



United Nations Security Council

**Settling the territorial disputes regarding Jammu and Kashmir
between India and Pakistan**

Approved by president of the general assembly

Letter from the President of the General Assembly

In the words of George Monbiot " The only thing that can replace a story is a story ", After The financial crisis of 2008, a lot of us have been left wondering what's next, who is the hero that defeated the villain and who is this mysterious figure that is going to lead us into the modernization era. Now for us, it seems that the recently defeated neo-liberalism is an immortal ideology that's never going to leave and is the only way to progress into modernization, but with the rise of a new generation, a generation that grew up under a fragile economy, decays long disputes, and safety threats even within their own homes because of unauthorized weaponry, this idea of immortalization is slowly but surely starting to fade away. This generation is determined to get results no matter what it takes. They have made it their long life goal to resolve decays of dispute in hopes of finding the peace and prosperity they have never gotten the chance to taste and are keen on building a world where we prevent making the same mistakes like the ones we inherited.

Here we invite you to join us in creating our own story engraved with equality, equity, justice and peace where everyone's voice matters.

Mohamad Hachem

PGA of SafirMUN

Introduction

The Kashmir conflict is a territorial conflict primarily between India and Pakistan over the Kashmir region. The conflict started after the partition of India in 1947 as a dispute over the former princely state of Jammu and Kashmir and escalated into three wars between India and Pakistan and several other armed skirmishes. China has also been involved in the conflict in a third-party role. Both India and Pakistan claimed the entirety of the former princely state of Jammu and Kashmir, although Pakistan has recognized Chinese sovereignty over the Trans-Karakoram Tract and Aksai Chin since 1963. India controls approximately 55% of the land area of the region and 70% of its population, Pakistan controls approximately 30% of the land, while China controls the remaining 15%. India administers Jammu, the Kashmir Valley, Ladakh, and the Siachen Glacier. Pakistan administers Azad Kashmir and Gilgit-Baltistan. China administers the Aksai Chin region and the mostly uninhabited Trans-Karakoram Tract.

After the partition of India and a rebellion in the western districts of the state, Pakistani tribal militias invaded Kashmir, leading the Hindu ruler of Jammu and Kashmir to join India and starting the Indo-Pakistani War of 1947 which ended with a UN-mediated ceasefire along a line that was eventually named the Line of Control. After further fighting in the Indo-Pakistani War of 1965 and the Indo-Pakistani War of 1971, the Simla Agreement formally established the Line of Control between the two nations' controlled territories. In 1999, armed conflict between India and Pakistan broke out again in the Kargil War over the Kargil district.

Since 1989, Kashmiri protest movements were created to voice Kashmir's disputes and grievances with the Indian government in the Indian-controlled Kashmir Valley, with some Kashmiri separatists in armed conflict with the Indian government based on the demand for self-determination. The 2010s were marked by further unrest erupting within the Kashmir Valley. The 2010 Kashmir unrest began after an alleged fake encounter between local youth and security forces. Thousands of youths pelted security forces with rocks, burned government offices, and attacked railway stations and official vehicles in steadily intensifying violence. The Indian government blamed separatists and Lashkar-e-Taiba, a

Pakistan-based militant group, for stoking the 2010 protests. The 2016 Kashmir unrest erupted after the killing of a Hizbul Mujahideen militant, Burhan Wani, by Indian security forces. Further unrest in the region erupted after the 2019 Pulwama attack.

According to scholars, Indian forces have committed many human rights abuses and acts of terror against Kashmiri civilian population including extrajudicial killing, rape, torture, and enforced disappearances. According to Amnesty International, no member of the Indian military deployed in Jammu and Kashmir has been tried for human rights violations in a civilian court as of June 2015, although there have been military court martials held. Amnesty International has also accused the Indian government of refusing to prosecute perpetrators of abuses in the region.

Key terms

Kashmir: is the northernmost geographical region of the Indian subcontinent. Until the mid-19th century, the term "Kashmir" denoted only the Kashmir Valley between the Great Himalayas and the Pir Panjal Range. Today, it pertains to a larger area that includes the Indian-occupied territory of Jammu and Kashmir (containing the regions of Jammu, Kashmir Valley, Ladakh and Siachen), the Pakistani-administered territories of Azad Kashmir and Gilgit-Baltistan, and Chinese-administered territories of Aksai Chin and the Trans-Karakoram Tract.

