

Forum: Security Council

Issue: The Kashmir conflict

Student Officer: Angelos Petrovas

Position: Deputy President

PERSONAL INTRODUCTION

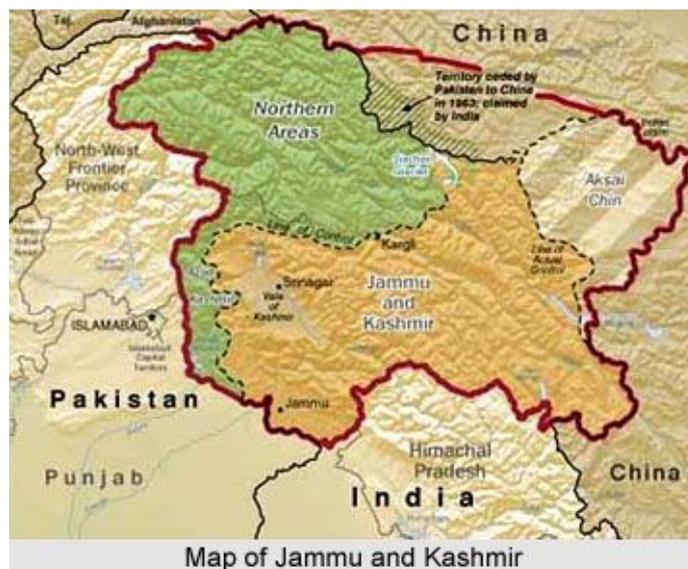
Dear delegates,

My name is Angelos Petrovas, I am 17 years old and I attend the 12th grade at the German School of Athens (DSA). I must admit that it is a huge honor to serve as Deputy President of the Security Council in this session of DSAMUN. This year's topics of the Security Council give delegates the chance to diplomatically discuss some of the most crucial threats concerning international security, an area that dominates the contemporary discourse. As a chair in the SC, it is my duty to guide you —along with my fellow chairs— through the issues and help you understand and discuss them better. However, this study guide, focusing on our third topic, should not be your only source and I strongly urge you to research it further. Should you come up with any questions, do not hesitate to contact me at my **email address: aggelospetrovas@gmail.com** I am really looking forward to meeting you all in DSAMUN 2018!

Best regards,
Angelos Petrovas

INTRODUCING THE TOPIC

The **Kashmir conflict** is defined as a territorial conflict involving India and the Islamic Republic of Pakistan that started in 1947 immediately after the partition of India. India and Pakistan have fought three wars over Kashmir —the Indo-Pakistani Wars (1947 and 1965) and the Kargil War (1999). The aforementioned countries have also been involved in several skirmishes regarding the control of the Siachen Glacier. The People's Republic of China has been involved as well from time to time. India claims the entire princely state of Jammu and Kashmir and, as of 2010, occupies approximately 43% of the region. India is in control of Jammu, the Kashmir Valley, Ladakh, and the Siachen Glacier. The Indian claims are tightly contested by Pakistan, which administers approximately 37% of the region, namely Azad Kashmir and Gilgit-Baltistan. China currently administers the remaining 20% (mostly uninhabited areas), the Shaksgam Valley, and the Aksai Chin region.



The ongoing conflict occurs in the Kashmir Valley. The roots of the conflict between the Kashmiri insurgents and the Indian government are the dispute over local autonomy and the demand for self-determination. Democratic development was restricted in Kashmir until the late 1970s and, by 1988, many of the democratic reforms introduced by the Indian Government had been breached. Non-violent ways for expressing discontent were thereafter suppressed causing a dramatic increase in support for insurgents advocating violent secession from India.

Apart from that, India and Pakistan have been so tight contestants for Kashmir because the springs of the tributaries of the Indus River, the major river that flows through Pakistan and western India, can be traced in the Kashmir Valley and the neighboring areas (Jammu, Siachen). Hence, it is logical that two states, which have primary-sector-based economies and rapidly growing populations, are striving to ensure water and energy (hydro-electricity), by controlling the springs of the Indus River.

In general, the elections held in 2008 were characterized as fair by the United Nations High Commissioner for Refugees (UNHCR) and had a high voter turnout, despite the calls by separatist militants for a boycott. The elections resulted in the creation of the pro-India Jammu and Kashmir National Conference, which then formed a government in the state. However, in 2010 unrest erupted after an alleged encounter of local youth with security forces. In an explosion of violence, thousands of young people pelted the security forces with rocks, burned government offices and attacked railway stations and official vehicles. The Indian government blamed separatists and Lashkar-e-Taiba, a Pakistan-based militant group, for stoking the 2010 protests.

