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The Gilgit-Baltistan Factor in India-Pakistan Dynamics

Priyanka Singh

Abstract

Gilgit-Baltistan (GB), part of Pakistan occupied Kashmir, is swiftly ascending on the geopolitical horizon in the wake of the coveted China Pakistan Economic Corridor being built through it. Given India's strident reservations on CPEC based on its extant claim on the region, GB has gained considerable focus in the India-Pakistan equations as well. GB represents a stark reality that stares at India's broader quest against burgeoning Sino-Pakistan nexus on its periphery. The paper relooks at India-Pakistan dynamics-bilateral and geopolitical-through the lens of GB while listing out India's approach, position and implications vis-à-vis GB.

Introduction

Gilgit-Baltistan, part of Pakistan occupied Kashmir (PoK) has remained on the centre stage in the regional strategic discourse at least for a decade now. This was especially so since *The New York Times* article by Selig Harrison, noted thinker and author, in August 2010 made some revelatory observations on the increasing Chinese footprints in what he referred to as Pakistan's "Northern Borderlands".¹ Harrison's piece was instrumental in driving focus towards what had been an obscure identity/element in the broader Kashmir narrative. Though GB has been under Pakistan's control, India has an extant territorial claim on the region- it

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being a part of the erstwhile princely state of Jammu and Kashmir (J&K). The region was deceitfully usurped by Pakistan with active involvement and abetment from the British. In this context, the paper is an attempt to look at the India-Pakistan equation particularly through the prism of Gilgit Baltistan. It is important to state at the outset that GB's accession happened at a time when India's leadership and the armed forces were not only distracted but completely occupied at the western front in the so-called Azad Jammu and Kashmir (AJK) where Pakistan unleashed a tribal invasion and wreaked havoc on the lives of innocent residents of the state.

GB's Strategic Import

GB is strategically located in the heart of Asia, and in several senses, the virtual pivot of the strategic construct that has perennially been attached with the erstwhile princely state of J&K. GB region is the confluence of key mountainous ranges- the Himalayas and the Karakoram Range, the Hindu Kush and the Pamirs. It straddles the strategic Wakhan Corridor in the Badakhshan province of Afghanistan, rest of J&K, China's Xinjiang province, the so-called 'AJK' and Pakistan's Khyber Pakhtunkhwa and Punjab provinces.

The region due to its distinctive geography remained inaccessible despite its core strategic quotient and its uniqueness with an underlying potential as an important gateway to the broader region. It was due to the strategic location that the British took control of it from the Maharaja of Kashmir in 1932 vide a 60-year lease. With an eye on keeping a tab over moves by Czarist Imperial Russia, an arch adversary, the British signed the lease at a point when their eventual withdrawal from the subcontinent was probably nowhere on the horizon. However, the lease was prematurely revoked in 1947 on the eve of the end of British rule from the subcontinent.

The chaos that followed the withdrawal of the British was conducive for a local rebellion to erupt in GB soon after-one that was propelled

by dissenters in the Maharaja's state forces with active support from the British and elements of the Pakistani establishment. A hasty accession in GB clouded by mass violence and havoc brought it under the direct control of Pakistan. GB's contested accession clashed with the Instrument of Accession that was already signed by the Maharaja of Kashmir on 26 October 1947, in favour of India. According to the Instrument of Accession, all areas that comprised the then princely state of J&K, including GB, acceded to India. Therefore, J&K's accession in fact preceded GB's controversial accession to Pakistan one that concluded under dubious circumstances.

GB's Geo-Political Trajectory

Given GB's geographical endowment, it is essential to examine why the region received less attention than was due- be it the India-Pakistan equations or the larger geopolitics of the region. Following are some of the realities that can be discerned with regard to obfuscations vis-a-vis GB with regard to respective approaches of India and Pakistan and how this has helped China not only to grab a substantial part of GB territory but also get engaged in widespread economic and strategic infrastructure building in the region despite dissenting voices and popular dissonance.

Eclipsed by the so-called 'AJK'?