The Standstill Agreement: was an agreement signed between the newly independent dominions of India and Pakistan and the princely states of the British Indian Empire prior to their integration in the new dominions. The form of the agreement was bilateral between a dominion and a princely state. It provided that all the administrative arrangements then existing between the British Crown and the state would continue unaltered between the signatory dominion (India or Pakistan) and the princely state, until new arrangements were made.

Hizbul Mujahideen Militant: Hizb-ul-Mujahideen is a pro-Pakistani militant organization that is active in the regions of Jammu and Kashmir and seeks for the integration of Jammu and Kashmir with Pakistan

Focused Overview

India and Pakistan have been in conflict over Kashmir, a majority-Muslim region in the northernmost part of India. This territory was once a princely state. Now, it is claimed by both India and Pakistan. The foundation of the conflict returns back to the countries' shared colonial past. From the 17th to the 20th century, Britain ruled most of the Indian subcontinent (South Asia), first indirectly through the British East India Company, then from 1858 directly through the British crown. As time passed, their power weakened, and a growing nationalist movement threatened the crown's slipping rule. After World War II, parliament decided British rule in India should end by 1948. Britain had historically had reserved some political seats specifically for Muslims; that not only constrained Muslims into a minority status, but also provoked a Muslim separatist movement. Mohammed Ali Jinnah, a politician who led India's Muslim League, began demanding a separate nation for India's Muslim population. As religious riots broke out across British India, leaving tens of thousands dead, British and Indian leaders began to consider a partition of the subcontinent based on religion. On August 14, 1947, the independent, Muslim-majority nation of Pakistan was formed. The independent Hindu-majority nation of India was formed the next day.

At that time, the princely state of Kashmir, which had a Muslim-majority population, was governed by maharaja Hari Singh, a Hindu. Singh wanted independence for Kashmir. The maharaja signed an agreement with Pakistan, which allowed citizens of Kashmir to trade and travel with the new country. India however, did not sign an agreement with the princely state.

As violence raged across India and Pakistan, the government of Pakistan pressured Kashmir to join it. Pakistani rebels, that were funded by Pakistan, took over much of western Kashmir, and in September 1947, Pashtun tribesmen streamed over the border from Pakistan into Kashmir. Singh asked for India's help in starving off the invasions, but India's response was that if they wanted military assistance, Kashmir would become part of the new country. Singh signed the Instrument of Accession in October 1947, the document that aligned Kashmir with India.

The Blockade

On August the 5th , 2019 a security lockdown and communications blackout was imposed to prevent protests during which thousands of people, mostly young men, have been detained in Jammu and Kashmir. The lockdown has been continuing since then , and that makes a total of 6 months and 14 days. Since 5 August, no foreign journalists have been granted permission from the Indian government to report in Kashmir. According to a September 6 report of the Indian government, nearly 4,000 people have been arrested in the disputed region. Among those arrested were more than 200 politicians, including two former chief ministers of Jammu and Kashmir (J&K), along with more than 100 leaders and activists from All Parties Hurriyat Conference.

On 1 October 2019, a three-judge bench consisting of Justices N. V. Ramana, Ramayyagari Subhash Reddy and Bhushan Ramkrishna Gavai of the Supreme Court of India, heard seven petitions on the lockdown.

On 3 October 2019, journalists in Kashmir staged a sit-in protest against the communications blackout describing the blockade of the internet and mobile phones as a 'gag'.

On 4 October 2019, the Indian government denied US Senator Chris Van Hollen's request to travel to Kashmir.

Meanwhile, Sandeep Pandey, an education reformer, and other activists who were on an informal fact-finding mission were also barred from leaving the airport in Srinagar.

The same day, during protests people chanted pro-Pakistan slogans and demanded an end to what they described as "Indian occupation of their territory"

On 24 October 2019, amid a boycott by most parties and with many mainstream local politicians still in detention, village council elections were held across J&K. However, political scientist Noor Ahmed Baba called it "more like an artificial exercise".

Prepaid mobile services were barred for 85th consecutive day on 28 October, for at least 2.5 million prepaid cell phone users in Kashmir.

