



DAISMUN XI

FORUM: Security Council

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Introduction

The proposal to divide British India into religious conditions was proposed in 1940, seven years before the division. Eleven states were divided into Hindu and Muslim religions. Among them, Hinduism remained with India and Islam with Pakistan. The determination was taken into account by the opinion of the national leaders who established the era. The region of Kashmir was unique. Most of its citizens were Muslim, its ruler, Raja Hari Singh, was Hindu. Thousands of Muslims fled to Pakistan, Hindus fled to India; thus, the border became an area of conflict and violence. Eventually, Raja Hari Singh, a Hindu, asked India for help announced his transfer to India in Kashmir, and Pakistan responded by ignoring the will of the people. The territorial dispute escalated into skirmishes as India deployed troops to prevent invaders from entering the Kashmir valley. Due to the revolts from the inhabitants with the help from Pakistan, in October 1947, when tribesmen from Pakistan invaded Kashmir, Singh asked India for help for a separate constitution, a national flag – a creation of article 370- by exchanging its autonomy with the Indian Union.

Local wars continued in 1948, and the truce, which came into force in January 1949, ended with United Nations arbitration. July in 1948, the two nations established a compartmentalized front for the administration of their lands. At that time, it was considered to be a temporary measure, and partitions remained along that line.

Afterward, many suggestions were created until the end of the conflict in Kashmir, but the anxiety among people was increasing after the Chinese invasion of Ladakh in 1962, and war broke out among the two nations in 1965. Following the cessation of hostilities in September, an agreement was signed in Tashkent, Uzbekistan, in early January 1966 to end the conflict by peaceful means. As part of the Indo-Pakistani War that gave birth to Bangladesh in 1971, disputes broke out again between the two countries. The 1972 agreement signed in Shimla, India, showed that the countries in the region wanted to live peacefully with each other. Pakistani Prime Minister Ali Bhutto denied it but implicitly accepted the line of control as a de facto border.

In 2010, on the other hand, there were reports that young people in the area encountered the security forces, which raised concerns. Thousands of young people threw stones at public security forces and burned government offices to attack railway stations and government vehicles. The Indian government accused separatists, Pakistan-based, and Lashkar-e-Taiba of fueling the 2010 protests. According to scholars, the Indian army committed numerous human rights violations, savages, and terrorist acts against Kashmir civilians, including killings, rape, torture, and enforced disappearances. There were crimes committed by armed groups, but they were not compared to those committed by the Indian military.

In October 2015, the Jammu and Kashmir High Court held that Jammu and Kashmir did not merge with India like other duchies, but maintained special status and limited sovereignty in the Indian Constitution. The issue remains unresolved after the killing of the Islamic Liberation Party of Burhan Wani, a militant Kashmiri group, by Indian security forces on 8 July 2016.

Key Terms:

Jammu and Kashmir



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Jammu and Kashmir are union territories administered by India, consisting of India and Pakistan since 1947, and the southern region of Kashmir, which has been the subject of disputes between India and China since 1962. Jammu and Kashmir are separated as a line of control from the territories of Azad Kashmir and Gilgit Baltistan, on the west and northern sides respectively, under Pakistan's jurisdiction.

British Raj

Colonizing the Indian subcontinent between the period of 1858 and 1947 of the British Empire.

Partition

The act of dividing a country into different countries or government regions.

Tashkent Agreement

An agreement signed by Indian Prime Minister Lal Bahadur Shastri and Pakistani President Ayub Khan, and ended the 17-day war between the two nations. The armistice was guaranteed by the Security Council on September 22, 1965.

Simla Agreement

The Simla Agreement was signed on July 2, 1972, between India and Pakistan in Shimla, capital of the state of Himachal Pradesh. The agreement is the result of the determination of both countries to put an end to conflicts and conflicts that could undermine their relations. The meeting considered other measures to normalize relations and proposed principles for resolving future relations.

Kargil War

The Kargil War was a war that took place in May 1999 when Pakistani forces illegally occupied the Kargil region of Jammu-Kashmir across the borderline between India and Pakistan and lasted until July 1999.

The Line of Control (LoC)

The Line of Control (LoC) is a military demarcation line between India and Pakistan. It was originally designated as a truce line but was redesignated as a control line under the Shimla Agreement signed on July 3, 1972. The Indo-Pakistan border continues from the southernmost point of the LoC.

The Line of Actual Control (LAC)

The Line of Actual Control (LAC) is a borderline that separates Indian and Chinese territory. Zhou Enlai used the term in his 1959 letter to Jawaharlal Nehru.

Article 370

Article 370 of the Indian Constitution granted exceptional status to the northern regions of the Indian subcontinent: the Jammu and Kashmir, a separate constitution, national flag, and autonomy over the internal administration of the state from 1954 to October 31, 2019.

Major Parties Involved:

Security Council & United Nation

The United Nations had played an important role in maintaining peace and order in Kashmir, where conflict had broken out since the independence of India and Pakistan in 1947. India brought the issue before the United Nations Security Council and established the India-Pakistan Commission to investigate and mediate outstanding issues between the two countries. Since the armistice, UNMOGIP has been established by the United Nations in India and Pakistan to monitor the Armistice Line.