The former princely state of J&K was ambushed by a pre-planned tribal raid soon after India's independence and creation of Pakistan. The raiders attacked parts of the state on the western plank which majorly consisted parts of the Jammu region along with swathes of the Kashmir valley. This particular region, too, continues to be under Pakistan's rule being farcically referred to as the so-called Azad Kashmir or the 'AJK'. The deceitful invasion and its aftermath unravelled a complex interplay of heightened tensions between India and Pakistan leading to a reference

of the matter to be adjudicated at the newly constituted world body, the United Nations. In the ensuing hectic parleys, the discussions remained trained on the matter as to fixing who the aggressor was, whether the tribal invasion was home-grown with local roots and local concerns/years against the Maharaja's rule, and whether Maharaja's will reflected that of the people.

The fact that a substantial sector of the J&K's territory acceded unlawfully to Pakistan under distress of a local rebellion aided and abetted by the residual sections of the British army was overshadowed, neglected and rather eclipsed by the matter concerning a strip of territory that Pakistan has usurped as a result of the tribal ambush- sanctioned by the leadership and unleashed by its army. Though India did raise the issue of the usurpation of GB in the subsequent UN debates and discussions, its focus on the region remained substantially low due to a variety of factors important being the looming international isolation it faced in the Cold War-tarred divisive geopolitical landscape.

Overshadowed by Kashmir

It is quite stark how GB has remained de-hyphenated from the broader discourse on Kashmir especially with regard to the persistent tussle between India and Pakistan over the issue. Besides, the international acquaintance to GB being part of Kashmir has remained dimly low due to a range of factors- Pakistan's deliberate attempt to keep it disengaged from the discourse being one of them. This obfuscated pattern on GB continued until Chinese forays in the region diverted international focus towards it, its territorial link and, more importantly, the decades-old deprivation of political status for the region.

Eyed by China

China's was quick to identify GB's strategic value in its scheme of territorial aggrandisement and its ruthless desire to preserve/secure its

periphery. The fact remained that GB laid in the vicinity of China's un-demarcated northwest. As soon as Pakistan gravitated towards the Peoples Republic of China during the late 1950s, the two countries huddled up to finalise what later came to be known as the provisional China-Pakistan Border Agreement eventually signed in March 1963. As a result of this provisional agreement, Pakistan illegally ceded part of the territory of the GB region- the 5,130 square miles Trans Karakoram Tract to China. In this territorial swap, Pakistan was handed control over some territory that China presumed to be under its control. Moreover contemporarily, the Belt and Road Initiative (BRI), and its flagship China-Pakistan Economic Corridor (CPEC) was key to bringing popular focus towards GB that was for the most part of its post-1947 history left wanting of external attention/focus given GB's strategic location at the confluence of continents and strategically important mountain ranges.

GB in the Contemporary India-Pakistan Bilateral Conflict Matrix

More recently in November 2020, the announcement by Pakistani Prime Minister Imran Khan that a provisional provincial status will be conferred to GB raked up a diplomatic furore between India and Pakistan further aggravating the already acrimonious ties.² Ever since the inception of CPEC, India has consistently scaled up its attacks on Pakistan's hold over GB and stridently opposed any move to change the status quo in the region including the now controversial decision to absorb the region as Pakistan's fifth province. Irrespective of the fact that Pakistan has ushered in several changes in the region- ceding part of its territory to China through an illegal border treaty, making irreversible changes in the demography of the region to un-populate the Shia majority by reversing the State Subject Rule, and in the last few years trying to concertedly absorb GB as a province in an attempt to siphon it off from the broader issue of Kashmir.

Given GB is part of the former princely state of J&K, and a significant leg in India's territorial claim over PoK, as of today, it incrementally affects the bilateral equations between India and Pakistan at several levels. First and foremost, it is an indivisible part of India's claim on PoK – a steadfast position that has remained unaltered since 1947. In the wake of China-led massive infrastructure drive under the BRI umbrella, including that of CPEC, it is India's extant claim on the GB that has centrally shaped the contemporary discourse woven around India's persisting resistance towards the BRI, and CPEC in particular. Plainly speaking, GB is swiftly ascending to being a defining factor in the India-Pakistan dynamics be it in the domain of the India-Pakistan contestation over Kashmir or Pakistan contesting India's claim and territorial control over J&K and Ladakh.

