

WEAPONISING PLAUSIBLE DENIABILITY IN INTERNATIONAL LAW: EXAMINING INDIA'S USE OF GREY ZONE TACTICS AND CLANDESTINE OPERATIONS

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ABSTRACT

Grey zone warfare – covert operations conducted by states during peacetime to achieve political and military objectives without raising the risk of direct conventional confrontation – has become a defining feature of contemporary conflicts in South Asia. In this context, India has long been accused of providing both material and financial support to armed militant groups operating against Pakistan's interests. This study maps the progression of such instances in the 21st century across four periods: the 2000s, 2010s, post-2020, and 2025. Employing qualitative methodology, the paper explores potential drivers for these actions through Ajit Doval's Doctrine of 'defensive offense,' followed by an analysis of international legal frameworks that facilitate attributional obscurity in proxy warfare. The study contends that international law, originally designed for inter-state warfare, has inherent structural deficiencies that make it ineffective in combating the use of covert aggression, leading to severe implications for state security, regional stability and international accountability.

KEYWORDS: Proxy Warfare, Grey Zone Conflict, India-Pakistan Relations, State-Sponsored Terrorism, Doval Doctrine, International Law.

INTRODUCTION

The strategic landscape of South Asia has long been marred by rivalry between India and Pakistan. Although the relationship has historically been characterised by a state of 'negative peace' (the absence of overt violence despite unresolved disputes) (Galtung, 1969), it continues to evolve through new modalities and strategies of warfare. Grey zone warfare (covert operations, proxy actors, and unconventional tools used by states to achieve objectives without confrontation) has become increasingly prominent (Dowse & Bachmann, 2019), a prospect particularly appealing to nuclear-armed rivals. In this context, Pakistan has repeatedly accused India of supporting proxy networks to internally destabilise the state, including evidence of funding, training, weapons supply, and related sponsorship activities, including the arrest of Kulbushan Yadav, a confirmed Indian Naval Intelligence official supporting militant separatists in Balochistan (Ministry of Foreign Affairs, 2017). While Pakistan presents these cases internationally, India's systematic denials and the plausible deniability inherent to covert operations obscure direct attribution and accountability, making proxies strategically advantageous. Although deniability offers sponsor states this strategic advantage, it challenges fundamental principles of international law, particularly the non-intervention principle in sovereign state affairs (Rudko, 2020).

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Subversive activities conducted without attribution and accountability undermine state sovereignty, the basis of the current international order. This lack of accountability stems from structural gaps in international law, including Articles 2(4) and 51 of the UN Charter, which require strict attribution standards before legal proceedings may be initiated (Moghadam, Rauta, & Wyss, 2023, p. 249). India's ability to employ covert operations necessitates a critical examination of international law frameworks and attribution mechanisms, which appear increasingly strained by the complexities of proxy warfare. This paper analyses these dynamics through the central research question: why does India's alleged use of proxies evade international ramifications, and what makes proxy warfare strategically desirable for India? It further examines how the use of proxies impacts regional and international security.

Given the ambiguity surrounding the topic, this paper employs a qualitative methodology, relying primarily on secondary sources, including academic literature, research papers, news articles, and official documents and reports where necessary. The paper is divided into four main sections, all of which explore distinct dimensions related to this study. Section I carries out a systematic dissection of all alleged incidents post-2000s, most notably the arrest of Kulbushan Yadav, a serving Indian officer engaged in covert activities in Balochistan ("Who Is Kulbushan Jadhav?" 2017). The geographic scope of this exploration is confined to the territories of Pakistan, while also acknowledging the neighbouring areas of Afghanistan and Iran, which are frequently cited as militant transit routes. Section II analyses India's potential motivations through the lens of Ajit Doval's doctrinal framework, which advocates for waging covert warfare as a means of 'defensive offense' (Noorani, 2015). This is followed by Section III, which explores the concept of plausible deniability in international legal frameworks, as well as the dimensions that make the process of attribution challenging in cases of proxy warfare. Finally, section IV analyses the implications and destabilising effect of proxy warfare in the region within the nuclearised context of South Asia.

INSTANCES OF INDIA'S PROXY USE

➤ WHAT IS PROXY WARFARE?

