

Committee: Security Council (SC)

Topic: Resolving the Territorial Dispute of the Kashmir Region

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PERSONAL INTRODUCTION

Dear Delegates,

My name is Georgios Miliopoulos, and I am an 11th grade student at the German School of Thessaloniki. For the 7th annual DSTMUN, I have the utmost honor of serving as a Deputy President of the Security Council (SC). First and foremost, I would like to welcome you all to the 7th annual DSTMUN Conference and applaud your choice in selecting this committee.

During the debate session, the committee will focus on three pressing issues, one of them being “Resolving the Territorial Dispute of the Kashmir Region.”

The aim of this study guide is to present the essential information on the topic, enabling you to form draft resolutions and be active delegates throughout the duration of the debate. However, it is heavily encouraged that delegates conduct their own research in order to fully comprehend their respective countries' policies and gain a thorough understanding of the topic. The bibliography in this document's final pages can serve as a starting point for independent research.

I am eager to meet all of you this November, and I am sure that this committee will conduct a fruitful and engaging debate on the topics at hand. Finally, I would like to highlight the fundamental role that MUN has in our modern world; if we start solving pressing global issues now, who knows what we will be able to accomplish in the future? If there are any further questions you may have regarding your country's policy, the topic as a whole, or your resolutions, do not hesitate to contact me through my email address.

Best regards,

Georgios Miliopoulos

Topic Introduction

In a world striving for peace, the Kashmir conflict remains a critical flashpoint shaped by history and cultural complexity. As the global community explores pathways to de-escalate tensions and build bridges, understanding the roots of such conflicts becomes crucial. Join us in examining how dialogue and diplomacy can pave the way for a more peaceful future.

Before 1947, after liberation from British colonialism, the princely state of Kashmir was a part of Pakistan. It was diverse in terms of its cultural composition with inhabitants adhering to different religious and ethnic groups. Maharaja Hari Singh, conversely a Hindu, ruled over Muslim majority Kashmir which was one among many other Indian princely states.

Therefore, after the division of British India into India and Pakistan in 1947 the Princely States had dominion status and were given the choice to join either India or Pakistan. Initially Maharaja Hari Singh wanted Kashmir to remain an independent nation-state. He managed to control Indian military operations within his country but when Pakistani troops invaded the area he couldn't handle their might anymore because they were too powerful for him. He thought that he would have support from the great force or not wanting any connection with Muslims so joined India's word that at last led to First war between India and Pakistan.

A ceasefire came into effect in 1949 followed by establishment of a line known as Line of Control (LoC). This boundary demarcates the areas governed by India and Pakistan. It serves as the effective border between the two countries and has been in place since then.

Kashmir has been heavily militarized, resulting in human rights violations like extrajudicial killings and torture. The region's rich resources have fueled the conflict, with both nations seeking control. The local population suffers from economic instability, poverty, and restricted access to essential services.

Despite legal provisions by the governments of both countries aimed at protecting Kashmir, implementation is often inadequate, leading to continued exploitation by armed forces from both sides. International calls for peace by the UN have yet to resolve the conflict, making the protection of Kashmiri rights and addressing their grievances essential for a sustainable solution. Numerous peace initiatives have been attempted such as the Simla Agreement and the Tashkent Agreement, but a lasting resolution remains elusive, highlighting the need for a just and peaceful end to the conflict through peaceful negotiations.

Definition of Key Terms

British Raj

“The period of British rule over the Indian subcontinent from 1858 to 1947.”¹

Princely States

“Semi-autonomous regions in India during British rule, governed by local monarchs under the suzerainty of the British Crown.”²

Self-determination

“The right of people to choose their own sovereignty and international political status without external influence.”³

Territorial Dispute

“A disagreement over the possession or control of land between two or more states or groups.”⁴

Line of Control (LoC)

The Line of Control (LoC) in Kashmir is the military boundary between Indian and Pakistani controlled territories.⁵

BACKGROUND INFORMATION

Historical Background

Kashmir is a region located in the northern part of the subcontinent, surrounded by the towering Himalayan mountains. It is famous for its breathtaking landscapes, which include lush green valleys, serene lakes, and snow-capped peaks. The region is known for its natural beauty and diverse environment. Before 1947, Kashmir was a princely state under British rule. It had a rich cultural mix, with people of various ethnic backgrounds and religions living together. The princely state of Kashmir was ruled by Maharaja Hari Singh, who was a Hindu, while the majority of the population was Muslim.