However, this was not the case always. Why did it take this long for GB to arrive on the bilateral radar between India and Pakistan? Why the region's existence was deliberately and by design dimmed in the Kashmir discourse? These are the pertinent questions that need to be further explored and explained. This was despite some path-breaking international reports published way back such as Emma Nicholson's report (2007) to the European Union Parliament that made scathing observations on the grim realities besetting GB.³ Similarly, the International Crisis Group (ICG) report titled *Discord in the Northern Areas* also published in 2007 was an equally revealing account of the existing harsh ground realities in the entire GB region.⁴

GB in the India-Pakistan Dynamics: Historical Realities & Contemporary Challenges

On the eve of India's independence, India's leadership was pre-occupied with existential issues of integration of princely states coping with a bloody division of the subcontinent in what was a far from peaceful transfer of power. GB was a remote region comprising a section of population hugely

disgruntled with the state's administration headed by the Maharaja of Kashmir. There were significant numbers of soldiers who had deserted the Maharaja's state forces. The fact remains that members of the residual British forces were partisan and sympathetic to the Pakistani establishment and were equally well-versed with the strategic significance of GB. It was these British soldiers who played a significant role in staging the revolt against the Maharaja of Kashmir consummating in the eventual accession of the region amidst large scale violence and bloodshed.

On the other side in India, the two leaders that helmed the developments concerning the princely state's transition to the India Union were Prime Minister Jawaharlal Nehru and Sheikh Abdullah of the National Conference with its pronounced secular outlook. Both these leaders were immensely popular in Kashmir but perhaps did not enjoy much hold as far as the politics and society of GB was concerned.

It is also important to take into account whether the leadership in India concurred on the approach towards GB. Mahatma Gandhi who remained at the fore of India's independence was not in favour of "unqualified inclusion" of GB region in Kashmir since the region was under British lease for a good number of years.⁵ He was apparently not convinced looking at the celebrations over the restoration of Maharaja's rule on the region on his visit to Sri Nagar, capital of J&K. This was soon after GB's lease lapsed with the commencement of the British withdrawal from the subcontinent.

Nonetheless, one could also argue that contrary to the reality that GB has remained under-focussed and on the periphery of the larger Kashmir issue, the issue has been at the centre of a series of contention between India-Pakistan, and India-Pakistan-China. This trend began quite early as dynamics between India and Pakistan were still in a nascent stage and Chinese tinkering in the India-Pak bilateral equations had begun to occur gradually. Following is the series of events/issues/incidents where GB perceptibly became the flashpoint between the two sides:

The Sino-Pakistan Border Agreement March 1963

The first flashpoint occurred as Pakistan began cosyng up to the People's Republic of China in the late 1950s leading up to secret negotiations on demarcating their so-called borders between the two-area comprising GB. The negotiations eventuated in the Sino-Pakistan Boundary Agreement that was signed on March 2, 1963. As a result of the agreement, Pakistan ceded control to China over 5,130 square miles of territory of GB what was then and continues to be a constituent of the princely state of J&K. India had stridently opposed the provisional boundary agreement noting both countries-China and Pakistan- had no *locus standi* on Kashmir and, therefore, could not trade away parts of the former princely state. India observed:

“Pakistan merely for nuisance value and as an instrument to put pressure on us-has entered into negotiations and concluded an agreement with the Central Government of the People's Republic of China. That agreement is in total violation of any rights or authority Pakistan may possess, for it has no sovereignty over this state; it is not Pakistan's to trade away or negotiate about. It has been done on a basis which we cannot accept- our position in regard to China, which is not under discussion before the Security Council”.⁶

To China, India expressed its categorical reservations noting: “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 third 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”.⁷

However, the Chinese side defended the illicit illegitimate agreement. It noted on May 31, 1962: “More than ten years have passed and despite the best wishes and expectations cherished by China, this dispute between India and Pakistan remains unsettled. In these circumstances, anyone 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 the control of Pakistan over Kashmir. It is entirely necessary, proper, legitimate, and in accordance with the 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”.⁸

The Sino-Pakistan Border Agreement was the precursor of the Sino-Pakistan economic engagement and strategic collaboration that was to grossly proliferate in the coming decades. The Karakoram Highway now seen as the cornerstone of the multibillion CPEC was built in the years after Pakistan and China signed the provisional boundary agreement. The highway was completed and opened for public use in the late 1970s. It was through this highway- often hailed as the highest concrete road in the world- that Pakistan is said to have received illicit supplies of nuclear material from China. The role of this about 1300 km long highway in the evolution of China-Pakistan strategic partnership is considered pivotal in terms of developing connectivity and cementing the bond of friendship between the two sides.