Proxy warfare, though a common term in the contemporary era, is not a new concept. In fact, it dates back centuries. From the Peloponnesian War of 431 BC (Pfaff, 2024), in which both warring parties funded allies to weaken each other's sphere of influence, to the Roman-Parthian conflicts of the 3rd Century CE, indirect warfare through the use of proxies has remained recurrent. Although the use of third-party intermediaries remains an enduring feature of warfare, the modern term 'proxy warfare' likely gained prominence in the mid-20th century (Lee, 2025), particularly during the Cold War, when the US and the Soviet Union supported client states and insurgents across Africa, Asia, and Latin America (Rondeaux & Sterman, 2019). Contemporary usage refers to the sponsorship of forces, including non-state actors, terrorists, and militant groups, to wage limited war below the threshold of direct conflict while evading accountability under international law. There are, however, ambiguities in the comparatively limited and sometimes vague classification of non-state actors under international law. International law distinguishes between mercenaries (defined strictly under Article 47 of Additional Protocol I (1977) as individuals who must cumulatively meet a total of six specific criteria,

including recruitment driven by private financial gain) and armed militias or volunteer corps that “belong to” a Party to the conflict and satisfy the conditions in Geneva Convention III, Article 4A(2), thereby qualifying as lawful combatants (1977 Additional Protocols to the Geneva Conventions of 1949, 2021). Similarly, armed insurrections (uprisings against state authority) are distinct from separatist groups (which may involve claims of self-determination), but fall under the same rules when the threshold for a non-international armed conflict is met. Sleeper agents (operatives who remain dormant for years before activation) are also distinct from covert operatives who conduct hidden activities more immediately under false identities (Nash, 2021). These distinctions enable states to obscure their involvement by using proxies and maintaining plausible deniability. States often engage in grey-zone activity to evade clear violations of the prohibition on the use of force under the UN Charter (D’Cunha et al., 2025). This creates significant challenges for accountability under international humanitarian law and the rules on state responsibility. In the context of India and Pakistan, proxy warfare has long been alleged by Pakistan’s political and military representatives, who accuse India of sponsoring militant groups to internally destabilise the state. For this study, the examination of these allegations is limited to the post-2000 period and divided into four sub-sections: early allegations in the 2000s, intensification in the mid-2010s, inter-nationalisation in 2020, and recent developments in 2025.²

➤ **EARLY INSTANCES: POST-2000S**

The first major allegation of Indian support for proxies in the 2000s came from President Pervez Musharraf in 2007 (Patterson, 2007). In a meeting with US Deputy Secretary John Negroponte, Musharraf claimed to have ‘ample proof’ of Indian and Afghan involvement in providing weapons, funding, and training to Baloch dissidents. Authorities had uncovered letters addressed to Kabul-based Baloch nationalists Brahamdagh Bugti and Baloch Marri, instructing them on distributing arms to militants, indicating foreign involvement in what were portrayed as homegrown insurgencies (Patterson, 2007). While this allegation drew no significant international repercussions, it marked the beginning of a recurring pattern. The next major allegation occurred in 2010, when Interior Minister Rehman Malik testified before parliament that he had received ‘solid evidence’ implicating India in unrest in Balochistan (Minister Sees Indian Hand in Unrest, 2010). Weapons of Indian origin had been recovered across Pakistan, demonstrating material support to regional militants. Malik suggested that Afghanistan was used as a transit route for these supplies and, when questioned about a terrorist attack in Karachi, alleged Indian involvement in an external conspiracy exploiting internal divisions (Minister Sees Indian Hand in Unrest, 2010). These claims were supported in 2011 by the Inspector General of the Frontier Corps in Balochistan, who confirmed India’s use of Afghan soil to destabilise the province (India Using Afghan Soil for Attacks in Balochistan, 2011).

² Though instances of proxy use do not conform entirely to distinct chronological categories, the separation is introduced to demonstrate their progression and continuity.

➤ **INTENSIFICATION: MID-2010S**

While allegations of proxy use by political and diplomatic figures remained fairly common in this era, a notable divergence came in the form of official statements issued by prominent military personnel. Among them was military spokesperson, Major General Asim Bajwa, who in 2015 categorically accused India of supporting terrorism in Balochistan and Federally Administered Tribal Areas (FATA) (Syed, 2015). In his statement, then-Director General (DG) of the Inter-Services Public Relations (ISPR) explicitly referred to India's intelligence agency, Research and Analysis Wing (RAW), as the main actor supporting the mounting insurgency in Balochistan. This stance was further backed by then-Chief of Army Staff (COAS), General Raheel Sharif, who, during a visit to Quetta, similarly alleged foreign involvement in supporting militants in Balochistan (Syed, 2015).