According to scholars, Indian forces have committed many human rights abuses, atrocities and terrorist acts against Kashmiri civilian population including killings, rapes, tortures and enforced disappearances. Crimes by militants have also taken place but were not comparable in scale with the crimes of Indian forces. According to Amnesty International, as of June 2015, no member of the Indian military deployed in Jammu and Kashmir has been brought before a civilian court for human rights violations, although military court-martials have been held. Amnesty International saluted this move but warned that justice should be consistently delivered and persecutions of security forces personnel be held in civilian courts. Amnesty International has also accused the Indian government of refusing to persecute perpetrators of abuses in the region.

Kashmir's accession to India was provisional, and conditional on a plebiscite, and for this reason, the area had a different constitutional status compared to other Indian states. In October 2015, Jammu and Kashmir High Court asserted that Jammu and Kashmir did not merge with India the way other princely states did, but retained special status and limited sovereignty under Indian constitution. On the 8 July 2016, unrest erupted after the murder of a Hizbul Mujahideen, a Kashmiri militant Burhan Wani, by Indian security forces and this issue has yet to be settled.

DEFINITION OF KEY TERMS

Since the Jammu-Kashmir issue is a complicated one, with many different aspects, I advise you to use the definition of key terms section as a reference point while you are going through the Background Information section, so that you can have a more clarified view of the issue.

Kashmir:

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.

British Raj:

The British Raj is defined as the rule by the British Crown in the Indian subcontinent between 1858 and 1947. The rule is also called Crown rule in India, or direct rule in India. The region under British control was commonly called British India or simply India in contemporary usage.

Princely state:

A princely state, also called native state (legally, under the British) or Indian state (for those states on the subcontinent), was a vassal state under a local or regional ruler in a subsidiary alliance with the British Raj.

Partition of India:

The Partition of India was the division of British India into two independent dominions, India and Pakistan, in 1947. The Dominion of India is known today as the "Republic of India", and the Dominion of Pakistan is what we nowadays call the "Islamic Republic of Pakistan" and the "People's Republic of Bangladesh". The partition involved the division of three provinces: Assam, Bengal and the Punjab, based on district-wide Hindu or Muslim majorities.

Standstill Agreement:

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.

Territorial conflict:

A territorial conflict is a disagreement over the possession/control of land between two or more territorial entities or over the possession or control of land, usually between a new state and the occupying power, which leads to acts of war and further hostilities. Territorial disputes are often related to the possession of natural resources, such as rivers, fertile farmland and mineral or oil resources, although the disputes can also be driven by culture, religion and ethnic nationalism. Territorial disputes often result from vague and unclear language in a treaty that set up the original boundary.

Plebiscite:

The direct vote of all members of an electorate on an important public question.

Puppet government:

A government which is endowed with the outward symbols of authority but in which direction and control are exercised by another power.

Tributary:

A tributary or affluent is a stream or river that flows into a larger stream or main stem (or parent) river or a lake. A tributary does not flow directly into a sea or an ocean. Tributaries and the main stem river drain the surrounding drainage basin of its surface water and groundwater, leading the water out into an ocean.

Riparian zone:

A riparian zone is defined as the interface between land and a river or stream.

Tashkent Declaration (Tashkent Agreement):

The Tashkent Declaration was a peace agreement between India and Pakistan signed on 10 January 1966 that resolved the Indo-Pakistani War of 1965. Peace was achieved on 23 September 1966 by the intervention of the great powers, which pushed the two states to cease fire, afraid the conflict could escalate and draw in other powers.

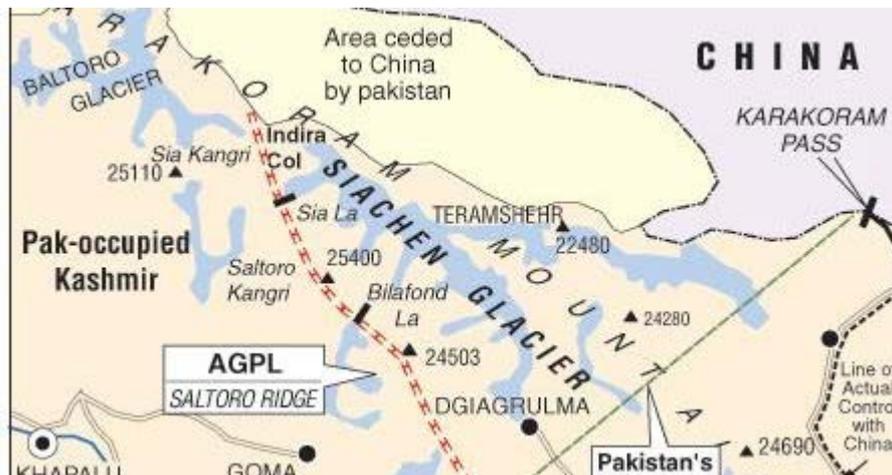
The Indus Waters Treaty:

The Indus Waters Treaty is a water-distribution treaty between India and Pakistan, brokered by the World Bank to use the water available in the Indus System of Rivers located in India. The Indus Waters Treaty (IWT) was signed in Karachi in 1960 by the

first Prime Minister of India Pandit Jawaharlal Nehru and the President of Pakistan Ayub Khan.