When British India was divided into India and Pakistan in 1947, princely states had to decide whether to join one of the two new countries or remain independent. Maharaja Hari Singh

¹ Wolpert, Stanley A.. "British raj". Encyclopedia Britannica, 28 Mar. 2024, <https://www.britannica.com/event/British-raj>. Accessed 30 August 2024.

² Admin. "What Were Princely States? Find the Answer at BYJU&Rsquo;S UPSC Preparation." *BYJUS*, 30 Nov. 2021, byjus.com/ias-questions/what-were-princely-states.

³ Britannica, The Editors of Encyclopaedia. "self-determination". Encyclopedia Britannica, 9 Jul. 2024, <https://www.britannica.com/topic/self-determination>. Accessed 30 August 2024.

⁴ "Territorial Dispute." *Merriam-Webster Dictionary*, 9 Aug. 2024, www.merriam-webster.com/dictionary/territorial%20dispute.

⁵ Vishal, and Vishal. "Line of Control (LoC), Background, How LoC Was Formed?" *StudyIQ*, 26 July 2023, www.studyiq.com/articles/line-of-control-loc.

initially wanted to keep Kashmir independent. However, when armed groups from Pakistan invaded Kashmir, the situation became difficult for him to manage. To seek help and ⁶

protection, he decided to join India, which led to the first conflict between India and Pakistan.

A ceasefire agreement was reached in 1949, leading to the creation of a boundary known as the Line of Control (LoC). This line divides the region between Indian-administered Kashmir and Pakistan-administered Kashmir. The LoC serves as the effective border between the two countries and has been in place since then.

Kashmir remains a region of great natural beauty with a complex history. Its stunning landscapes and diverse cultural heritage make it a unique and significant part of the Indian subcontinent.



Economic and Social Disruptions

The Kashmir conflict has caused a lot of disruptions to the economy and social systems. Most people in the area live in poverty due to the fact that they depend on trading, farming as well as tourism that has however been destroyed by continuous unrests. Often local businesses experience shut downs and curfews which leads to huge losses in terms of money. Market closures and transport breakdown have also adversely affected livelihoods with many people becoming unemployed. Socially, ongoing violence destroys families because it disintegrates societies. This is compounded by the fear associated with heavy military and security presence around one's daily activities like going to school or business premises are done with difficulties.

Current situation

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Today, Kashmir is an unfinished agenda. The turbulent environment has come with heavy deployments of troops, as well as curfews and blackouts in communication. They are meant to maintain order, but their presence has very much affected the daily lives of residents.

Impact on Education

The current armed conflict in Kashmir affects multiple sectors but education is one of the most badly hit. Strikes and security lockdowns regularly force schools and colleges to be shut down.

The government had stated in a report that schools were shut for as many as 150 days or more in the state just during the year of 2019 also mired now with security restrictions. These closures interrupt the academic schedule, resulting in substantial learning losses. Kashmir has witnessed repeated disruptions over the past ten years, with local NGO releases of study showing students missing an average of three academic school years. Compounding this problem, perhaps even worse is the fact that limited access to digital infrastructure means no real privacy. Barring online, even offline now is not being done properly. Less than 30% of the students in rural Kashmir have reliable access to internet services; everything has been aimed at compensating this through online classes.

Healthcare disruptions

Kashmir's continuing violence also poses a massive challenge to healthcare delivery. Almost daily blockades, curfews and communication blackouts either prevent patients from accessing hospitals or the medical staff reaching their workplaces. For instance, the region's healthcare system was overwhelmed during long lockdowns in 2019 and along with this reports emerged of running out-of-stock critical medical materials — a weakness also highlighted by COVID-19.

MAJOR COUNTRIES AND ORGANISATIONS INVOLVED

India

In 1947, as British India was partitioned, the Maharaja of Jammu and Kashmir decided to join India. This decision led to the first Indo-Pakistani War, and India considers the accession to be valid. Since then, India has integrated the region into its administrative structure. To handle ongoing unrest and militant activities, India has maintained a significant military presence in Kashmir. In August 2019, India made a major move by revoking Article 370, which had granted Jammu and Kashmir special autonomy, and reorganized the region into two Union Territories. This action underscored India's central role in the Kashmir conflict and has led to tighter control over the region.

Pakistan

Pakistan's involvement in the Kashmir conflict began in 1947, when it opposed Jammu and Kashmir's accession to India and backed tribal militias that invaded the region. Pakistan regards Kashmir as a disputed territory and has supported various militant groups fighting against Indian control. The country advocates for a resolution based on UN resolutions and has criticized India's 2019 abrogation of Article 370, which removed Jammu and Kashmir's special status.