While Pakistan consistently asserted Indian patronage of militants and terrorists, its claims gained further credibility in 2016, following the arrest of an Indian national named Kulbushan Yadav, as he attempted to cross over from Iran to Balochistan. In a now-published confession, Yadav confirmed his identity as a serving officer of the Indian Navy, working under the alias Hussein Mubarik Patel, to assist RAW in conducting subversive activities in Pakistan (Transcript of RAW Agent Kulbhushan's Confessional Statement, 2019). Yadav stated that he established a business in Chabahar, Iran, through which he was able to cross into Balochistan and later Karachi. From there, he conducted intelligence operations and assignments at the behest of RAW (Transcript of RAW Agent Kulbhushan's Confessional Statement, 2019). In his confession, Yadav stated that his primary duty was to facilitate meetings with Baloch insurgents, establish collaboration and financing channels, and cultivate local networks aimed at destabilising Pakistan (Transcript of RAW Agent Kulbhushan's Confessional Statement, 2019).

Instead of directly addressing the allegations of espionage, India brought the case before the International Court of Justice, in turn limiting the dispute to procedural violations of the Vienna Convention on Consular Relations. By focusing the litigation on issues of consular notification and access rather than the underlying accusations of espionage and proxy warfare, the scope of international adjudication was narrowed (Jadhav Case, 2019). Bound by its jurisdictional limits, the Court's judgment addressed only procedural breaches, leaving the central allegations unresolved. This case illustrates how the structural limitations of international courts can be used to shield sensitive activities from substantive legal scrutiny, in turn preserving plausible deniability in grey-zone conflicts. While India continues to dispute Yadav's status as an undercover RAW operative, this incident remains significant as the first direct and high-profile piece of evidence corroborating Pakistan's allegations (Delhi Denies Arrest of 'Indian Spy' in Pakistan, 2016).

➤ **INTER-NATIONALISATION SINCE 2020**

While the case of Kulbushan Yadav remains the most prominent evidence of India's use of proxy actors, subsequent years provided further proof. In 2020, then-Foreign Minister Shah Mahmood Qureshi unveiled a dossier containing 'irrefutable proof' of India's support for militants, including 'bank transactions, letters, and communications' (Syed, 2020). Sent to the UN and major world powers, the dossier detailed India's material and financial backing of UN-designated terror outfits Tehreek-e-Taliban Pakistan (TTP),

Jamaat-ul-Ahrar, and the Balochistan Liberation Army (BLA). Qureshi claimed this formed part of a broader strategy to undermine Pakistan's economy, cause political instability, and disrupt the China-Pakistan Economic Corridor (CPEC). Supporting this, then-military spokesperson Major General Babar Iftikhar described a 'consortium' of terror groups allegedly built by India's RAW to target CPEC, using Afghanistan as a facilitation route (Syed, 2020). He cited four meetings between an Indian intelligence officer at the Indian embassy in Afghanistan and commanders of the aforementioned groups, as well as transactions through Indian banks to Afghan accounts linked to TTP leadership. Iftikhar further stated that India provided funding, training, weapons, and ammunition to militants, referencing a confession from a Muttahida Qaumi Movement (MQM) operative trained in Indian-led camps. The DG ISPR added that 87 terrorist camps linked to Indian intelligence had been uncovered, 66 in Afghanistan and 21 in India (Syed, 2020). These pieces of evidence substantiate allegations of India's role in proxy warfare, revealing a sustained and multifaceted campaign to destabilise Pakistan.

