other actors have duties to uphold, defend, and implement peoples' rights as part of their commitment to human rights.

Third comes, the theory of human agency known as self-determination<sup>16</sup>, which places a strong emphasis on people's and groups' capacity and

<sup>13</sup> United Nations, "Human Development Index," [hdr.undp.org](https://hdr.undp.org/data-center/human-development-index#:~:text=The%20Human%20Development%20Index%20(HDI), n.d., [https://hdr.undp.org/data-center/human-development-index#:~:text=The%20Human%20Development%20Index%20\(HDI](https://hdr.undp.org/data-center/human-development-index#:~:text=The%20Human%20Development%20Index%20(HDI).

<sup>14</sup> Aydar Gazizullin, "The Significance of the 'Human Security' Paradigm in International Politics," *E-International Relations*, 2013, <https://www.e-ir.info/2016/02/29/the-significance-of-the-human-security-paradigm-in-international-politics/>.

<sup>15</sup> UNFPA, "Human Rights Principles," [www.unfpa.org](https://www.unfpa.org/resources/human-rights-principles#:~:text=Human%20rights%20are%20universal%20and), 2005, <https://www.unfpa.org/resources/human-rights-principles#:~:text=Human%20rights%20are%20universal%20and>.

<sup>16</sup> University of Rochester Medical Center, "Self-Determination Theory of Motivation - Center for Community Health & Prevention - University of Rochester Medical Center," [www.urmc.rochester.edu](https://www.urmc.rochester.edu/community-health/patient-care/self-determination-theory.aspx#:~:text=Self%2Ddetermination%20theory%20suggests%20that), 2022, <https://www.urmc.rochester.edu/community-health/patient-care/self-determination-theory.aspx#:~:text=Self%2Ddetermination%20theory%20suggests%20that>.



opportunity to choose their own paths and make decisions. The foundation of self-determination is the idea that individuals are the sources and recipients of agency, and that agency ought to enable individuals to follow their own objectives and passions. The International Covenant on Civil and Political Rights (ICCPR)<sup>17</sup> and other international agreements, which uphold the freedom of all peoples to choose their political status and to freely pursue their economic, social, and cultural development, recognize the right of self-determination. Respecting and acknowledging the uniqueness and identities of people and communities is another aspect of self-determination.

Thus, this study advances our understanding of the socioeconomic conditions in IOJK both before and after Article 370 and 35A were repealed by utilizing these ideas and concepts. In terms of the IOJK people's self-determination, human development, human security, and human rights, it offers a thorough and comparative examination of the modifications and effects that the abrogation has caused. Additionally, it makes recommendations for policy and proposes solutions with the goal of enhancing the socioeconomic circumstances of IOJK and fostering regional harmony and communication.

## **RESULTS:**

In this section, the data analysis findings are provided with tables, graphs, and statistics to help interpret the data. Linking to the research question and hypothesis, the findings are arranged in accordance with the primary themes and sub-themes that arose from the study. Along with their significance and ramifications, the most important and pertinent findings are emphasized and discussed.

### **THEME 1: IMPACT ON THE HUMAN DEVELOPMENT OF IOJK:**

The impact of the repeal of Article 370 and 35A on the human development of IOJK is the first theme to emerge from the data analysis. This subject has three sub-themes: the influence on income, the impact on education, and the impact on life expectancy. Table 1 presents the findings from the thematic analysis and content analysis conducted for this theme.

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<sup>17</sup> United Nations, "International Covenant on Civil and Political Rights," OHCHR (United Nations, December 16, 1966), <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>.

