

Forum: Security Council (SC)

Issue: Discussing the Kashmir Dispute Between India and Pakistan and Efforts Toward Resolution

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Introduction:

Kashmir, located at the northernmost part of the Indian subcontinent, is a region including Ladakh and Jammu and Kashmir, which are Indian territories, Azad Kashmir and Gilgit-Baltistan, which are Pakistani territories, and Aksai Chin and the Trans-Karakoram Tract, which are Chinese territories. It is currently 55% controlled by India, 30% controlled by Pakistan, and 15% controlled by China.

The dispute surrounding the region started in 1947 after the partition of India, and has continued for decades since. At the time, India and Pakistan both claimed control of Jammu and Kashmir, which were formerly states of British India.

Kashmir is the most densely militarised zone on Earth, and both countries have troops in the region, with there having been ongoing tensions, struggles over sovereignty and armed conflicts as both parties continue to claim the entire region.

The dispute is a complex one, with historical, political and cultural issues. Currently, a Line of Control (LoC) has been established as a ceasefire line and divides the region into parts controlled by India and Pakistan.

The dispute is relevant on a global scale, with the region's instability having impacts on international security and the South Asian region, affecting regional cooperation and economic development.

Militarisation and violence of the region over the years has had a major toll on the population of Kashmir. Many lives have been lost in the past, and families displaced. Citizens often find themselves in the middle of crossfire and face challenges in accessing essential needs and safety.

The militarisation of Kashmir has also led to constant tension, straining ties between India and Pakistan. Both countries possess nuclear capabilities, and there is a worry that nuclear confrontation may break out in the area.

The issue is multidimensional, with its implications involving not just India and Pakistan, but the whole global community. Working towards solutions in this dispute is an opportunity to shift the region away from turbulence, disorder and violence, and steer it towards a future of cooperation and development.

Definition of Key Terms:

1. **Ceasefire:** a temporary suspension of fighting; a truce.
2. **Annexation:** a formal act whereby a state proclaims its sovereignty over territory hitherto outside its domain.
3. **Partition:** The action or state of dividing or being divided into parts, especially with reference to a country with separate areas of government.
4. **Line of Control (LOC):** a military control line between the Indian-controlled and Pakistani-controlled parts of the former princely state of Jammu and Kashmir. The LOC is not a legally recognized international boundary, but serves as the de facto border.

Background Information

Accession of Kashmir to India

As a princely state, Jammu and Kashmir was under the rule of a local Maharaja. In 1941, its population was 77% Muslim, 20% Hindu, and 3% other religions, including Sikhs. After the partition in 1947, the region was ruled by Maharaja Hari Singh. He believed that the state should stay independent, believing that the Muslim population would be unhappy if Kashmir was to join India and that the Hindu and Sikh population would be unhappy in joining Pakistan.

Pakistan had attempted to persuade the Maharaja to join Pakistan but the Maharaja was still refusing to decide. So, Muslim League agents secretly worked in Poonch (an area in Kashmir) and gathered the local Muslims in an armed revolt, taking advantage of turmoil over economic issues in the region. After plans were finalised on the 12th of September, an uprising and an invasion of Kashmir had begun. The Jammu area was affected by this violence.

Eventually, the Maharaja's troops could no longer hold up the tribal militia attacks and turned to Delhi for military aid, but India demanded that the Maharaja accede the region before they would send troops to help. On the 26th October 1947, an instrument of accession was signed, acceding the Kashmir region to India.

Accusations of illegitimacy

When the Maharaja eventually acceded the territory to India, the decision was viewed as highly controversial, especially as the Maharaja was a Hindu whereas a majority of the population in Kashmir was Muslim. Pakistan has since refused to accept India's accession of the region, viewing it as illegitimate, and has argued that the Muslim majority in the population should have made Kashmir rightfully a Pakistani territory.

Indo-Pakistani war of 1947

After the instrument of accession had been signed, Indian troops moved into the region as promised. The rebel forces, named the Azad Army, had arms, ammunition and supplies that were made available by the Pakistani Army. But it was only in March 1948 that the Pakistani army officially entered the conflict, however, they advanced quickly.