Siachen glacier conflict:

The Siachen conflict, sometimes referred to as the Siachen War, was a military conflict between India and Pakistan over the disputed Siachen Glacier region in Kashmir. A cease-fire went into effect in 2003. The contended area is nearly 1,000 square miles (2,600 km²) of territory. The conflict began in 1984 with India's successful Operation Meghdoot, during which it gained control over all of the Siachen Glacier (unoccupied and undermarked area). India has established control over all of the 70-kilometre-long (43 mi) Siachen Glacier and all of its tributary glaciers, as well as all the main passes and heights of the Saltoro Ridge immediately west of the glacier, including Sia La, Bilafond La, and Gyong La. Pakistan controls the glacial valleys immediately west of the Saltoro Ridge. According to TIME magazine, India gained more than 1,000 square miles (3,000 km²) of territory because of its military operations in Siachen.



Above: The Siachen Glacier area

Shimla (Simla) Agreement:

The Shimla Agreement (or Simla Agreement) was signed between India and Pakistan on 2 July 1972 in Shimla, the capital city of the Indian state of Himachal Pradesh. It came as the settlement/resolution of the Bangladesh Liberation war in 1971 that led to the independence of Bangladesh, which was earlier known as East Pakistan and was part of the territory of Pakistan. India entered the war as an ally of Bangladesh, which transformed the war into an Indo-Pakistani War in 1971. The agreement was ratified by the Parliaments of both nations in the same year. It was the result of both countries seeking to "put an end to the conflict and confrontation that have hitherto marred their relations". It conceived the steps to be taken for further normalization of mutual relations and it also laid down the principles that should govern their future relations. However, this was not respected and aggression continued on both sides.

Kargil war:

The Kargil War, also known as the Kargil conflict, was an armed conflict between India and Pakistan that took place between May and July 1999 in the Kargil district of Kashmir and elsewhere along the Line of Control (LOC). In India, the conflict is also referred to as Operation Vijay (Hindi: विजय, literally "Victory") which was the name of the Indian operation to clear the Kargil sector. The cause of the war was the infiltration of Pakistani soldiers disguised as Kashmiri militants into positions on the Indian side of the LOC, which serves as the de facto border between the two states.

The Line of Control:

The term Line of Control (LoC) refers to the military control line between the Indian and Pakistani controlled parts of the former princely state of Jammu and Kashmir — a line which does not constitute a legally recognized international boundary, but is the *de facto* border. Originally known as the Cease-fire Line, it was re-designated as the "Line of Control" following the Shimla Agreement. The part of the former princely state that is under Indian control is known as the state of Jammu and Kashmir. The Pakistani-controlled part is divided into Azad Jammu and Kashmir and Gilgit–Baltistan. The northernmost point of the Line of Control is known as NJ9842. India–Pakistan border continues from the southernmost point on the LoC.

The Line of Actual Control:

The Line of Actual Control (LAC), created after the Sino-Indian war of 1962, is a demarcation line that separates Indian-controlled territory from Chinese-controlled territory in the former princely state of Jammu and Kashmir.



Left: map depicting the LoC and the LAC

BACKGROUND INFORMATION

The onset (Partition of India, 1947)

The Kashmir dispute dates back to 1947. British rule in the Indian subcontinent ended then with the creation of the following new states: *the Dominion of Pakistan and the Union of India*, as the successor states to British India. The British Paramountcy over the 562 Indian princely states thus ended. States were thereafter left to choose whether to join India or Pakistan or to remain independent. Although many princes wanted to be "independent" (which would have meant hereditary monarchies and no hope for democracy), they had to succumb to their people's protests, which turned violent in many provinces.

Because of its location, Kashmir could choose to join either India or Pakistan. Maharaja Hari Singh, the ruler of Kashmir, was Hindu while most of his subjects were Muslim. Unable to decide which nation Kashmir should join, Hari Singh chose to remain neutral. However, his hopes of remaining independent were dashed in October 1947, as Pakistan sent in Muslim tribesmen who were knocking at the gates of the capital Srinagar, intending to force the Maharaja to agree with the incorporation of his princely state into Pakistan. Hari Singh appealed to the Indian government for military assistance and fled to India. He signed the Instrument of Accession **ceding Kashmir to India**.