United States

The involvement of the United States in the Kashmir Conflict began after British India was partitioned to give birth to Pakistan and India in 1947. At first, the U.S. supported UN mediation and advocated for Kashmir to be determined by a plebiscite as called for in 1948 UN Security Council Resolution 47 calling for an immediate ceasefire between India and Pakistan. The United States gravitated towards Pakistan and armed the regime, positioned it as a counter against Soviet influence and avoided alienating India. However, by the 1990s US policy had become more evenly balanced. Highly prescriptive, in fact but notably so when former U.S. President Bill Clinton pressured Pakistan to pull back its troops during the 1999 Kargil conflict (which helped de-escalate the standoff). Historically U.S. involvement has had a wider geopolitical aspect, making sure South Asia remained stable over the years.

United Kingdom

The United Kingdom's role in the Kashmir conflict is rooted in its colonial history. When the British Empire partitioned India in 1947, it left the princely state of Kashmir with the choice to join either India or Pakistan. The indecision and subsequent invasion by tribal forces from Pakistan led to the first Indo-Pakistani war, after which the UN brokered a ceasefire. The UK, as a permanent member of the UN Security Council, has since been involved in diplomatic efforts and has advocated for a peaceful resolution, emphasizing dialogue and respecting

human rights. However, its colonial legacy and the resultant partition are seen as primary factors in the origin of the conflict.

Organization of Islamic Cooperation (OIC)

The Organization of Islamic Cooperation (OIC), representing the collective interests of the Muslim world, has been actively involved in the Kashmir conflict since its inception. As an influential international body, the OIC's engagement is driven by its mandate to address issues concerning Muslim communities globally.

South Asian Association for Regional Cooperation

The role of the South Asian Association for Regional Cooperation (SAARC) is somewhat complex and mostly limited. It was established in 1985 and is an economic and regional cooperation organization in South Asia, which comprises India and Pakistan. The organization's main focus is on the development of regional economics and cooperation, and the Kashmir conflict has rarely been directly addressed by this organization. UNIDIR indicates that the conflict has occasionally been presented as an issue by its summits and meetings, and member states have traditionally only referred to it in broader contours for the sake of regional stability, and cooperation, which the organization seeks in partnerships. As one of its weaknesses, SAARC's status as a non-interventionist and the necessity for consensus among its participant makes addressing the issue hard or mostly impossible. Therefore, SAARC's behavior in regard to the dispute over Kashmir has been limited.

Human Rights Watch

Human Rights Watch (HRW) is one of the non-governmental organizations that have engaged in the monitoring and reporting of human rights violations concerning the Kashmir conflict. The group has documented various repressions and violence against the civilian population from the late 1990s. HRW has reported several arbitrary detentions as well as the commission of extrajudicial killings and excessive force by the security forces. Their reports also address the effect of the conflict on daily life, such as the limitation of freedom of expression, and assembly. Investigations by HRW have focused more on exposing the violations to international audiences, including urging the Indian government to take appropriate action and the United Nations to check on how different parties are responsible relative to the conflict. The reports have led to the Indian government and other parties expressing a commitment to ending human rights violations.

BLOCS EXPECTED

Bloc A

The Pro-India bloc includes countries that support India's interests. Key members are the United States, France, and the United Kingdom from the West, along with Japan and South Korea from Asia. Switzerland, Malta, and Slovenia also support India. These countries work with India on many issues, like democracy, trade, and security.

Bloc B

On the other side, the Pro-Pakistan bloc includes countries that back Pakistan. Important members are China and Russia, two major world powers. Other members are Algeria, Ecuador, Guyana, Mozambique, and Sierra Leone. These countries often support Pakistan in international matters, providing a balance against the Pro-India bloc.

TIMELINE OF EVENTS

Date	Description of event
1947	Partition of British India; Kashmir joins India.
1947-48	First Indo-Pakistani War; UN establishes Line of Control (LoC).
20. January 1948	UN s/RES/39
3. July 1948	Un s/RES/51
26. November 2003	Ceasefire agreement along the LoC
2019	India revokes Article 370, ending Kashmir's special status
2021	India and Pakistan reaffirm ceasefire agreement

RELEVANT RESOLUTIONS, TREATIES AND EVENTS

S/RES/39

This Resolution was passed on January 20, 1948, by the United Nations Security Council and was an early response to the conflict, establishing a United Nations Commission for India and Pakistan (UNCIP(which was a United Nations peacekeeping mission established to ensure the safety of humanitarian aid and protect civilians.)) The resolution called for an immediate ceasefire and the withdrawal of Pakistani tribal militias from the state of Jammu and Kashmir. It also mandated that both India and Pakistan work towards a peaceful settlement and agreed to a ceasefire line that would later become the LoC.