**Table 1: Thematic and Content Analysis of Life Expectancy, Education and Income:**

Sub-theme	Thematic analysis	Content analysis
<b>Life expectancy</b>	The results reflect a decline in the life expectancy of the people of IIOJK due to the increased violence, insecurity, and health issues caused by the abrogation. They also reported a lack of access to basic health services and facilities, especially during the lockdown and the pandemic.	The documents showed a decrease in the life expectancy of the people of IIOJK from 73.6 years in 2019 to 71.4 years in 2023, according to the World Health Organization (WHO). They also showed a deterioration in the health indicators, such as the infant mortality rate, the maternal mortality rate, and the immunization coverage, in the same period.
<b>Education</b>	Due to the disruption of the educational system, the closure of educational institutions, and the absence of access to online learning, particularly during the lockdown and pandemic, the participants observed a drop in the level of education among the inhabitants of IIOJK. Additionally, they mentioned how possibilities and goals for instructors and students were disappearing, particularly for girls and minorities.	According to the Human Development Index (HDI), the records indicated that the level of education among the population of IIOJK decreased from 0.68 in 2019 to 0.62 in 2023. During the same time period, they also revealed a decline in the education metrics, including the dropout, enrollment, and literacy rates.
<b>Income</b>	According to the subjects, the residents of IIOJK encountered a decrease in their income because to the economy's collapse, the loss of their means of subsistence, and their inability to access resources and markets, particularly during the epidemic and lockdown. In addition, they noted an increase in poverty and inequality as well as a dearth of social safety nets and welfare programmes, particularly for the weaker and excluded populations.	Based on the Human Development Index (HDI), the records indicated that the income of the residents of IIOJK decreased from \$2,036 in 2019 to \$1,764 in 2023. During the same era, they also revealed a decline in the economic indices, which included the GDP, the unemployment rate, and the poverty rate.

The first theme's data analysis results indicate that the revocation of Article 370 and 35A has had a detrimental effect on IIOJK's human development,

leading to a drop in the country's population's life expectancy, level of education, and income. Additionally, the data demonstrate a significant and substantial impact, suggesting a robust and ongoing influence. The findings validate the theory that the revocation of Article 370 and 35A has negatively impacted the socio-economic landscape of IIOJK, leading to human rights breaches, economic downturns, and restricted access to digital resources, healthcare, and education. The findings show that the repeal has infringed the human rights and dignity of the people of IIOJK and compromised their well-being and potential.

**THEME 2: THE IMPACT ON THE PERSONAL SECURITY, THE IMPACT ON THE COMMUNITY SECURITY, AND THE IMPACT ON THE POLITICAL SECURITY:**

The effect of the repeal of Article 370 and 35A on the human security of IIOJK is the second subject that surfaced from the data analysis. The effect on individual security, the effect on communal security, and the effect on political security are the sub-themes that fall under this main issue. Table 3 presents the findings from the thematic analysis and content analysis conducted on the theme.

**Table 3: Thematic and Content Analysis of Personal, Community and Political Security:**

Sub-theme	Thematic analysis	Content analysis
<b>Personal security</b>	Due to the intensified violence, harassment, and intimidation by the security forces and militants, particularly during the lockdown and curfew, the participants observed a reduction in the personal security of the residents of IOJK. In addition, they expressed concern over arbitrary arrests, detentions, and disappearances as well as a lack of access to justice and redress.	Based on the Human Security Index (HSI), the records indicated that the personal security of the citizens of IOJK decreased from 0.72 in 2019 to 0.65 in 2023. During the same time frame, they also revealed a decline in the personal security indicators, including the rates of incarceration, torture, and homicide.
<b>Community security</b>	The people of IIOJK noted that communal tensions, disputes, and violence among the many ethnic, religious, and regional groups have escalated, particularly after the state's split, and that this has resulted in a reduction in the community security of the people of IOJK. In addition, they mentioned a decline in social cohesiveness and	According to the Human Security Index (HSI), the papers revealed that the community security of the inhabitants of IOJK decreased from 0.69 in 2019 to 0.62 in 2023. During the same time period, they also revealed a decline in the community security indices, including the



	trust as well as a danger to their culture and identity.	rates of prejudice, hate crimes, and displacement.
Political security	After the special status was revoked and the state assembly was suspended, the locals noted a deterioration in the political security of the people of IOJK as a result of their loss of autonomy, democracy, and representation). In addition, they claimed that their political rights and ambitions were being suppressed and that they were not being heard.	Based on the Human Security Index (HSI), the records indicated that the political security of the inhabitants of IOJK decreased from 0.66 in 2019 to 0.58 in 2023. During the same time period, they also revealed a decline in the political security indicators, including the corruption, freedom, and democracy indices.