The first Indo-Pakistani wars, Resolution 47, the UNCIP and the rejected Dixon plan

Indian and Pakistani forces fought their first war over Kashmir in 1947-48. India referred the dispute to the United Nations, seeking resolution of the issue by the UN Security Council. Following the set-up of the United Nations Commission for India and Pakistan (UNCIP), the UN Security Council passed Resolution 47 in 1948 demanding an immediate cease-fire and asking the Government of Pakistan "to secure the withdrawal from the state of Jammu and Kashmir of tribesmen and Pakistani nationals not normally resident therein who have entered the state for the purpose of fighting". It also requested that the Government of India reduce its forces to minimum strength, after which a plebiscite on whether Jammu and Kashmir should belong to India or Pakistan should take place.

India, having taken the issue to the UN, was confident of being favored by the plebiscite, since the most influential Kashmiri mass leader, Sheikh Abdullah, was firmly on its side. An emergency government was formed in 1948 with Sheikh Abdullah as the Prime Minister. Pakistan however ignored the UN mandate and continued fighting, holding on to the portion of Kashmir under its control. In 1949, a ceasefire was agreed, with 65 per cent of the territory under Indian and the remainder under Pakistani control. In spite of that, both India and Pakistan failed to arrive at a truce agreement due to differences over interpretation of the procedure and the extent of demilitarization. The ceasefire was intended to be temporary but the Line of Control still remains the de facto border between the two countries to this day.

After ceasing its operation and declaring its failure in 1949, the UNCIP appointed its successor, Sir Owen Dixon, to implement demilitarization prior to a statewide plebiscite on the basis of General McNaughton's scheme¹, and to recommend solutions to the two governments. Dixon's efforts for a statewide plebiscite came to naught due to India's constant rejection of the various alternative demilitarization 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 plebiscite be limited to the Valley. He agreed that the people in Jammu and Ladakh were clearly in favor 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. **Nevertheless**, Pakistan **did not accept this plan** because it believed that India's commitment to a plebiscite for the whole state should not be abandoned.

In 1957, Kashmir was formally incorporated into the Indian Union. It was granted a special status under Article 370 of India's constitution, which ensures, among other things, that non-Kashmiri Indians cannot buy property there.

The Indus water distribution issue and the Indus Waters Treaty (1960-present)

A major reason justifying the duration of the conflict is related to the waters of the Indus River. Indus originates in the Tibetan plateau, making its 3,200km journey southwards along the entire length of Pakistan, before emptying into the Arabian Sea. The river basin is divided between Pakistan, which has about 60% of the catchment area, India with about 20%, Afghanistan with 5% and around 15% in Tibet. The two major riparian zone parties, Pakistan and India have extensively dammed the Indus River to provide for irrigation and hydro-electricity.

The Indus is comprised of five main tributaries. The Jhelum, the largest of these, originates in the Valley of Kashmir. The Chenab, a second tributary, flows through the Jammu region of the state of Jammu and Kashmir before entering the Indian state of Punjab. The remaining three tributaries (Ravi, Sutlej and Beas) either originate or flow through India's state of Himachal before entering Indian Punjab.

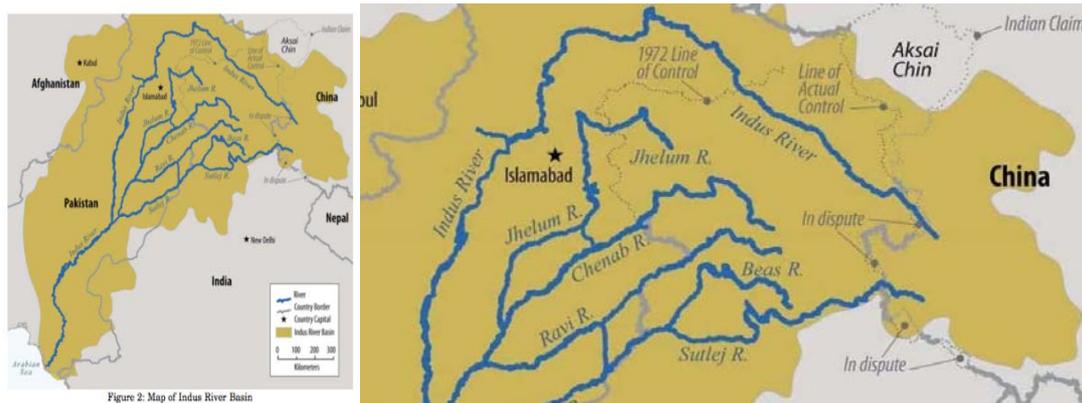
As a result, if the Line of Control (LoC) between India and Pakistan in Kashmir, were to move from being de-facto to a recognized international border, India would permanently become the upper riparian and Pakistan the lower riparian of the Indus River and all of its tributaries.