S/RES/51

Adopted on July 3, 1948, by the United Nations Security Council, this resolution extended the mandate of the UN Commission for India and Pakistan (UNCIP) and urged both countries to adhere to the ceasefire and continue negotiations. It reinforced the call for a plebiscite and emphasized the need for both sides to take measures to ensure the ceasefire's continuation.

The Lahore Summit Declaration (1999)

The Lahore Summit Declaration, issued on February 21, 1999, following a summit meeting between Indian Prime Minister Atal Bihari Vajpayee and Pakistani Prime Minister Nawaz Sharif in Lahore, sought to improve bilateral relations and address key issues, including Kashmir. The declaration emphasized the importance of dialogue and reaffirmed the commitment to resolving disputes through peaceful means. It aimed to enhance trust and cooperation between the two nations, although the subsequent Kargil conflict strained these efforts.

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

Tashkent Agreement (1966)

After the 1965 Indo-Pakistani war, the Tashkent Agreement was signed with Soviet mediation. This accord focused on restoring diplomatic and economic relations and included provisions for troop withdrawals. While it alleviated immediate tensions, it did not resolve the core dispute over Kashmir. The Agreement primarily focused on immediate ceasefire and troop withdrawals rather than addressing the root causes of the conflict. It failed to provide a long-term solution for resolving conflicts between India and Pakistan, leading to continued tensions and subsequent conflicts.

Simla Agreement (1972) In the aftermath of the 1971 war, India and Pakistan signed the Simla Agreement. The agreement aimed to improve relations and addressed the Kashmir issue by emphasizing⁷ bilateral negotiations. It confirmed the LoC as the line of control and called for peaceful dialogue to settle disputes. The mistrust between India and Pakistan continued after the agreement. Incidents of cross-border infiltration continued along the Line of Control (LoC) in Kashmir, which indicated that neither side was fully committed to renouncing aggressive policies or military postures.

Agra Summit (2001)

A high-level meeting in Agra, India, between Indian Prime Minister Atal Bihari Vajpayee and Pakistani President Pervez Musharraf sought to tackle various issues, including Kashmir. The primary reason for the failure of the Agra Summit was the deep divide between India and

⁷ "Kashmiris on India top court upholding removal of autonomy", Al Jazeera, 12, December 2023: <https://www.aljazeera.com/news/2023/12/12/clear-threat-kashmiris-on-india-top-court-upholding-removal-of-autonomy>

Pakistan on the Kashmir issue. Pakistan insisted that Kashmir was the core issue that needed to be resolved, whereas India emphasized the importance of addressing cross-border terrorism and sought a broader dialogue on various bilateral issues.

POSSIBLE SOLUTIONS

Granting Greater Autonomy to Jammu and Kashmir

Granting greater autonomy to regions within Jammu and Kashmir, allowing for local governance and administration, is a potential solution to the Kashmir conflict. This approach would give the people of Kashmir more control over their own affairs, helping to reduce feelings of alienation and dissatisfaction. By respecting the region's unique culture and history, this solution could promote peace and stability. Local leaders could address specific regional issues more effectively, boosting economic development and building trust between the central government and the local population. This could lead to a more peaceful and cooperative future.

Achieving Stability through a Comprehensive Ceasefire and Military Withdrawal

Reaching an agreement on a comprehensive ceasefire along the Line of Control (LoC) and withdrawing military forces can be an effective way to reduce tensions in the region. A ceasefire would halt ongoing conflicts and prevent further casualties, while the withdrawal of military forces would help to de-escalate the situation and build trust between the parties. This approach can create a more conducive environment for dialogue and negotiations, ultimately paving the way for a lasting resolution.

UNSC-Supervised Plebiscite and Demilitarization

The UNSC could adopt a resolution seeking an international and supervised plebiscite in Kashmir for the people of the area to be allowed to determine their future roles. This would require developing a clear schedule, which could extend over one or two years to agree on voter qualifications and the mechanism of such time-bound plebiscite/accompanying security arrangements as well.

A “neutral zone” administered jointly by the UN and both India & Pakistan, with demilitarization enforced through a special United Nations Peacekeeping Force. Such demilitarization would be carried out in stages to build confidence and mitigate the risk of conflict escalation. The protection of safety and security for all residents during the process and plebiscite itself was to be secured by a neutral peacekeeping force.

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