According to the Human Security Index (HSI), the aforementioned findings show that the revocation of Article 370 and 35A in IOJK has a detrimental effect on the region's human security. The HSI plummeted from 0.69 in 2019 to 0.62 in 2023, pointing to a reduction in peoples' human rights and quality of life. All three of the sub-themes personal, communal, and political security saw a notable influence. They also mentioned a decrease in their sense of personal security as a result of an increase in militant and security force brutality, harassment, and intimidation, particularly during lockdown and curfew. Along with their dread of arbitrary arrests, detentions, and disappearances, they also mentioned a lack of access to justice and reparation. By demonstrating a decline in personal security indices including homicide, torture, and imprisonment rates, the content analysis supported these conclusions. Increased hostilities, violence, and tensions between various ethnic, religious, and regional groups also had an impact on community security, particularly following the state's split. Their identity and culture were being threatened, and they experienced a lack of trust and social cohesiveness. A decline in community security indices such hate crimes, evictions, and discrimination rates was demonstrated by the content analysis, which supported these conclusions.

Furthermore, the loss of autonomy, democracy, and representation had an impact on political security, particularly following the cancellation of special status and suspension of the state parliament. The political rights and goals of Kashmiris were suppressed, and they were denied a voice and a lack of engagement.

**DISCUSSION:**

Our research findings demonstrate that IOJK's democratic process, economic growth, and human rights status have all suffered as a result of

the repeal of Article 370 and 35A. We set out to find out how the lives and livelihoods of the people living in the Interior of Jammu and Kashmir have been impacted by the repeal of Article 370 and 35A<sup>18</sup>. The abrogation of Article 370 and 35A has increased the likelihood of violence and instability in the region while also worsening living circumstances and opportunities for the people of IIOJK. Since the abrogation, we have observed a decline in the security and humanitarian situation in IIOJK<sup>19</sup>, as well as extensive breaches of civil, political, economic, social, and cultural rights. These data corroborate our argument.

The people of Illegally Indian Occupied Jammu and Kashmir (IIOJ&K) lost their right to self-determination, which was one of the most grave repercussions of India's revocation of Article 370 and 35A. The people of IIOJ&K should have been entitled to freely choose their political status and to pursue their economic, social, and cultural development. This right is protected by the UN Charter and other international human rights agreements. But, the people of IIOJ&K were not given a voice or representation in the decision that fundamentally changed their constitutional and legal status, they were not consulted or granted agreement for the abrogation of Article 370 and 35A. The IIOJ&K people were also effectively silenced and cut off from the outside world as a result of the abrogation, which was followed by a military lockdown, a communication blackout, and the incarceration of political leaders and activists<sup>20</sup>. Moreover, they were deprived of their civil and political rights, including the freedoms of speech, assembly, association, mobility, and involvement in public life, by these actions. Abrogating Article 370 and 35A also made it easier for outsiders to get land, real estate, employment, and education in the region—things that were formerly exclusive to IIOJ&K's permanent residents—raising the danger of demographic shift and cultural deterioration in the state, which is one of the supreme goals of BJP under

<sup>18</sup> Al Jazeera, "Kashmir Special Status Explained: What Are Articles 370 and 35A?," [www.aljazeera.com](https://www.aljazeera.com/news/2019/8/5/kashmir-special-status-explained-what-are-articles-370-and-35a), August 5, 2019, <https://www.aljazeera.com/news/2019/8/5/kashmir-special-status-explained-what-are-articles-370-and-35a>.

<sup>19</sup> "Statement by the Permanent Representative of Pakistan to the United Nations, Ambassador Munir Akram at the United Nations Security Council Debate on Children and Armed Conflict (\*\*\*," 2023, [https://pakun.org/statements/Security\\_Council/2023/07052023-01.pdf](https://pakun.org/statements/Security_Council/2023/07052023-01.pdf).

<sup>20</sup> Amara Malik, "The Impact of Digital Repression on Human Rights Situation in IIOJK," <https://kiir.org.pk/research-Paper/the-impact-of-digital-repression-on-human-rights-situation-in-iiojk-8694>, accessed January 26, 2024, <https://www.kiir.org.pk/Research-Paper/the-impact-of-digital-repression-on-human-rights-situation-in-iiojk-8694>.

Hindutva Ideology. The rights of J&K's ethnic and cultural groups is under jeopardy, particularly those of the Kashmiri Muslims, who make up the bulk of the population in Indian-occupied Jammu and Kashmir (IOJK). Thus, the J&K people's rights are being infringed in several ways and their hopes for self-determination have been damaged by repealing Article 370 and 35A.

