



RIGHT TO SELF-DETERMINATION, YES OR NOT? BRIEF CONSIDERATIONS ON THE CONTROVERSIAL CASE OF THE KASHMIRI PEOPLE

Over the years, the violation of the principle of peoples' self-determination has been repeatedly invoked by the Islamabad Government and Pakistani scholars, as well as the Organization of Islamic Cooperation (OIC) to challenge the Indian Government's exercise of sovereignty over the territory of the State of Jammu & Kashmir. The fact that these accusations do not appear to be exactly disinterested, coupled with the observation of the tendency of States and territorial entities to "abuse" the principle of self-determination of peoples raises questions about the merits of these accusations.

This article aims to investigate whether the Kashmiri people held the right to self-determination when the annexation of the State of Jammu & Kashmir to India took place and, therefore, whether the latter took place in breach of international law, or whether this people can now claim such a right.