Bangladesh Liberation War 1971

The second flashpoint in this regard was the 1971 Indo-Pakistan War that occurred around the Bangladesh Liberation Movement in the then East Pakistan. Amidst the stiff military standoff between the two countries,

a small contingent of the Indian army led by Major Chewang Rinchen unleashed an offensive on the Line of Control (LoC) straddling the Baltistan region. As a success of this particular operation during the 1971 crisis, India was able to capture four villages in the Baltistan region- those that continue to be under Indian control and possession. The total area captured by India was about 804 square kilometres. Apart from Turtuk, other villages included- Chalungka, Thyakshi and Thang.⁹ Turtuk is the last Indian post on the LoC straddling the Baltistan region and has for reasons obvious been a high-security zone. The remote village was opened up for tourists only in 2010 given the steep strategic and security sensitivities involved.¹⁰

The villages captured by India were never claimed back by Pakistan. Even during the Simla Conference held in the aftermath of the war when the Indian and Pakistani sides sat down for negotiations including the release of thousands of Pakistani prisoners of war, the issue of these villages did not come up prominently. Quite apparently, Pakistan did not make any serious effort to reclaim these strategic villages in the Baltistan region nor was it able to seize possession thereafter. These villages, henceforth, have remained under India's physical control all these years.

The Kargil War

A subsequent crisis concerning GB was the Kargil War in the summer of 1999. Soon after Prime Minister of India and Pakistan-Atal Behari Vajpayee and Nawaz Sharif signed the Lahore Declaration in 1999, massive infiltration by the Pakistani army in the Kargil sector led to a prolonged military confrontation between the two countries. The military standoff between India and Pakistan lasted for months. Pakistan initially made an effort to shield itself by flimsy claims that the intruders were mujahedeen fighting for the Kashmir cause and not the Pakistani army. However, the web of lies was soon exposed especially when Pakistan refused to take back bodies of the Northern Light Infantry

(NLI) soldiers killed by the Indian forces amidst the conflict. The NLI, a paramilitary force manned majorly by locals from GB was massively deployed and used by Pakistan during these operations. Despite their contributions, the Pakistani side disowned their bodies just to uphold their false claim that they were mujahideen and not regular members of the Pakistan armed forces.

During the Kargil crisis, India did have an option to cross the Line of Control. This is especially so as Pakistan had committed gross violations by intruding its army in the Indian side of the LoC and capturing strategic heights in the Kargil sector by sheer deceit. Indian forces valorously fought with the Pakistani captors and eliminated them before freeing all the heights and regaining control over them. The moot question is: had India decided to cross the LoC it stood a potential chance to recover more areas in GB from Pakistan's control? India, however, did not do so and this was in contrast to 1971 offensive on the LoC. Instead, India in spirit of the 1972 Simla Accord, chose to respect the sanctity of the LoC and honour the provisional understanding it has with Pakistan on the LoC spanning the J&K and Ladakh sector.

CPEC

In contemporary times, BRI and the CPEC in particular, have trained the focus on GB. The upcoming economic corridor has yet again stirred the dynamics/cauldron between India and Pakistan. A chronological review of developments around India's resistance to the economic corridor being built through a territory that India claims as its integral part shows that Pakistan was rather unprepared and hadn't really considered India would so actively and vociferously oppose the project. This was partly because India remained silent or at least perceived to be silent on issues when some irreversible changes were being initiated and executed in the GB region at Islamabad's behest- be it the demographic transition, revocation of the State Subject Rule, etc.