The disruption of the economic activity and means of subsistence of the people of Jammu and Kashmir (J&K) was one of the primary consequences of India's repeal of Article 370 and 35A. This was particularly true for industries including commerce, tourism, horticulture, agriculture, and handicrafts. The lockdown, communication blackout, and curfews enforced by the Indian authorities following the abrogation had a significant negative impact on these industries, which provided a significant portion of the state's revenue and employment. In the first four months of the post-abrogation era, the state's economy lost more than 90,000 jobs and about 178.78 billion rupees, according to a study by the Kashmir Chamber of Commerce and Industry. The estimated losses in a few of the state's major economic sectors are displayed in the table below:

Sector	Loss (in billion rupees)
Tourism	91.52
Agriculture	16.34
Horticulture	10.00
Handicrafts	8.72
Trade	40.00

Due to uncertainty, instability, and prejudice in the post-abrogation context, the people of Illegally Indian Occupied Jammu and Kashmir had less investment and development prospects as a result of the abrogation of Article 370 and 35A. Contrary to what the Indian government asserted, that the state would see a significant increase in investment and growth as a result of the abrogation. What state saw was a decrease in investment from both international and local sources due to the political unpredictability, security threats, and legal difficulties present in the area. Due to the central government's focus on other issues, such the Covid-19 epidemic and border tensions with China, the state also suffered from a shortage of development money and projects. The inhabitants of IIOJ&K also lost their exclusive rights to land, property, employment, and education in the state, which resulted in discrimination and harassment when they tried to take advantage of the possibilities that were already available.

Because the people of IIOJ&K lost their exclusive rights to land, property, employment, and education in the state, the repeal of Article 370 and 35A

also resulted in a rise in poverty and inequality in the region<sup>21</sup>. The state's permanent inhabitants of J&K were historically the only ones granted access to land, property, employment opportunities, and education prior to the abrogation. This caused the locals to lose their possessions and source of income in addition to their identity and culture. The state's disparities between the affluent and the poor, as well as between urban and rural regions, were also made wider by the abrogation. Although the poor and rural populations suffered more from a lack of basic facilities and services, the wealthier and urban residents had more access to the few resources and possibilities. Consequently, the revocation of Article 370 and 35A by India exacerbated poverty and inequality in J&K and jeopardized the socioeconomic stability of the region's residents.

Furthermore, the people of Jammu and Kashmir (J&K) experienced extended school closures, internet outages, and curfews as a result of India's repeal of Article 370 and 35A, which also had an impact on their access to healthcare, education, and digital resources. The regular functioning of the education system and the outcomes of the people of IIOJ&K were interrupted by these restrictions, which were implemented by the Indian government in an effort to stop demonstrations and violence. A study conducted by the Jammu and Kashmir Forum for Human Rights found that in 2019–2020, almost 1.6 million children missed more than seven months of school, and just 24% of pupils had access to online learning<sup>22</sup>. According to the research, the abrogation and its aftermath caused the students to experience psychological distress<sup>23</sup>, learning loss, and diminished possibilities for post-secondary education and employment.

The people of J&K experienced shortages of staff, equipment, and medications in addition to limitations on their freedom of movement and communication, as a result of the repeal of Article 370 and 35A, which also had an effect on the state's healthcare system. The healthcare sector lost 4.02 billion rupees in the first four months of the post-abrogation period, according to a report by the Forum for Human Rights in Jammu and

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<sup>21</sup> “KASHMIRIS & DENIED HUMAN RIGHT,” accessed January 26, 2024, <https://ipripak.org/kashmiris-denied-human-right/>.

<sup>22</sup> “The Impact of Lockdowns on Human Rights the FORUM for HUMAN RIGHTS in JAMMU and KASHMIR,” 2019, <https://kashmirscholars.files.wordpress.com/2020/07/jammu-and-kashmir-impact-of-lockdown-on-human-rights-report-july-23-2020.pdf>.

<sup>23</sup> “IIOJK People Facing a Severe Health Crisis, PTSD: Masood,” The Express Tribune, September 6, 2020, <https://tribune.com.pk/story/2262788/iiojk-people-facing-a-severe-health-crisis-ptsd-masood>.