The Indus is a river system that sustains communities in both India and Pakistan. In Pakistan, it is the only river system supporting the country, where more than 92% of the land is arid or semi-arid. In India, it is one of two main river systems supporting the country's northwest: Punjab, Haryana and Rajasthan (generally considered to be water deficient areas).

¹ On 22 December 1949, McNaughton, the Canadian delegate in the Security Council, proposed that both Pakistani and Indian forces should be reduced to a minimum level, followed by the disbandment of both the Azad and the State forces.

Given that over half of Pakistan's population is employed in the agricultural sector and that Punjab is known as the "bread basket" of the Republic of India, the importance of the Indus River to the well-being and economy of both countries cannot be overseen.

Below: depiction of the tributaries of the Indus River and its flow



Consequently, a **1960 Indus Waters Treaty** signed and ratified by both states under the supervision of the World Bank has been implemented. According to this agreement, control over the water flowing in three "eastern" rivers of India were given to India, while control over the water flowing in three "western" rivers of India was given to Pakistan. After the implementation of the treaty, no major water disputes have occurred and the minor ones have been resolved through legal procedures. Thus, the Indus Water Treaty is considered to be one of the best-working water-sharing endeavors globally. **However, as a potential solution to the Kashmir issue, in addition to the landscape and water supply alternations caused by the climate change and the 58 years that have passed since the agreement, a brand new and equally successful one is needed.**

The unpredicted involvement of China and the Tashkent Declaration (1947-49, 1962, 1965, 1966)

In 1962, troops from the People's Republic of China and India clashed in territory claimed by both countries. China won a swift victory in the war resulting in **Chinese annexation** of the region they call Aksai Chin, which has continued since then. Another smaller area, the Trans-Karakoram, was demarcated as the Line of Control (LOC) between China and Pakistan, although some of the territory on the Chinese side is claimed by India to be part of Kashmir. The line that separates India from China in this region is known as the "**Line of Actual Control**".

Fighting broke out again in 1965, but a ceasefire was established that September. Indian Prime Minister, Lal Bhadur Shastri, and Pakistani President, M. Ayub Khan,

signed the Tashkent Declaration on January 1, 1966. They resolved to try to end the dispute, but the death of Mr Shastri and the rise of Gen Yahya Khan in Pakistan resulted in stalemate.



The third major war in the region (India-Pakistan/creation of Bangladesh, 1971)

In 1971, a third war resulted in the formation of the **independent nation of Bangladesh** (formerly known as East Pakistan). A war had broken out in East Pakistan in 1971, and soon India was faced with a million refugees. India declared war after Pakistani Air Force planes struck Indian airfields in the Western sector. Two weeks later, the Indian army marched into Dhaka and the Pakistanis surrendered. In the Western sector, the Indians managed to blockade the port city of Karachi and were 50 km into Pakistani territory when a ceasefire was reached.

The Shimla Agreement and the internal political developments in India and Pakistan (1972-1977)

In 1972, Indira Gandhi, the Indian Prime Minister, and Zulfikar Ali Bhutto, her Pakistani opposite number, signed the **Shimla Agreement**, which reiterated the promises made in Tashkent. The two sides once again agreed to resolve the issue peacefully, as domestic issues were more crucial for both. In 1975, Indira Gandhi declared a state of national emergency, but she was defeated in the 1978 general elections. Zulfikar Ali Bhutto was overthrown and hanged in 1977; Pakistan reverted to military dictatorship under General Zia ul Haq.

The turnaround of the international and Kashmiri opinion (1980s)

The balance of influence had decisively tilted in Pakistan's favor by the late 1980s, with people's sympathy no longer being with the Indian Union as it had been in 1947-48 and 1965. Mrs. Gandhi's attempts to install puppet governments in state capitals, manipulating the democratic process in the state legislatures, deeply angered the Kashmiris.

