

Committee: SPECPOL 1

Topic: The Question of Kashmir

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Summary

Kashmir is a region located in the north of India and has been the location of a territorial conflict between India, Pakistan and China. The conflict has been in tuition since 1947, when the partition of India took place, as both Pakistan and India claimed the states of Jammu and Kashmir. Three wars have occurred since, and currently, India controls 55% of the land area and 70% of the population in the region that includes Jammu, the Kashmir Valley, the majority of Ladakh and the Sianchem Glacier. Pakistan controls 30% of the land area that includes Azah Kashmir and Gilgit-Baltistan. China controls the remaining 15% of the land area that includes the Aksai Chin region, part of the Demchok sector and the mostly uninhabited Trans Karakoram Tract.

Definition of Key Terms

Insurgency - The quality or circumstance of being rebellious. These have been caused by rebellious forces in Kashmir and have been accused of being caused by Pakistan.

Maharaja - A king or prince in India ranking above a raja, especially the sovereign of one of the former native states.

Accession - Something that has been acquired or added; an acquisition. Parts of Kashmir was accessed into India in 1953.

Territorial dispute - A disagreement over the possession or control of land between two or more political entities.

Background Information

After British rule in the Indian subcontinent ended in 1947, new states were created, 2 of which being Pakistan and India, which were the successor states to British India. According to the Indian Independence act the suzerainty of His Majesty over the Indian States lapses, and with it, all treaties and agreements in force at the date of the passing of this Act between His Majesty and the rulers of Indian States”, States therefore had to choose whether to join India, Pakistan, or remain Independent. The Jammu and Kashmir regions were ruled by Maharaja Hari Singh, who decided that the region should stay independent as the state muslims would be unhappy with the accession to India, and the Hindus and Sikhs would be vulnerable if they joined Pakistan.

On October 20th, 1947, tribesmen backed by Pakistan invaded Kashmir. The Maharaja of Jammu and Kashmir initially fought back but appealed for assistance to the Governor General Louis Mountbatten on 27 October. Mountbatten agreed on the condition that a Plebiscite would be held afterwards, which was not. After the papers of accession to India were signed, Indian soldiers entered Kashmir with orders to stop any further occupation, however they weren't allowed to remove anyone from the state. India took the matter to the UN, who asked Pakistan to vacate the areas they had occupied. The UN Resolution also asked India to help assist the UN Plebiscite commission to organise a plebiscite to determine the will of the people. However, Pakistan refused to vacate the occupied areas.

In 1951, Elections were held in the Indian-administered state of Jammu and Kashmir which back accession to India. India used this as an excuse to claim that this made a referendum redundant and unnecessary. However, the United Nations and Pakistan said a referendum needed to take into account the views of voters throughout the state. Two years later the Prime minister was arrested and a new Jammu and Kashmir government ratified accession to India.

Gradually through the 1950s, China began occupying Eastern Kashmir, also known as Aksai Chin. This led to a war in 1962 where China defeated India for control of the area. A year later Pakistan ceded the Trans-Karakoram Tract of Kashmir to China as well. Over the next few decades many small wars happened where borders weren't changed. Eventually an insurgency occurred after disputed state elections took place in 1987, with the Jammu and Kashmir Liberation Front being the centre. The states did eventually agree to try and reduce violent incidents in the area, but such attempts were dropped in less than a year. Currently, the government of India has been censoring Kashmiri news outlets in an attempt to stop independence movements rising up.

Major Countries and Organizations Involved

India

The biggest of the former British Raj subjects, India currently has control of the state of Jammu and Kashmir. It has a population of over 1 billion people and has clashed frequently with Pakistan over the Kashmir area. Has the greater military of the two but the threat of nuclear war has stopped all out conflict from breaking out.

Pakistan

Currently the second largest of the former British Raj subjects, Pakistan also controls part of Kashmir and has caused many insurrections and insurgencies in the Indian area. It often tries to escalate tensions in the area and has made attempts to align themselves with China to stop India from dominating them.

China

Currently one of the largest militaries of the world, China has taken part in conflicts around Kashmir and has made alliances and agreements with both India and Pakistan. While being a part of economic alliances like BRICS with India, it also has seen many attempts from Pakistan to align with them. It has recently changed its status to neutral and has its own interests in the area.