➤ **EXTRA-TERRITORIAL ESCALATION: ASSASSINATION CAMPAIGNS (2023-2024)**

While the Qureshi dossier documented India's proxy sponsorship within South Asia, subsequent years revealed a shift toward direct state-sponsored assassination operations targeting Sikh separatist figures in Western allied nations. In 2023, the US authorities discovered an assassination plot against Gurpatwant Singh Pannun, a prominent pro-Khalistan Sikh separatist and dual citizen of the US and Canada. In the legal proceedings that soon followed, US prosecutors alleged that Vikash Yadav, an Indian government official (identified as a former RAW officer), directed the conspiracy from India and recruited the Indian national Nikhil Gupta to arrange a hitman for \$100,000 (US Department of Justice, 2024). This 'hitman,' however, was in fact a US Drug Enforcement Administration (DEA) confidential source (informant), and Gupta was eventually arrested in the Czech Republic. In February 2026, Gupta pleaded guilty to murder-for-hire, conspiracy to commit murder-for-hire, and money laundering (U.S. Attorney's Office, Southern District of New York, 2026).

The pattern appeared to escalate with the successful assassination of Hardeep Singh Nijjar on 18 June 2023 in Surrey, British Columbia. The Prime Minister of Canada, Justin Trudeau, publicly declared that there were 'credible allegations' that Indian government agents had been connected to the murder (Duggan & Wintour, 2023). This led to a serious diplomatic crisis between India and Canada, which resulted in the expulsion of their respective diplomats (Sebastian, 2024). While India rejected the allegations, Canada's arrest of three Indian nationals in 2024 on murder charges lent further weight to the investigation (Royal Canadian Mounted Police, 2024). Since then, the killing has been framed by the Canadian authorities as a breach of international law and Canada's sovereignty, including the use of force under Article 2(4) of the UN Charter (Trudeau, 2024). The foiled Pannun plot in the United States and the Nijjar assassination in Canada, when taken together, indicate a pattern of extra-territorial activities aimed at Sikh separatists in Western democratic countries. US charges against Nikhil Gupta and Vikash Yadav, along with Gupta's 2026 guilty plea, have strengthened the evidentiary basis for these concerns.

➤ **DEVELOPMENTS SINCE 2025**

Following the May 2025 hostilities between India and Pakistan and a surge in terrorist attacks in Pakistan, India's sponsorship of proxy actors resurfaced as a key issue. The four-day conflict (7-10 May 2025) was triggered by a deadly attack on tourists in Pahalgam, Indian-occupied Jammu and Kashmir, on 22 April 2025, in which gunmen opened fire on a group of tourists at Baisaran Valley, killing 26 civilians (Hussain, 2025). Consistent with its longstanding accusations that Pakistan sponsors terrorism on Indian soil, India promptly attributed the attack to Lashkar-e-Taiba (LeT), alleging that the group is supported by Pakistan, an allegation strongly disputed by Islamabad (Who Are the Armed Groups India Accuses Pakistan of Backing?, 2025). The attribution was, however, disputed. A First Information Report (FIR) was filed at the local Pahalgam Police Station (located approximately 5.8 kilometers from the attack site) merely 10 minutes after the attack concluded, alleging involvement of "unknown cross-border terrorists acting at the behest of foreign handlers" despite the lack of formal investigation (FIR Details Fuel Suspicion, 2025).

This raised concerns about the timing and nature of this swift attribution, some questioning whether there was prior intelligence knowledge and others whether it was the case of a 'narrative construction' to justify military action (FIR Details Fuel Suspicion, 2025). This exchange exemplifies the bilateral grey zone dynamic in which both states claim the other engages in proxy warfare. Regardless of contested attribution, India launched Operation Sindoor on 7 May 2025, a campaign of missile and drone strikes targeting what India characterised as militant infrastructure in Pakistan and Pakistan-administered Kashmir (Clary, 2025). Pakistan retaliated in kind, stating that India had violated Pakistani sovereignty in the operation, until a ceasefire agreement was brokered by the USA on 10 May 2025 (Clary, 2025). Even before the conflict, the Jaffar Express bombing, in which a train carrying hundreds of civilians was derailed and held hostage by Baloch separatists, prompted allegations of Indian involvement. The DG ISPR claimed that 'handlers in Afghanistan' coordinated the attack (Hussain, 2025). Similar claims followed a bomb attack near a school bus in Khuzdar, Balochistan with the military spokesperson stating that initial findings confirmed Indian involvement ("Khuzdar Attack Driven by Indian Provocation," 2025). CDF Field Marshal Syed Asim Munir described the resurgence of these attacks soon after India's defeat in May as a strategic shift toward sub-conventional warfare, referring to the rise in extremist attacks as India's 'blatant sponsorship of terrorist proxies' to destabilise Pakistan (After Suffering Defeat India Has Escalated Proxy War, 2025).