India's reaction to the unwarranted developments in GB became sharper once the Chinese intervention in the region intensified and was reported widely all across including in the West. From thereon, India issued objections and formal official statements slamming how countries including China supporting projects in the PoK region, including in GB, is an illegitimate act as the territory is claimed by India as part of J&K. India's toughened position against the CPEC was irksome for both Pakistan and China. This renewed up front approach was in break of India's inertness and a passive policy on PoK in the past especially as it watched the Sino-Pakistan equations grow subsequently becoming entrenched over several decades. Therefore, throughout CPEC's evolutionary phase, Pakistan's effort had been to undermine India's claim on GB on the one hand, and reject/ignore India's objections to China's expansive strategic connectivity drive on the other.

Opening the Kargil-Skardu Route

In a major landmark move, India and Pakistan opened up points on the LoC for travel and trade across the two sides in 2005 and 2008 respectively. The bus service was initiated on the Uri-Salamabad route and the Poonch-Rawalakote route in 2005 and trade was started in October 2008. On the lines of the cross LoC movements in the J&K sector, people in the Ladakh sector have been long yearning for possible opening of the Kargil-Skardu route. Prime Minister Manmohan Singh during his visit to Kargil in 2005 acknowledged this popular sentiment.¹¹ The former PM noted in his address: "I have been told that the people of Kargil are keen on having the links restored with Gilgit and Baltistan and opening of the Kargil-Skardu road is under consideration."¹²

However, Pakistan on its part has been consciously reluctant to open up this particular point particularly so as it could give India access to the GB sector. Since Pakistan's creation and its deceitful seizure of the GB region, there have existed hundreds of divided families on both sides of

the LoC. The tragic state of the divided families and their decades-old separation was partially addressed by opening up the travel routes in the Jammu and Kashmir belt. The Kargil-Skardu route has remained neglected all these years due to Pakistan's dubious reticence and India being in a helpless state to act on the proposal without Pakistan's consent.¹³

Deciphering India's Perceived 'Silence' on GB

A lot has been discussed about India's purported neglect of the GB all these years. It was only when the Chinese made extensive inroads in the region and established their economic stakes that India was woken up to this stark strategic reality. Such contentions, however, may not wholly hold true. India was conscious of its claim on GB since the inception of the Kashmir issue and while it was evolving at the international level in the years following Pakistan's acquiring control over the PoK region. As described in the preceding section, India's diplomatic offensive in the run-up to the signing of the Sino-Pak Border Agreement 1963 is testimony to the seriousness and gravity of the Indian claim on GB.

Prior to this, V Krishna Menon as India's Defence Minister made an impassioned marathon speech at the UN where he extensively referred to Pakistan's unwarranted seizure of GB while positioning the region's inherent strategic capital. Menon argued that the region was crucial for India's security interests. Menon's scathing exposition was revelatory and accused Pakistan of having "annexed" and "incorporated" the Northern Areas (as GB was referred to as then) comprising Chitral, Gilgit and Baltistan.¹⁴ Reiterating Gilgit's pivotal geographical location in the heart of the continent, Menon asserted "that there is no question of it not being part of Kashmir" acknowledging how the region was "strategically very important to India for its defence".¹⁵

Attacking Pakistan's *raison detre* on the region, Menon's speech attacked Pakistan's dubious game plan as to how it discretely went ahead and incorporated the region even without informing the UN which

had begun to look into the Kashmir issue and even before the world body passed a resolution on the same. Pakistan failed to intimate the UN about its dubious act of overtaking control over the region even though the lease was dissolved before the British forces withdrew from the subcontinent. Menon's contention on GB was based on the reality that the region was under the control of Maharaja of Kashmir on the eve of British withdrawal and he signed the Instrument of Accession in favour of India on 26 October 1947, much before GB was made to accede to Pakistan under suspicious circumstances.

Notwithstanding the historical reality that India has been engaged in several wars with Pakistan over the decades and one with China in 1962, has resultantly caused excess drain not only on material resources, but more importantly, absorbed/hijacked its diplomatic energies and geopolitical designs, India has maintained a consistent official approach on PoK - in unequivocal terms that the territory in entirety belongs to India. The emphatic position has weathered the decades-spanning bloodshed in the Kashmir valley unleashed by Pakistan and India's untiring efforts to thwart all such attempts to cause internal violence and instability in J&K.