The reign of terror, the plebiscite discussions and the bilateral nuclear threats (1989-1999)

The status quo was largely maintained until 1989 when pro-independence and pro-Pakistan guerrillas struck in the Indian Kashmir valley. They established a reign of terror and drove out almost all the Hindus from the valley before the Indian army moved in to flush them out. Meanwhile, Indian and Pakistani troops regularly exchanged fire at the border. India recognized only the Shimla Agreement and thwarted any attempts at UN or a third-party mediation. Over the decades, the plebiscite advocated by India's great statesman Jawaharlal Nehru became an insulting word in New Delhi. These developments have led many to believe that Delhi has squandered the Kashmiri people's trust and allegiance.

India and Pakistan both tested **nuclear devices** in May 1998, and then in April 1999 test-fired missiles in efforts to perfect delivery systems for their nuclear weapons. Pakistan tested its Ghauri II missile four days after India's testing of its long-range Agni II.

The glimpse of hope and the catastrophic War of Kargil (1999)

All hopes of diplomacy disappeared once the cross-LOC firing in Kargil began during the mid-1990s. The death toll, including both soldiers and civilians, was more than 30,000. In the first week of August 1998, Indian and Pakistani troops exchanged artillery fire, described by locals as heavier than that of the two first wars put together. An estimated 50,000 rounds of ammunition were expended and a large number of soldiers and civilians killed.

In the summer of 1999, India found to its horror during a patrol that infiltrators occupied many key posts vacated in the winter. A patrol was ambushed in the first week of May 1999. India belatedly realized the magnitude of the occupation — around 10 km deep and spanned almost 100 km of the LOC— and sent MiG fighters into action. India contended that the infiltrators were trained and armed by Pakistan and that Afghan and other foreign mercenaries accompanied them.

Pakistan insisted that those involved were freedom fighters from Kashmir and that it was giving only moral support. India ordered the military aircrafts under its command not to stray into Pakistani territory, while those that did were shot down. The conflict ended only after Bill Clinton, the US President, and Nawaz Sharif, Pakistan's Prime Minister, met in Washington in 1999. Meanwhile, the Indian Army had made significant advances, capturing vital territory.

Despite the apparent efforts to mediate, the US maintained that it was not interfering in what India still claims to be a bilateral issue. Pakistan withdrew its forces later that month. However, skirmishing continued, and India shot down a Pakistani reconnaissance plane, killing 16. The official number of Indian troops lost in Kargil was around 500, with almost double that number of "infiltrators" killed. Nevertheless, India did not declare war against Pakistan. Yet this, by all accounts of soldiers and top Indian army officers involved, was a war in which India lost men engaged in hand-to-hand combat with Pakistani soldiers in the heights of Kargil — a war that could be compared with the one of 1948-49, which was limited to Kashmir,

with the other border regions remaining peaceful. Thus in 1999, in a war limited to one sector, India suffered casualties within its own territory. Despite much pressure from the military and the public, the government decided not to cross the LOC. Pakistan too suffered criticism at home for limiting its war to artillery fire across the LOC and shooting down Indian aircraft.

Below: graphic depiction of the Kargil conflict



The 2000s (Al-Qaeda, Elections, latest outbreak)

Since the late 1990s but predominantly in the 2000s, Al-Qaeda has also been involved in the issue. They have been supporting the Muslim population of Kashmir and Jammu and furthering their wish for either an independent Jammu and Kashmir or the merger with Pakistan. Al-Qaeda militia have been indulged in numerous acts of violence against Indian security officers.

Elections for the governance of the constitutionally privileged Jammu and Kashmir county were held in Indian administered Kashmir in 2008 in seven phases. In spite of calls by separatists for a boycott, an unusually high turnout of more than 60% was recorded. The National Conference party, which was founded by Sheikh Abdullah and is regarded as pro-India, emerged with a majority of the seats. The Congress Party and the National Conference agreed to form a coalition government, with Omar Abdullah as Chief Minister. In 2009, Abdullah was sworn in as the eleventh Chief Minister of Jammu and Kashmir.

The Jammu and Kashmir Legislative Assembly election was held in Indian state of Jammu and Kashmir in five phases from 25 November – 20 December 2014. Despite repeated boycott calls by separatist leaders, elections recorded highest voters' turnout in last 25 years that has been estimated above 65%, which is more than a usual voting percentage in other states of India.

The European Parliament, on behalf of the European Union, then congratulated the state on the high voter turnout, praising the democratic progress.

On 8 July 2016, popular Kashmiri militant leader fighting the interests of India in the area Burhan Muzaffar Wani was cornered by the Indian Security Forces and killed. Following his death, protests and demonstrations have taken root leading to an "amplified instability" in the Kashmir valley. Curfews have been imposed in all 10 districts of Kashmir and over 40 civilians died and over 2000 injured in clashes with the police. More than 600 had pellet injuries, which might cause loss of their eyesight. To prevent volatile rumors, cellphone and internet services have been blocked, and newspapers have also been restricted in many parts of the state.