Allegations continued as Pakistani authorities explicitly labelled groups such as Fitna al Khawarij (TTP) and Fitna al Hindustan (Baloch militants) as 'Indian proxies.' Afghanistan's role as a facilitator also gained prominence, with authorities highlighting its use as a transit route for Indian-sponsored militancy. On 1 August 2025, the Ministry of Foreign Affairs spokesperson stated that groups like the TTP 'enjoy sanctuaries inside Afghanistan' (Ministry of Foreign Affairs, 2025), a claim later supported by a UN Monitoring Group Report confirming terrorist facilitation networks in Afghanistan (UN Report Confirms Al-Qaeda, Fitna Al-Khawarij Presence, 2025). Afghanistan's involvement was further documented in October 2025 with the arrest of 22-year-old Afghan suicide bomber Naimatullah in South Waziristan (Arrest of Afghan Suicide Bomber Confirms Use

of Afghan Soil, 2025). He confessed that Fitna al-Khawarij, alongside the Afghan Taliban, recruits young Afghan nationals for terrorist activities, involving up to three months of training on targeting military checkpoints and personnel. He identified the Chowar route as the path used to infiltrate Pakistan and stated that acts of terror were framed as a religious duty rather than extremism (Arrest of Afghan Suicide Bomber Confirms Use of Afghan Soil, 2025). The surge in attacks peaked on 11–12 October, when ISPR reported the destruction of several terrorist strongholds associated with India-backed Fitna al-Khawarij and Fitna al-Hindustan in response to unprovoked aggression. This triggered clashes between Afghanistan and Pakistan, illustrating the regional spillover of covert warfare.

DRIVERS OF INDIA'S PROXY WARFARE

➤ THE DOVAL DOCTRINE

While India has consistently denied all accusations of proxy use, its doctrinal frameworks suggest a different reality. In a 2014 address, Ajit Doval, soon to be India's National Security Advisor, outlined a strategy for conflict with Pakistan, now known as the 'Doval Doctrine.' This approach emphasized shifting India's efforts from defensive to offensive strategies while remaining below the threshold of full-scale war (Patel, 2025). Doval suggested using diplomatic, cyber, economic, and other sub-conventional tools to make conflict 'unaffordable' for Pakistan, stating that if they could 'do one Mumbai, they would lose Balochistan,' widely interpreted as a covert threat. The Doctrine outlined three modes of conflict: 'defence,' involving purely defensive actions after hostilities begin; 'defensive offence,' involving pre-emptive covert activities within the adversary's territory; and 'offence,' in which both states engage in direct conventional warfare (Patel, 2025). According to Doval, both defensive and offensive options remain undesirable for India as a direct war with Pakistan would risk uncontrollable escalation, which is a mutually destructive prospect in a nuclearised region such as South Asia (Patel, 2025). On the other hand, remaining purely defensive would leave India at a disadvantage. Instead, he advocated for the third option: defensive offence. It would not only bypass the escalatory risks associated with direct warfare but also achieve India's objectives by destabilising Pakistan internally (Patel, 2025). Although the Doval Doctrine does not explicitly mention the use of third-party intermediaries or non-state proxies, its support for sub-conventional warfare raises questions and has been frequently cited as India's implicit acknowledgement of these tools. Doval's statements, when viewed in conjunction with Pakistan's numerous allegations and proof of proxy use, may suggest a pattern of proxy engagements, thereby reinforcing the claims of India's patronage of terrorist groups.

➤ POTENTIAL MOTIVATIONS

The Doval Doctrine provides an important glimpse into India's strategic thinking, as well as its possible motivations for proxy use. States that employ proxy warfare usually do so for a wide variety of geopolitical, economic, and strategic reasons, and India is likely no different. Proxy warfare, through third-party intermediaries, allows sponsor states to wage war without incurring direct damage. By using proxy actors, states can confine conflict to adversaries' territories and achieve military objectives without the economic, infrastructural, or human losses associated with traditional warfare (Watts, et al., 2023). The use of proxies, which only requires funding of militant groups rather than entire