Involved Major Parties and Their Views

1) India : India controls around 55% of the land region and 70% of Kashmir's population. Some claim that as many as 600,000 Indian soldiers operate in the entire Kashmir region to suppress the rebellion. India's government claims that Pakistan is the source of the inconvenience and contends that Pakistan set up terrorist preparing camps within the early 1980s to assist the Afghans stand up to the Soviet Union's invasion of Afghanistan, The United States gave Pakistan significant financial and military help to assist guarantee the defeat of the Soviet attempt to control Afghanistan. Pakistan utilized American help to fund and prepare terrorists to drive the Soviets out of Afghanistan.

2) Pakistan : Pakistan's government claims that the rebels are local Kashmiris who have been forced into rebellion by India's oppressive arrangements and strategies, the corruption of India's political system, and Kashmir's powerless economy and high unemployment. It charges that the Indian armed force has turn to torment, assault, and kill to stifle the proper of the Kashmiri individuals to decide their possess political future through a plebiscite.

3) China: has also been involved in the conflict in a third-party role. Both India and Pakistan claimed the entirety of the former princely state of Jammu and Kashmir, although Pakistan has recognized Chinese sovereignty over the Trans-Karakoram Tract and Aksai Chin since 1963. Both India and Pakistan are vying for China's support in the dispute over Kashmir.

Timeline of Events

1957	The J&K holds its first legislative elections. J&K constituent assembly dissolved, replaced by a legislative assembly. Indian home minister Govind Ballabh Pant visits Srinagar, the capital city of J&K, and says the state is now fully a part of India. This
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	leaves no possibility of a plebiscite.
1960	Both supreme court and election commission of India extend jurisdiction over J&K through an amendment in its constitution.
1965 To 1966	War between India and Pakistan. Indian prime minister Lal Bahadur Shastri and Pakistani president Ayub Khan sign the Tashkent Declaration marking the end of war.
1972	India and Pakistan sign the Simla Agreement which ratifies the ceasefire line as the Line of Control.
1975	Prime minister Indira Gandhi and Sheikh Abdullah sign Kashmir Accord, re emphasising Article 370, and J&K as an integral part of India. Gandhi says the “clock cannot be put back in this manner” to pre-1953 relations between the Indian Union and J&K, suggesting that a referendum is not possible. Sheikh Abdullah drops the demands for a plebiscite and resumes power as chief minister of J&K with Congress support.
1995	Prime minister PV Narasimha Rao makes a statement in parliament assuring that Article 370 will not be abrogated. He reiterates that J&K is an integral part of India and that he wants president’s rule to end.
1997	The national human rights commission sets up a J&K chapter to investigate human rights violations there
2001	The legislative assembly in Srinagar is attacked, Armed militants attack Indian parliament in New Delhi.
2013	J&K chief minister Omar Abdullah pardons 1,200 stone pelters. The Indian human rights commission finds 2,000 unmarked graves near the LoC.

2016	Armed militants attack Indian Army base in Uri, J&K. The army retaliates with surgical strikes across the LoC. Thousands of residents of J&K take to the streets to commemorate Burhan Wani’s death. Militants attack pilgrims on their way to the revered Hindu shrine of
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	Amarnath.
2019	US president Donald Trump offers to mediate the Kashmir issue between India and Pakistan. A large number of Indian troops have been moved into J&K. Pilgrims to Amarnath asked to return. This is because a landmine with Pakistani markings has been found along the pilgrimage route.

Evaluation of Previous Attempts to Resolve the Issue

The risk of war is especially frightening given the weaponry each country has. Both nations have conducted nuclear testing. India carried out five underground nuclear tests within the deserts of Rajasthan area in western India on May 11 and 13, 1998; Pakistan reacted with its claim arrangement of nuclear tests on May 28 and 30. At approximately the same time, both countries tried missile systems that seem to convey atomic bombs. The tests were broadly prevalent in both India and Pakistan and protectors of the tests in both countries pushed that their individual nations were acting protectively and had authentic security fears. As of now, India’s planes and missiles are able to come to each major city in Pakistan; Pakistan does not however have the capacity of striking all of India's cities. World leaders are frightful that nuclear weapons within the hands of the leaders of these two nations have significantly increased the plausibility of a nuclear war. In reaction to this fear, the United States energetically censured the Indian tests when they happened and urged the Pakistanis not to reply. When the Pakistanis reacted, the United States instantly forced financial sanctions on both nations. Japan took after the suit. Other major countries such as China, France, and Russia condemned the tests, but they denied to force sanctions. India and Pakistan’s actions have also undermined endeavors to avoid the expansion of nuclear weapons.