It was amidst heightened Pakistan aided militancy in the Kashmir Valley that the Indian Parliament unanimously adopted a resolution on 22 February 1994, noting categorially "Pakistan must vacate the areas of the Indian State of Jammu and Kashmir, which they have occupied through aggression."¹⁶ The House Resolution further read that India: "expresses 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."¹⁷

However, it is fair to also acknowledge that it was the increasing Chinese activities in PoK and the unveiling of the BRI and CPEC that has provided a decisive fillip to India's approach on PoK and, GB in particular. That a multi-nation, multibillion-dollar project was crossing

through a disputed territory claimed by India has given India the necessary ammunition to deflate Pakistan's Kashmir propaganda- for allowing an externally aided project to come up via PoK without India's consent so as to only reflect how unserious Pakistan was towards the resolution of the Kashmir problem. Additionally, given the volatility across the Durand Line, the moot question has always been whether, for India, GB is better as a border or a buffer?

Much before the geopolitical euphoria had set in and around CPEC and India's stiff opposition towards it woven around territorial claim on GB, the report titled "A New Compact with the People of Jammu and Kashmir" by a group of government-appointed eminent interlocutors laid out special emphasis by vividly describing aspects on GB.¹⁸ India's position on GB being an inseparable part of the Kashmir issue has persisted for decades. It consistently heeds to the reality that an impending solution (if any) cannot be arrived at without taking into account the existing ground realities and the situations besetting the GB region.

GB in the India-Pakistan-China triangular theatre

Flowing from this reality is another theatre where GB seems to now figure prominently- the triangular India-Pakistan-China quest. This is especially so in the context of the regional debate on the BRI through which China is trying to strengthen its foothold in India's neighbourhood. The discussion around BRI is presently ridden with India's consistent opposition to the Chinese intrusive infrastructure drives, especially in its proximate region. India did not attend the gala BRI summit in May 2018 – through which China was trying to create spectacle of all-encompassing support to BRI. Before this, India has raised objections against the BRI and the leadership at the highest levels of engagement with China had expressed reservations including during Prime Minister Narendra Modi's visit to China in 2015.¹⁹ Even on the sidelines of the G-20 summit held

in Hangzhou in September 2016, Prime Minister Modi is known to have conveyed to the Chinese President Xi Jinping that the two sides must be mutually “sensitive” to their respective strategic interests.²⁰

What Lies Ahead?

GB is of immense political and strategic capital given it is the only land link between China and Pakistan - the long-held steadfast iron brothers. GB's strategic potential is, therefore, indelible and continues to be the geopolitical foci of the China-Pakistan strategic partnership. Today, GB is at the core of the Pakistan-China nexus on India's periphery. More broadly, the significance of GB in China's Western periphery project concerning Tibet and Xinjiang has simultaneously ascended.

The unfolding grim situation in Afghanistan even before the US withdrawal was complete, is a factor to reckon. Given GB straddles the Wakhan Corridor bordering Afghanistan, whether the evolving volatility in Afghanistan could penetrate and adversely impact the situation in the region is something one needs to closely observe at least in the medium term. In the meanwhile, it would be interesting to see whether the Chinese would revisit/reassess their ambition to extend CPEC into Afghanistan against emerging realities.

In this context, India's challenges vis-à-vis GB have multiplied. India emphatic and consistent stance against the BRI and CPEC is much to China's distaste. India's upfront material constitutional changes in the J&K and Ladakh region – and territorial claim on Aksai Chin by the highest echelons of the government have caused a great deal of friction at the bilateral level with Pakistan and has shaken the triangular dynamics involving China-Pakistan partnership. India's swift and smooth gravitating towards the United States on one hand, and further frosting ties with Pakistan on the other, are additional factors to reckon with while analysing India's approach towards GB at the larger geopolitical plane.

It remains to be seen how far India is able to create and exercise strategic options vis-à-vis GB and deal with geopolitical fallout of a proactive/aggressive stance, if any, including at the international fora.

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