armies, also has a lower direct cost than conventional warfare (Watts, et al., 2023). This cost-benefit is evident in Iran's case, with a US Department of State report estimating that the Iranian regime spends USD 700 million annually to support its alleged proxy, Hezbollah (Iran Action Group, 2020). The cost of Iran's employment of ballistic missiles against Israel on 1 October 2024 was USD 2.3 billion (Cicurel & Tobin, 2024). This clearly highlights the vast cost differential between waging a proxy war and direct conflict. This reduced cost may also benefit domestic politics, as engaging in a protracted open conflict is expensive and likely to be unpopular with the public – a prospect avoided entirely through proxy warfare due to its covert nature. The use of proxy actors is also advantageous from an intelligence-gathering standpoint (Byman, 2018). Local militant groups, such as the BLA or TTP, may be more readily accepted by their target communities. This enables them to gather intelligence and influence the public without provoking the nationalistic backlash that often accompanies overt foreign intervention (Byman, 2018). Most importantly, proxy warfare has the benefit of limiting the possibility of escalation. Due to the clandestine nature of proxy attacks, sponsor states can deny their involvement, which effectively allows them to evade both diplomatic fallout and economic sanctions for their aggression and also limit the risk of escalation (Byman, 2018). This consideration is reflected in the Doval Doctrine, which explicitly advocates for subversive activities below the threshold of a full-scale war without risking nuclear escalation (Patel, 2025). This holds particular significance in South Asia, considering both India and Pakistan's possession of nuclear weapons, which, if employed, would result in catastrophic consequences for both states, as well as for the region and world as a whole.

PLAUSIBLE DENIABILITY OF PROXY WARFARE IN INTERNATIONAL LAW

International Law, despite successfully placing limits on the outbreak of conventional wars, largely falls short when it comes to the matter of proxy engagements. Due to its indirect nature, proxy warfare greatly benefits from 'plausible deniability', a concept that refers to a state's ability to deny its direct involvement in hostile actions. As a result of this, states can carry out covert operations without having to bear any responsibility or legal repercussions under international law. This legal neglect arises because of structural gaps in current international law frameworks, which were originally designed to manage interstate conflicts, not proxy warfare. It renders them ineffective when it comes to matters of governing indirect or covert aggression (Moghadam et al., 2023, p. 85). The foundational provisions of international law, most notably the UN Charter's Article 2(4) (which prohibits the unjust use of force) and Article 51 (which defines the conditions for self-defence), provide basic legal standards for reviewing grey-zone and proxy actions. While Article 2(4) sets a relatively high threshold, the principle of non-intervention is broader, covering coercive interference even below the level of armed force (International Court of Justice, 1986).

Article 51 of the UN Charter governing the right of self-defence, however, also stipulates that the use of armed force must be necessary and proportional. These preconditions become particularly difficult to satisfy in proxy warfare scenarios. Because proxy operations rely heavily on attributional obscurity, victim states often struggle to prove the existence of an 'armed attack' attributable to another state. This can make it difficult to determine the need and proportionality of a possible response (Moghadam et al., 2023, p.

85). Legal frameworks categorise proxy warfare into two types: state proxies and non-state proxies. State proxies are the ones that are influenced to act according to another state's will, as was commonly seen during the Cold War. Non-state proxies, on the other hand, are defined as non-state actors or groups employed to act on behalf of sponsor states. For the objectives of this paper, only the legal aspect of non-state proxies will be analysed. The International Law Commission's Articles on Responsibility of States for Internationally Wrongful Acts (2001) provide further details on the rules of state responsibility for proxy actions. According to Article 8, conduct that is attributable to a State occurs when a person or a group of persons is acting on the instructions of or under the direction or control of that State (International Law Commission (ILC), 2001). This provision was heavily influenced by the ICJ's judgment in the Military and Paramilitary Activities in and against Nicaragua case (1986), commonly referred to as the Iran-Contra Affair. In this landmark case, the Court applied the strict "effective control" test, ruling that broad U.S. support for the Contras (financing, training, and equipping) did not automatically make all their actions attributable to the United States. Under this test, two key elements must generally be satisfied: first, establishing that the proxy acted as a *de facto* organ of the sponsor state (i.e., it could not have carried out the acts without the state's support); and second, proving that the sponsor state directed or controlled the specific operations in question (Boon, 2014, p. 329).