Dixon Plan

The UNCIP appointed Sir Owen Dixon to implement demilitarisation prior to a statewide referendum on the basis of General McNaughton's scheme, and to recommend solutions to the two governments. Dixon's efforts for a statewide

referendum came to naught due to India's constant rejection of the various alternative demilitarisation proposals, for which Dixon rebuked India harshly.

Dixon then offered an alternative proposal, widely known as the Dixon plan. Dixon did not view the state of Jammu and Kashmir as one homogeneous unit and therefore proposed that a referendum be limited to the Valley. Dixon agreed that people in Jammu and Ladakh were clearly in favour of India; equally clearly, those in Azad Kashmir and the Northern Areas wanted to be part of Pakistan. This left the Kashmir Valley and perhaps some adjacent country around Muzaffarabad in uncertain political terrain. Pakistan did not accept this plan because it believed that India's commitment to a referendum for the whole state should not be abandoned. Dixon also had concerns that the Kashmiris, not being high-spirited people, may vote under fear or improper influences. Following Pakistan's objections, he proposed that Sheikh Abdullah administration should be held in "commission" (in abeyance) while the plebiscite was held. This was not acceptable to India which rejected the Dixon plan. Another grounds for India's rejection of the limited plebiscite was that it wanted Indian troops to remain in Kashmir for "security purposes", but would not allow Pakistani troops the same. However, Dixon's plan had encapsulated a withdrawal by both sides. Dixon had believed a neutral administration would be essential for a fair plebiscite. Dixon came to the conclusion that India would never agree to conditions and a demilitarization which would ensure a free and fair plebiscite. Dixon's failure also compounded American ambassador Loy Henderson's misgivings about Indian sincerity and he advised the US to maintain a distance from the Kashmir dispute, which the US subsequently did, and leave the matter for Commonwealth nations to intervene in.

USA s intervention

The USA have offered Pakistan their help in being a messenger of communications between them and India. President Trump has repeatedly offered to mediate following India's August 5 decision to revoke the special status to Jammu and

Kashmir and bifurcate the state into two Union Territories, evoking strong reaction from Pakistan which has been trying to internationalise the Kashmir issue.

New Delhi has defended the move, saying Jammu and Kashmir is an integral part of India and the issue was strictly internal to the country, and the special status provisions only gave rise to terrorism in Jammu and Kashmir.

Possible Solutions

Of all the debate between India and Pakistan, the foremost talked about is Jammu and Kashmir, a lasting settlement of which is extremely necessary. This must be settled as both are nuclear nations and in case cleared out unsolved, this debate can lead to sad results for the nations. To ward off the considerable conceivable outcomes of such a standoff, it is basic that this issue is addressed and a consensual arrangement is agreed upon within the following five years.

Internationally, an agreement has developed around four propositions;

- 1) Kashmir's accession to India is legally valid.
- 2) A political dispute indubitably exists.
- 3) Plebiscite (referendum) is rejected.
- 4) No solution can be arrived at against the wishes of the people of the State in all its regions.

There for a good solution might be holding a referendum within the Valley so it can let the Kashmiris decide their own fate. In case they need to remain in India, they are welcome. But on the off chance that they don't, at that point they should not be forced to stay. In case they vote for integration with Pakistan, Azad Kashmir will pick up a little more territory. In case they choose independence, they will

have an immensely troublesome time adapting without the budgetary help India has provided them. But it'll at last be their choice. India can attempt permitting the Kashmiri individuals hold a referendum. It may as it were gained immensely by this act. Since India accepts a vote based system, at that point giving the Kashmiri individuals the proper to select is the proper thing to do. In this way, in such a circumstance, the issue rests totally on India to do that which is right and resolve this division in Jammu and Kashmir between sovereignty and self-determination and usher in an era of peace and harmony.

Further reading

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