Timeline of Events

Date	Description
1947	British Raj gains independence from Britain.
1947	Pakistan war against India begins even though Pakistan only officially joined in 1948.
1948	UN Security Council calls for referendum in Kashmir.
1952	Elections in Indian administered Jammu and Kashmir back accession to India, India calls for

1962	Sino-Indian war; India defeated and line of control demarcated between China and Pakistan.
1965	Operation Gibraltar, where infiltrators were sent into Indian administered Kashmir.
1987	Pro-independence insurgency centred around Jammu and Kashmir Liberation Front (JKLF) gains prominences.
1999	India and Pakistan go to war as militants cross borders.
2010	Major protests erupt in the Kashmir Valley of Indian administered Jammu and Kashmir.
2013	Prime ministers of India and Pakistan meet and agree to try to reduce number of incidents at the border.
2014	India cancels talks with Pakistan after accusing it of interfering with India's internal affairs.
2016	Authorities impose a curfew in most parts of Indian-administered Kashmir.
2019	Indian government strips Jammu and Kashmir of special status.

Relevant UN Treaties and Events

UNSC Resolution 47

Resolution 47 dictated that Kashmir called for a referendum on the status of the area. It was passed in 1948 and also called on Pakistan recalling its troops from the region, which wouldn't happen. Kashmir was also partitioned for practical purposes. It was one of the first attempts to resolve the issue but ultimately only had some success.

UNSC Resolution 307

This resolution happened in December 1971 and called for a ceasefire for withdrawals in regards to the war happening in Kashmir in 1971. It also called for international assistance in the relief of suffering and rehabilitation of refugees as well as their return home.

Previous Attempts to solve the Issue

Dixon Plan

The UNCIP appointed Sir Owen Dixon as its successor to oversee the demilitarisation before a statewide plebiscite in Jammu and Kashmir. Dixon proposed his own plan, suggesting that the plebiscite should only cover the Kashmir Valley due to regional differences. Pakistan opposed this because it believed in a plebiscite for the whole state. India and Pakistan disagreed on this proposal, with India wanting its troops to stay but not allowing Pakistani troops.

Nehru's Plebiscite offer

With reduced authority in Kashmir, Nehru recognised the need for a settlement rather than maintaining control by force. This caused him to push for the plebiscite option. In August 1953 suggesting that a plebiscite administrator be appointed within six months. Nehru's stance had dramatically shifted, offering concessions that Pakistan had sought since 1947. He suggested a plebiscite in all regions and the possibility of partition based on the results. Nehru also showed flexibility in scaling back troops to ensure a fair vote. This was initially supported by Pakistani Prime Minister Bogra. However, afterwards, he wasn't sure, leading to delays in the process.

State elections and Militancy

The aftermath of the 1971 Indo-Pakistani War saw the formation of the Muslim United Front (MUF), an alliance of Islamic parties contesting the 1987 state elections. The MUF's manifesto suggested resolving issues per the Simla agreement, working for Islamic unity, and resisting political interference. In this context, 1987's state election experienced high participation, with over 80% voter turnout in the Valley. However, allegations of rigging emerged, favouring the ruling National Conference and the Indian National Congress. This led to tensions in the region.

Conflict in Kargil - 1999

In mid-1999, Pakistani soldiers infiltrated Jammu and Kashmir from Pakistani Kashmir, taking advantage of the winter season when Indian forces move down due to severe weather. They occupied Kargil's vacant mountain peaks overlooking a key highway connecting Srinagar and Leh, cutting off the link between Kashmir Valley and Ladakh. This led to a large-scale conflict between Indian and Pakistani

armies. Major battles occurred resulting in India recapturing most of the territories held by Pakistani forces. Concerns about the conflict escalating into a nuclear war prompted US President Bill Clinton to pressure Pakistan to withdraw. Eventually, the Pakistan Army pulled out its remaining troops, ending the war. India regained control of the Kargil peaks, establishing year-round patrols and monitoring.

Possible Solutions

Rajaji Abdullah Formula

The Rajaji-Abdullah formula aimed to provide a solution to the Kashmir issue that wouldn't grant a sense of victory to India or Pakistan, while ensuring the people of Kashmir a place of honour. The discussions in 1964 explored various options such as a plebiscite, status quo, further division, and pointed towards concepts like a shared government, a confederation, and a United Nations trust territory. Sheikh Abdullah would serve as the mediator between India and Pakistan. The specific details of the proposed settlement were never revealed publicly, and nothing further commenced.

Chenab Formula

In 2005, General Musharraf and other Pakistani leaders proposed resolving the Kashmir issue through the Chenab formula. This assigned Ladakh to India, Gilgit-Baltistan to Pakistan, and suggested a plebiscite in the Kashmir Valley, as well as dividing Jammu into two halves. Musharraf offered a peace plan, including phased troop withdrawal, local self-governance, unchanged borders, and a joint supervision mechanism involving India, Pakistan, and Kashmir. He even indicated willingness to abandon United Nations resolutions on Kashmir. Pakistan later labelled this as Musharraf's personal view, but India's special envoy to Pakistan noted that the formula was not officially disowned, despite reduced talks due to the Mumbai attacks.

Bibliography

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