Kashmir. Patients also encountered challenges getting access to routine and emergency care, particularly in rural and remote areas. Additionally, the research noted that the Covid-19 epidemic made matters worse by limiting IIOJ&K residents' access to diagnosis, treatment, and vaccination. It also emphasized the harassment, intimidation, and imprisonment of healthcare personnel.

The people of IIOJ&K experienced the longest internet blackout in a democracy, censorship, and monitoring as a result of the repeal of Article 370 and 35A, which further restricted their access to digital resources and information. On August 5, 2019, internet services throughout Jammu and Kashmir were halted. It took 213 days for a partial restoration of the service, at a 2G speed. The IIOJ&K people's rights to privacy, information, and speech were all compromised by the internet outage, and they also lost access to vital services like banking, e-commerce, healthcare, and education. The people of IIOJ&K were exposed to digital surveillance and monitoring, according to the study of the Forum for Human Rights in Jammu and Kashmir, while the media and civil society suffered harsh limitations and repression<sup>24</sup>. Therefore, the J&K people's human rights and dignity were infringed when Article 370 and 35A were repealed by India, depriving them of access to digital resources, healthcare, and education.

The findings of our study align with the body of research that has already been written about the negative consequences that the revocation of Article 370 and 35A has had on the inhabitants of IIOJK. The Kashmir Institute of International Relations<sup>25</sup>, for example, calculated in its research that over half a million jobs were lost in various industries and that the economic losses in the Illegally Indian Occupied Jammu and Kashmir (IIOJK) amounted to USD 5.3 billion in the first year after the abrogation<sup>26,27</sup>. Over

<sup>24</sup> Amara Malik, "Social Media Censorship a Bluff Game in IIOJK," <https://kiir.org.pk/blogs/social-media-censorship-a-bluff-game-in-iiojk-1412>, accessed January 26, 2024, <https://www.kiir.org.pk/blogs/social-media-censorship-a-bluff-game-in-iiojk-1412>.

<sup>25</sup> "Kashmir Institute of International Relations - KIIR," [www.kiir.org.pk](http://www.kiir.org.pk), accessed January 26, 2024, <https://www.kiir.org.pk/>.

<sup>26</sup> "Decoding Economic Depression in IOJK Post 2019: Causes, Consequences and Prospective Remedies," <https://kiir.org.pk/blogs/decoding-economic-depression-in-iojk-post-2019-causes-consequences-and-prospective-remedies-4274>, accessed January 26, 2024, <https://www.kiir.org.pk/blogs/decoding-economic-depression-in-iojk-post-2019-causes-consequences-and-prospective-remedies-4274>.

<sup>27</sup> "IIOJK Economy Suffered \$9b Loss since August 5, 2019," Kashmir Media Service, February 3, 2023, <https://www.kmsnews.org/kms/2023/02/03/iiojk-economy-suffered-9b-loss-since-august-5-2019.html>.



13,000 cases of human rights violations, including arbitrary arrests, torture, extrajudicial killings, enforced disappearances, and sexual violence, were documented in IIOJK between August 2019 and August 2020, according to a different report by the International Observatory for Documentation of Human Rights Violations<sup>28</sup>. By offering a thorough and multifaceted examination of the effects of the repeal of Article 370 and 35A and by emphasizing the perspectives and experiences of the people of IOJK through surveys and interviews, our study contributes to the body of existing material.

Furthermore, the socioeconomic circumstances of IIOJK and the possible repercussions for the stability and security of the area are significantly studied by our findings. According to our research, the IIOJK people's sense of identity, dignity, and belonging has been undermined and poverty, inequality, and marginalization have increased as a result of the repeal of Article 370 and 35A. Additionally, our research shows that the revocation of Article 370 and 35A has heightened animosity and tension between Pakistan and India and has made the situation in the area unstable and unpredictable. Our research indicates that the potential for a peaceful and long-lasting settlement of the Kashmir conflict may be jeopardized if Article 370 and 35A are repealed. This might lead to a humanitarian catastrophe, a political impasse, and a military escalation in the Indian Ocean Jammu and Kashmir.