By 7th November 1947, Pakistani soldiers captured Rajouri, and the Rajouri Massacres occurred. Over 30,000 Hindus, Sikhs and partition refugees were killed. On 25th November, Pakistani forces took over Mirpur and began the Mirpur Massacre, killing over 20,000 Hindus and Sikhs.

Muhammad Ali Jinnah, a Pakistani leader, had wanted simultaneous troop withdrawal so that states could accede depending on their majority populations. This was countered with a suggestion for the process to be overseen by the UN, but Jinnah rejected this.

1972 Simla Agreement

After the second Indo-Pakistani war in 1965, a bilateral summit was held in Simla. Here, India pushed for peace and the prime ministers Zulfikar Ali Bhutto (of Pakistan) and Indira Gandhi (of India) agreed that the Line of Control was to be converted to a de facto border between India and Pakistan. This, however, was not a final settlement of the dispute.

Current Situation

War and conflict

Kashmir currently remains densely militarised as both countries continue to claim the region in its entirety. India has around 900,000 troops in the region, while Pakistan has around 50,000.

Even despite the LoC and ceasefire agreements made, there have been numerous encounters throughout the years. Just in 2019, there were around 3,200 reported instances where ceasefire violations across the LoC occurred. Such violence in the region has caused many deaths and injuries of both Indian and Pakistani troops, and also Kashmiri people too.

Crossfire from both parties across the LoC has not only been symbolic of tensions between India and Pakistan, but has terribly affected the lives of people in the region, who often live in fear and are caught in the middle of such conflicts.

2021 LoC agreement

On February 25th 2021, despite rising tensions between India and Pakistan, the countries put out a joint statement outlining a desire for peace. In it, both countries agreed to stick to past agreements and to cease firing along the LoC and other sectors. In spite of past failures to stick to ceasefire agreements, this one has been successful for the most part.

Notably, it was broken for the first time on June 24th 2023, when Indian soldiers fired across the LoC sector of Azad Kashmir. This actually resulted in the death of two Kashmiris, and severe injuries for another.

Lives of Kashmiri people

Many Kashmiri people have also been majorly impacted by the instability in the region. Army presence has actually served to endanger the lives of Kashmiri people more often than not, and international NGOs are often very restricted in terms of what they can do to access Kashmir, leaving Kashmiri citizens relatively unprotected.

People near the LoC live in danger of being harmed by stray gunfire or shelling in the area. It was also reported in 2019 that there had been over 40,000 Kashmiri deaths in the region due to violence since 1989. Military officers, insurgents, and terrorists in the region have contributed to countless human rights violations including sexual violence, torture and kidnapping.

Threats to regional stability and development

The dispute and militarisation of the region poses various challenges. One such challenge is the untapped economic potential of the region. Kashmir's development and prospects of economic growth have been greatly hindered by the militarisation and violence it has faced.

Regional cooperation in South Asia is also a problem, with trade being particularly affected by the tensions between India and Pakistan. Trade between the two countries has been almost halted since 2019. Other countries, especially South Asian trading partners, often have to tread carefully as to not anger either of the two and weaken ties.

Significance of Kashmir

The Kashmir region contains the Indus river, which India depends on for irrigation, and Pakistan relies on for agriculture. Indian-controlled regions have approximately 16% of the total water carried by this river, while Pakistan has the rest. In the event of a crisis, there are worries that India may cut off water supply to Pakistan, though this has not happened in past skirmishes.

The rivers in Kashmir hold great potential in terms of generating hydroelectric power, something that the Indian government hopes to tap into in the future. Kashmir also holds various natural resources, including natural gas, uranium, gold and oil.

Geopolitically, Kashmir is highly significant, being a link between South Asia and Central Asia, and holding a key role in the Belt and Road Initiative and for the China-Pakistan Economic Corridor (CPEC).

Major Parties Involved and Their Views

India

As one of the parties claiming sovereignty over the Kashmir region, India views the region as rightfully and entirely theirs after the accession of Kashmir in 1947, with a large number of Indian forces remaining in the area. For India, Kashmir is important as it provides access to Central Asia and European Countries.