Ever since the aforementioned events took place, the Kashmir conflict has been revitalized and reemerged as an urgent topic, and the area has been witnessing continuous acts indicating that it is high time a viable solution was found.

COUNTRIES INVOLVED IN THE ISSUE

India

India has officially stated that Kashmir must be an integral part of India, though the then Prime Minister of India, Manmohan Singh, claimed after the 2010 Kashmir Unrest that his government was willing to grant autonomy to the region within the purview of Indian constitution if there was consensus among political parties on this issue. Human rights organizations have strongly condemned Indian troops for widespread rape and murder of innocent civilians, highlighting the acts of violence by the Indian government and military over the course of the years (primarily during the 1990s). India also disputes the Line of Actual Control claiming China-administered Aksai Chin to be part of the Kashmir region. Except for those, one should take notice that India's north-western provinces are vitalized by the Indus River, which means that their desire would be to retain or even increase their control over the area of its tributaries' springs.

Pakistan

Pakistan maintains that Kashmir is the "jugular vein of Pakistan" and a currently disputed territory whose final status must be determined by the people of Kashmir. Pakistan's claims to the disputed region are based on the rejection of Indian claims to Kashmir, namely the Instrument of Accession. Pakistan insists that the Maharaja (Hari Singh) was not a popular leader, and was regarded as a tyrant by most Kashmiris. It also maintains that the Maharaja used brute force to suppress the population. Pakistani statesmen claim that Indian forces were in Kashmir before the Instrument of Accession was signed with India, and that therefore Indian troops were in Kashmir in violation of the **Standstill Agreement**, which was designed to maintain the status quo in Kashmir (although India was not signatory to the

Agreement, which was signed between Pakistan and the Hindu ruler of Jammu and Kashmir). A poll by an Indian newspaper shows 48% of Pakistanis want Islamabad "to take full control" of Kashmir. Forty seven percent of Pakistanis support Kashmiri independence. Lastly, as Pakistan is largely dependent on the water and hydro-electricity supply provided by the Indus River, it would as well wish to control a larger amount of land around its tributaries' springs.

People's Republic of China

China states that **Aksai Chin** is an integral part of China and does not recognize the inclusion of Aksai Chin by India as part of the Kashmir region. China did not accept the boundaries of the princely state of Kashmir and Jammu, north of Aksai Chin and the Karakoram as proposed by the British. It settled its border disputes with Pakistan under the 1963 Trans Karakoram Tract with the provision that the settlement was subject to the final solution of the Kashmir dispute. The PRC seems to be leaning towards the Pakistani interests as regards the issue, although it is part of the BRICS (Brazil, Russian Federation, India, China, and South Africa) alliance.

The United States of America

Primarily because both India and Pakistan possess nuclear weapons, the United States had a stake in resolving the Kashmir problem even before the 1998 nuclear tests. However, it has never been prepared to take the risk or spend the political capital necessary to do so, and no blueprints of a solution have emerged from successive U.S. administrations. Historically, the U.S. had mostly pursued the traditional American position that India and Pakistan need to resolve the issue through bilateral negotiations. However, in the aftermath of the terrorist attacks on 11 September 2001, the USA distanced themselves from the theocratic Islamic state of Pakistan (which also has the Al-Qaeda supporting it) and have ever since been leaning towards the Indian side. Due to the issue of the Executive Order 13769 by president Trump regarding the entry-rejection of the citizens of certain Islamic States, the American-Pakistani relations deteriorated, although Pakistani citizens were not amongst the affected ones.

PREVIOUS UN RESOLUTIONS

The United Nations Security Council Resolution 47

The United Nations Security Council Resolution 47, adopted on 21 April 1948, concerns the resolution of the Kashmir conflict. After hearing arguments from both India and Pakistan and voting on the clauses proposed, a final resolution, which is comprised of two parts, was drafted and adopted. The first part increased the Commission's strength to five members (Argentina, Belgium, Colombia, Czechoslovakia and the United States) and asked it to proceed to the Indian subcontinent at once to mediate between India and Pakistan. The second part dealt with the Security Council recommendations for restoring peace and conducting a plebiscite. The resolution also focused on measures to be taken for the return of

refugees, for the release of political prisoners and for political freedom. It was ultimately approved.