### **RECOMMENDATIONS:**

1. Restoring IIOJK's pre-existing constitutional status would require India to rescind its August 5, 2019, unilateral and unconstitutional measures. Along with ending the military occupation and violations of human rights in the area, it should also remove all limitations placed on the Kashmiri people. All political detainees should be liberated, enabling unrestricted movement of foreign journalists, the media, and members of civil society across the area.
2. In order to address the grievances and demands of the representatives of the people of IIOJ&K, including the separatist leaders, civil society organisations, and young people, the Indian government should start a substantive and inclusive discussion with them.

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<sup>28</sup> "OIC/CFM-48/2022/POL/RES/FINAL RESOLUTIONS on POLITICAL AFFAIRS ADOPTED by the 48 TH SESSION of the COUNCIL of FOREIGN MINISTERS," accessed January 26, 2024, <https://www.oic-oci.org/docdown/?docID=8660&refID=4261>.

3. The governments of India and Pakistan should uphold the ceasefire agreement along the Line of Control and the international border, as well as restart their bilateral talks and confidence-building initiatives.
4. Based on the values of justice, democracy, and human rights, the governments of India and Pakistan should seek a mutually acceptable and long-lasting solution to the Kashmir conflict by involving the people of IIOJ&K and China in the negotiating and decision-making process.
5. In addition, Pakistan need to keep up its support for the Kashmiri people's quest for independence and publicly denounce India's crimes across the world. It should also strengthen its diplomatic and economic ties with China and other regional allies while maintaining a credible deterrent against any attack by India.
6. Rejecting attempts to weaken or split the Kashmiri people's cause, they should continue to be steadfast and unified in their desire for self-determination. In order to combat the tyranny and occupation of the Indian people, they ought to investigate the options for nonviolent resistance and civil disobedience.
7. The world should push India and Pakistan to continue their negotiation process and acknowledge the Kashmir conflict as an imminent threat to international peace and security. Additionally, it need to put pressure on India to abide by international law, UN resolutions, and the democratic and human rights of the Kashmiri people. Along with monitoring the state of human rights in the area, it should also help the Kashmiri people in humanitarian and developmental ways.

In addition to fostering harmony and communication in the area, the following policy suggestions can aid in the socioeconomic development of IIOJK by:

1. Ending the Indian occupation and persecution and returning IIOJK to its former political and legal status.
2. Addressing the economic problems and requirements of the Kashmiri people, as well as improving their living circumstances and human development indices.
3. Preventing the escalation of conflict and bloodshed by lowering tension and enmity between India and Pakistan.
4. Allowing the Kashmiri people to exercise their right to self-determination while respecting their goals and desires.

5. Developing a climate that is favourable for communication and diplomacy, as well as strengthening regional and international cooperation and stability.

By offering a thorough and critical examination of the socio-economic and political effects of India's annexation of IIOJK, this work advances the realms of academia and policy. It also provides some reasonable and practical policy suggestions for settling the Kashmir problem diplomatically and via discussion. It closes the vacuum in the body of knowledge on the Kashmir issue and offers a novel viewpoint on the obstacles to and prospects for regional peace and communication.

Future research might proceed in the following directions:

1. To compare the political, socioeconomic, and governance environments of IIOJK; To evaluate the effects of various constitutional arrangements and governance models on the welfare and advancement of the Kashmiri populace.
2. Examining the possibilities and difficulties of their engagement in the discussion and diplomacy process, as well as the role and impact of the diaspora and civil society in the Kashmir issue.
3. In order to address the shared dangers and difficulties, it is important to analyse how the COVID-19 pandemic and climate change have affected the Kashmir conflict and to determine areas where stakeholders may work together and coordinate.

## CONCLUSION

A catastrophic human rights crisis, humanitarian crisis, political impasse, and deep economic downturn have resulted from India's annexation of the IIOJK, which has been done in violation of bilateral agreements with Pakistan as well as international law. The mobility, communication, health, education, and livelihoods of the Kashmiri people have been severely restricted. Additionally, Indian security forces have brutally repressed, tortured, killed, and disappeared many of them. Intensifying hostilities between India and Pakistan over the Kashmir issue has undermined regional and international security and raised the possibility of a nuclear exchange. A genuine and inclusive conversation that respects UN resolutions and the aspirations of the Kashmiri people for self-determination is necessary to settle the conflict.

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