Another test, termed 'overall control', was proposed by the International Criminal Tribunal of Yugoslavia in 1999. This lessened the rigidity of the standards provided by the ICJ by only requiring proof of the sponsor state's participation in 'organizing, coordinating or planning the military actions of the military group, in addition to financing, training and equipping or providing operational support to the group.' While this would theoretically reduce the possibility of plausible deniability in proxy warfare cases, it was rejected by the ICJ. The strict standards for attributing responsibility create evidentiary hurdles for victim states in proving the use of proxies. As a result, there is often little to no accountability or repercussions for proxy warfare, making it a desirable option for states as an alternative to direct conventional confrontation. By using proxies, states can complicate the 'injured party's' burden of proof, requiring it to provide often unattainable evidence of sponsorship to meet legal requirements (Boon, 2014, p. 329). This is especially difficult in cases of proxy warfare where transnational, clandestine, or informal means of support, such as the 'Hawala' system (which uses unofficial chains of networks to transfer funds), are often employed (El-Qorchi, 2002).

Through such systems, actors can also take advantage of the procedural delays that frequently affect multilateral forums. As these platforms are often based on consensus, political disagreements can lead to long setbacks or even complete halts in judgment altogether (Moghadam et al., 2023, p. 87). The covert and ambiguous nature of these operations allows states to maintain a level of anonymity. Therefore, it enables the states to achieve their objectives while also lowering the risk of escalation or retaliation. This is particularly significant in the Indo-Pakistan context, where the presence of nuclear weapons makes direct escalation an undesirable option. Most importantly, plausible deniability in international law not only protects sponsor states but also influences future behaviour. Knowing that their actions are unlikely to result in any form of confrontation or international repercussions, the sponsor states and their proxies continue their hostile

activities (Moghadam et al., 2023, p. 87). This, in turn, may normalise a pattern of behaviour that blurs the line between war and peace, and reduce the deterrent effect of the law, leading to further destabilisation.

IMPLICATIONS FOR SECURITY

India's proxy warfare has numerous implications for security on multiple levels: on the state level for Pakistan, regionally for South Asia, and internationally for the globe as a whole.

➤ STATE LEVEL

In terms of state-level implications, India's use of proxies has five major effects. Firstly, the sponsorship of terrorist groups and local secessionist movements keeps Pakistan embroiled in a perpetual internal conflict. This diverts its attention, resources, funds and military strength away from external threats while providing India with the distinct advantage of a preoccupied adversary if it decides to engage in direct hostilities. In which case, Pakistan would become entangled in a two-front war. Secondly, the use of local separatist movements, such as the BLA, further exacerbates existing ethno-sectarian fault lines (Khan, 2025). Equipping these groups with the means to pursue violent measures for grievance redressal instead of state-authorised mechanisms not only undermines ongoing resolution efforts but also makes the state potentially less willing to compromise and negotiate with the militant party. All of which ultimately decreases the likelihood of a resolution being reached. The prominence of these groups may also, in turn, inspire actors with similar grievances to pursue violence, in turn leading to further instability.

Thirdly, continuous struggles with terrorism have a profoundly negative impact on the economy. The cost of terrorism is felt not only in the loss of life, destruction of property and infrastructure, but also in the reduction of productivity (Ali, 2010, p. 157). Terrorism also results in uncertainty regarding the future, which in turn reduces investor confidence and increases risk perceptions, leading to a decline in investments and therefore, economic growth (Ali, 2010, p. 164). This is particularly evident in the case of foreign investments, with one Croatian study concluding that every 1 percent increase in terrorism results in a 0.104 percent decrease in Foreign Direct Investment (FDI) (Zakaria, Jun, & Ahmed, 2019, p. 1794). Further empirical studies support this link between higher terrorism risk and substantial declines in FDI inflows. For instance, a one-standard-deviation increase in terrorist activity can reduce a country's net FDI position by approximately 5% of GDP (Abadie & Gardeazabal, 2008).

These statistics are particularly concerning in the context of a developing state such as Pakistan, which depends on foreign investments as a key contributor to its economic growth. Fourthly, India's focus on Balochistan as the target region for its proxy use has severe security implications for CPEC (India-Funded, Supported Attacks on CPEC, 2022). Potential terrorist attacks on CPEC projects not only risk disrupting regional economic development but have the potential to damage Pakistan's reputation as a secure partner, possibly jeopardising future collaboration with China. Lastly, the plausible deniability afforded to proxy warfare and the lack of punitive measures to hold sponsor states accountable limit Pakistan's ability to retaliate without being labelled the aggressor. As a

result, India may potentially be emboldened to continue engaging in subversive activities without fear of repercussions, thereby perpetuating instability in Pakistan. Overall, India's employment of proxy actors has the potential to destabilise Pakistan's internal security by exacerbating existing fault lines, inspiring new insurgent groups, negatively impacting its economy, and undermining regional relationships.