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The Jammu and Kashmir National Conference (JKNC)

The Jammu & Kashmir National Conference (JKNC) is a regional political party in Jammu and Kashmir and Ladakh, India. Founded in 1932 by Sheikh Abdallah and Chaudhry Ghulam Abbas as "All Jammu and Kashmir Muslim Congress" in the Duchy of Jammu and Kashmir, the organization changed its name to "National Congress" in 1939 to represent all the people of the state. It supported the prince's accession to India in 1947. Prior to this, in 1941, a group led by Chairman Graham Abbas left the national conference to revive the former Muslim conference. The resurrected Muslim Congress supported the kingdom's accession to Pakistan and led the Azad Kashmir movement.

India

After the 2010 Kashmir unrest, Indian Prime Minister, Manmohan Singh, officially mentioned that Kashmir must be India's essential territory, but India insisted that Kashmir was prepared to grant autonomy to Kashmir in the light of the Indian Constitution. India has also challenged the actual lines of control, claiming to belong to the pro-Ri Kashmir region of Aksai ruled by China.

Pakistan

Pakistan claims that the current disputed area where its final status is to be determined by the population of Kashmir. Pakistan's claim to the disputed area is based on its rejection of India's claim to Kashmir. Pakistan claims that Hari Singh was not considered a popular leader but a tyrant by many Kashmir people; furthermore, it claims that Maharaja used force to suppress the population.

Previous Attempts to Resolve the Issue:

The U.N. Security Council has been actively solving the Kashmir issue since India split and the creation of independent states in Pakistan and India. The Security Council has proposed and adopted several resolutions. The most important ones are Resolution 39 and Resolution 47.

Resolution 39 formed a three-member committee to facilitate Kashmir dispute negotiations. One was chosen by India, the other by Pakistan, and the third by two elected members. Resolution 47 was granted on April 21, 1948. However, both Pakistan and India opposed the resolution. On December 9, 1949, the Commission addressed that it was a failure and gave its final report by proposing a replacement of one arbitrator.

Timeline:

(Year)	(Event)
August 1947	India gains its independence from England and partition into Muslim (Pakistan) and Hindu (India).
October 1947	Tribesmen from Pakistan attack Kashmir, causing Hari Singh to ask India for help, which further contributes to the ongoing armed conflict.
January 1948	India had referred to the United Nations the question of the Kashmir conflict, which involved the forcible occupation of certain parts of Kashmir by Pakistan.
January 1949	The United Nations arbitrated the armistice between India and Pakistan, the Karachi agreement, allowing both countries to maintain control over territories at that time.



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October 17 th , 1949	ICA (Indian Constituent Assembly) granted Article 370, internal autonomy, and its special status on Jammu and Kashmir issues.
September 1951	The organization that makes the national constitution, the Constituent Assembly of Jammu and Kashmir, convened, leads all members to belong to Sheikh Abdullah's National Conference.
July 1952	Sheikh Abdullah was discussing the relationship with the union of India during the Jammu and Kashmir constituent assembly which leads to the Delhi Agreement – defining the relationship between the states and the union.
August 1953	Sheikh Abdullah was dismissed as a prime minister and later was arrested. After him, Bakshi Ghulam took over the status of prime minister.
January 24 th , 1957	Resolution 122, which addressed that the state constitution was not the final disposition was passed in Security Council.
August 1965 – September 1965	Pakistan sent thousands of armed Pakistani infiltrators to the lines of Operation Gibraltar, where crime increased and the Indo-Pakistan War broke out – the Indo Pakistani War of 1965.
July 2 nd , 1972	India and Pakistan agreed and signed the Simla Agreement.
May 1977	Jammu and Kashmir Liberation Front (JKLF) was created; Amanullah Khan was chosen for the General Secretary.
1990- present	Kashmiri youths stormed the streets protesting against the Indian Government, killing hundreds of people when clashes with Indian troops.
May 3 rd , 1999 – July 26 th , 1999	Kargil War was a war where it happened in the Kargil district of Kashmir and other places along the Line of Control (LoC).
October 2001	The legislative assembly that is located in Srinagar has been attacked.
December 2001	The Indian Parliament that is located in New Delhi was attacked by armed militants.
September 24 th , 2004	India-Pakistan relations have stabilized after decades of instability; Prime Minister Manmohan Singh and President Musharraf met in New York on the margins of the United Nations General Assembly.
2005 – 2008	While clashes between the armed forces, militants, and protesting civilians are continuing in Jammu and Kashmir, the scale is smaller compared to the period of the peak of militancy.
February 14 th , 2019	In the deadliest attack on soldiers in nearly 30 years, 44 Indian paramilitaries were killed in Kashmir.



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August 16 th , 2019	The United Nations Security Council discussed the Kashmir issue for the first time since 1971 but did not agree with the statement, nor the resolutions.
October 31 th , 2019	India abolished constitutional autonomy in Kashmir and divided it into two territories under the authority of the central Government.

Possible solutions:

India and Pakistan should issue a 10-year multiple entry visa for Kashmir, providing them the right to invest everywhere in Jammu and Kashmir, whether in Pakistan or India. Thus, Pakistanis and Indians are allowed to take any resources to their own country or build industry in Kashmir; moreover, India and Pakistan are allowed to have zero import duties at places where it buys and sells goods across the border in another Kashmiri. However, they should share an equal amount of the economic benefit with Kashmir, which will build up the relationships with Pakistan, India, and Kashmir.



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