The Siachen glacier is also the only barrier between Pakistan and China. Due to tense relations with both countries, India may fear that without Kashmir, Pakistan and China could combine forces, endangering India's national security.

Change of Article 370

In 2019, India's Supreme Court overruled Article 370 of their constitution, which viewed Kashmir as a place with the power to have a separate constitution, flag, and autonomy regarding internal administration. This was followed by the 2019-2021 lockdown of the Kashmir region, where politicians were jailed, the internet was shut down, and strict curfews were imposed.

Pakistan

Also laying claim to the region, Pakistan believes that Kashmir was acceded to India by a ruler who misrepresented the Kashmiri people, and that as many Muslim-majority states had gone to Pakistan, Kashmir should have too. Pakistan also believes that the Kashmiri people will be better off with them. While occupying less of the region than India, Pakistan seems unlikely to back down on its claims.

Pakistan is highly dependent on the Kashmir rivers, and fears the possibility of many Indian troops being close to the Pakistani border in the event that India controls the region. Kashmir is also part of the China-Pakistan Eastern Corridor (CPEC), and Pakistan's relations with China have been key in Pakistan's economic development. Thus, having control over the region is of utmost importance.

China

China controls Aksai Chin and also has territorial claims in the region. Controlling this area is greatly important to China as it connects Xinjiang and Tibet.

China generally advocates for stability in the region, even speaking out against India's overturning of Article 370, and is less involved in the dispute overall. Yet, China has had occasional border tensions with India. The CPEC is also quite beneficial to China, so China has strong interests in maintaining their control over the region.

Kashmiri people

The Kashmiri people have been heavily impacted by the dispute. The different cultures in the region, however, do result in varied opinions. Some are in favour of accession to India, some are in favour of accession to Pakistan, and some are even in favour of independence.

UN Involvement, Relevant Resolutions, Treaties and Events

- UN Security Council Resolution 47, 21 April 1948 (**S/RES/47**)
 - Increased the membership of the United Nations Commission for India and Pakistan (UNCIP) and recommended certain measures to end the conflict and foster an environment for a referendum in the State of Jammu & Kashmir to decide if it would assent to Pakistan or India
- United Nations Security Council Resolution 307, 21 December 1971 (**S/RES/307**)
 - Called for international help for refugee assistance & support and a cease-fire between India and Pakistan to hold in order for withdrawals to occur.

Possible Solutions

Below are a list of possible solutions delegates can consider writing clauses around, pertaining to the Kashmir dispute between India and Pakistan, focusing on resolution of the conflict:

One possible path to resolving the Kashmir issue is establishing autonomy in the region and ensuring a strong degree of self-governance. This approach respects the unique cultural, religious, and political aspirations of the Kashmiri people independently as, by granting significant decision-making powers to local authorities, Kashmiri's could have greater control over their internal affairs including matters related to governance, education, and economic development.

This solution could be established after a form of referendum of the Kashmir people on the topic, or through agreement between India and Pakistan, and could involve IGO's such as the UN facilitating and mediating. Any agreement on this path would require bilateral talks and negotiations between stakeholders, and even just generally on the topic efforts at conflict mediation would require sustained and substantive dialogue.

Confidence-building measures in the region, such as increased people-to-people exchanges, cultural collaborations, and trade engagements, can help foster an environment of trust and openness. This would allow for tensions to be reduced, ideally laying the groundwork for productive negotiations aimed at finding a mutually acceptable solution.

Support for humanitarian measures and assistance in the Kashmir region are also vital to discuss, and delegates should approach this from an economic, environmental, and social perspective through the form of UN and NGO provisions as well as member state contributions.

Bibliography

Useful Links

- [The conflict in Kashmir, explained](#): a visually stimulating insight into the issue from Vox. The 10-minute video does a great job at breaking the conflict down in an engaging way, good for refreshing your view on the topic or providing initial starting research.
- [Kashmir](#): the page on Britannica, a fact-checked online encyclopedia, about the Kashmir region, its history, geography, culture, and the conflict.
- [Conflict Between India and Pakistan](#): explainer from the Council on Foreign Relations on the topic, gives in-depth background information as well as current developments.

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