REGIONAL AND INTERNATIONAL IMPLICATIONS

In addition to threatening Pakistan's security, India's indirect warfare also poses a risk to regional security. While conventional thinking may suggest that the use of proxy actors would circumvent the escalatory risks associated with direct warfare, in reality, it might do the exact opposite. The lack of repercussions associated with proxy warfare may embolden sponsor states to take increasingly aggressive actions under the assumption of secrecy. This, in turn, could prompt the victim state to respond conventionally, potentially triggering a conflict that might otherwise not have occurred. Alternatively, this engagement in proxy warfare may instead encourage the injured state to retaliate using the same tools, resulting in a constant state of low-intensity conflict between the two parties that blurs the lines between war and peace. This is particularly concerning in the context of India and Pakistan, where previous conflicts such as the 1999 Kargil clashes or the 2019 Balakot incident had the potential to escalate to a full-scale war.

The prospect of confrontation itself has significant implications in a region like South Asia, where the warring parties in question both possess nuclear weapons. Due to this, any likelihood of war between Pakistan and India has far-reaching consequences not just for the two states but for the region as a whole. The use of proxy actors to sponsor terrorism poses additional risks for regional stability. India's reliance on militant groups often exploits the porous borders between Pakistan and its neighbors, Iran and Afghanistan, as facilitation routes. This increases vulnerability in these countries and may drive a rise in terrorism. Moreover, a surge in extremism in one country raises the likelihood of spillover effects, further destabilizing the region. India's proxy use has implications for international security as well. Proxy warfare, while not explicitly guarded against in international law, undermines international norms that govern interstate relations. This exploitation of gaps within legal frameworks, combined with the lack of accountability, delegitimises existing international mechanisms, effectively reducing trust in global regulatory systems and forums as a whole. As a result of this, states may feel increasingly inclined towards bypassing norms and legalities altogether in favour of unilateral forms of 'justice.' To combat this, significant reforms are needed that address the gaps in international legal frameworks and that account for the complexities of modern warfare

CONCLUSION

This paper examines the recurring allegations of India's involvement in sponsoring actors against Pakistan, possible motivations for engaging in proxy warfare through the lens of the Doval Doctrine, permissive gaps in international legal frameworks, as well as the far-reaching security implications at multiple levels. Together, these elements reveal a broader pattern: India's continued exploitation of the legal gaps of proxy warfare to engage in a persistent low-intensity conflict with Pakistan. This occurs under the assumption that the

use of proxies allows the realisation of military and political objectives below the threshold of a direct conventional war. For Pakistan, this has far-reaching implications. India's patronage of militant groups perpetuates internal instability, through which it has the potential to embolden aggrieved groups to also employ violent means as a primary form of resolution. It has a distinctly negative impact on economic growth and may potentially destabilise large-scale projects such as CPEC and impact the country's relationship with China. Regionally, this proxy warfare might lower the threshold for both direct and indirect conflicts, which would significantly raise the risks for both spill over and escalation in a nuclearised environment. Internationally, it might undermine norms and reduce trust in regulatory frameworks.

Addressing these challenges effectively requires a multilevel solution. At the state level, Pakistan needs to combat the challenges of state-sponsored terrorism, and internationally, to build and reform regulatory mechanisms that are equipped with the necessary provisions to address the complications of modern warfare. For Pakistan, a multi-pronged approach is needed that addresses this issue at the military, political, and diplomatic levels. Military measures, such as counterterrorism operations, need to be supplemented with both political efforts that attempt to resolve fault lines and grievances and diplomatic means to gain international support in order to be truly effective. While internationally, significant reforms are needed that both identify and address existing legal gaps in matters of modern warfare, in addition to providing provisions that account for future developments in the means of waging war. As technologies continue to develop and the character of warfare evolves, comprehensive and forward-looking frameworks will be essential to regulate interstate conflicts.

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