The United Nations Security Council Resolution 39

The United Nations Security Council Resolution 39, adopted on 20 January 1948, offered to assist in the peaceful resolution of the Kashmir Conflict by setting up a commission of initially three state representatives, one to be chosen by the India, one by Pakistan and the third by the other two members of the commission members. The commission was to write a joint letter advising the Security Council on what course of action would be best to promote peace in the region. Its name was the United Nations Commission for India and Pakistan (UNCIP) and it operated until it declared its failure and submitted its final report to the Security Council on 9 December 1949.

TIMELINE OF EVENTS

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|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1947: the end of the British Raj and the partition of India |
| 1947-1949: the first Indo-Pakistani War over the Jammu and Kashmir region and the UN intervention (in 1948-49) |
| 1949: Dixon plan |
| 1960: The Indus Water Treaty bilateral Convention |
| 1962: the armed intervention of the Chinese (Sino-Indian War) and the creation of the "Line of Actual Control" (LAC) |
| 1965: the second Indo-Pakistani War |
| 10 January 1966: the signing by both states of the Tashkent Declaration imposing a cease-fire between them and aiming to restore their relations |
| 1971: the Bangladesh Liberation War that transformed into the third Indo-Pakistani War |
| 2 July 1972: the partially successful Shimla Agreement terminating the third Indo-Pakistani War and once again reaffirming the principles of the Tashkent Declaration |
| 1999: the Kargil War |
| 2000s: vague involvement of the Al-Qaeda in favor of the Muslims who support |

secession from India and either independence or mergence with Pakistan

2003: the Siachen Glacier conflict

POSSIBLE SOLUTIONS



Scenario 1: The status quo

Kashmir has been a flashpoint between India and Pakistan for more than 50 years. Currently a boundary —the Line of Control— divides the region in two, out of which the one is administered by India and the other by Pakistan. India would like to formalize this status quo and make it the accepted international boundary. Nevertheless, Pakistan and Kashmiri activists reject this plan because they both seek for greater control over the region.



Scenario 2: Kashmir joins Pakistan

Pakistan has consistently promoted this as the most efficient resolution to the territorial conflict. Considering that the majority of the population are Muslims, its officials are convinced that they would vote to become part of Pakistan. However, a single plebiscite held in a region, which comprises peoples that are culturally, religiously and ethnically diverse, would create disaffected minorities. The Hindus of Jammu, and the Buddhists of Ladakh have never shown any desire to join Pakistan and would protest at the outcome.



Scenario 3: Kashmir joins India

Such a solution would be unlikely to bring stability to the region, as the Muslim inhabitants of Pakistani-controlled Jammu and Kashmir, including the Northern Areas, have never expressed any wish to merge with India.



Scenario 4: Independent Kashmir

The difficulty of adopting this as a potential solution is that it requires both India and Pakistan to give up on any territorial claims, which they are most probably not willing to proceed with. Any plebiscite or referendum likely to result in a majority vote for independence would therefore probably be opposed by both India and Pakistan. The inhabitants of the state who are content with their status as part of the countries to which they already owe allegiance would also reject it.



Scenario 5: A smaller independent Kashmir

An independent Kashmir could be created from the Kashmir Valley —currently under Indian administration— and the narrow strip of land which Pakistan calls Azad Jammu and Kashmir. This would leave the strategically important regions of the Northern Areas and Ladakh, bordering China, under the control of Pakistan and India respectively. However, both India and Pakistan would be unlikely to enter into discussions, which would have this scenario as a possible outcome.



Scenario 6: Independent Kashmir Valley

Some have considered as the best solution an independent Kashmir Valley, because it would address the grievances of those who have been fighting against the Indian Government since the insurgency began in 1989. However, critics say that, without external assistance, the region would not be economically viable.



Scenario 7: The Chenab formula

This plan, first suggested in the 1960s, would see Kashmir divided along the line of the River Chenab. This would give the vast majority of land to Pakistan and, as such, a clear victory in its longstanding dispute with India. The entire valley with its Muslim majority population would be brought within Pakistan's borders, as well as the majority Muslim areas of Jammu.

What should change if the issue is to be finally resolved?

As the international community has yet to see any kind of solution to one of the most long-lasting conflicts worldwide, the majority is inclined to believe that the Kashmir conflict shall not cease to exist in the foreseeable future. While India, Pakistan, China and their alliances all stand firm on their policies and show no intentions for good-faith negotiations, the UN has to first and foremost bring all parties to the negotiations table. Those should not only include solutions for the territorial claims, the new border designation and safeguarding and the population division and wellbeing, but also an update or rearrangement of the water-sharing endeavor of the Indus Waters. However, in case the states retain their current stance and neglect the designated solutions the UN needs to have constructed a Plan B including motives provided or even sanctions. Let us not forget that the Kashmir conflict is an open wound that must be healed if global peace is to be materialized.

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