



SRMUN CHARLOTTE 2020

Forging Connections: Building a Community Among States Through Diplomacy

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Security Council Update No. 2

The Conflict in Jammu and Kashmir

Background

For the majority of the 17th – 20th Centuries, the British maintained colonial control of India, as well as the contested land between Pakistan and India, which is claimed by both as their own, known as Jammu and Kashmir (Kashmir).¹ Following World War II and growing nationalist movement within India, the British decided that colonial rule of the Indian territory should end by 1948.² The region, constituted of a Hindu-majority and Muslim-minority population, fell into unrest and a series of deadly riots, as there were demands for the separation of India into two autonomous states, one for each religion.³

As a result, on August 15th, 1947, British India was partitioned into two sovereign political entities: Hindu India and Islamic Pakistan. In compliance with agreements for the partition, the princes of the 11 newly divided principalities were then separated into Muslim and non-Muslim categories and heavily encouraged to accede to the Member State in which they shared religious unity.^{4 5} However, Hindu prince Maharaj Hari Singh, who was in charge of the state of Jammu and Kashmir, did not choose to accede to either India or Pakistan and instead wanted independence for the state.⁶ In attempt to limit external pressure to join either state, Singh signed the Kashmir-Pakistan Standstill agreement to allow citizens of Kashmir and Pakistan to interact, travel, and trade freely.⁷ India chose not to sign such an agreement.⁸

Tensions arose throughout both India and Pakistan after the ratification of the Kashmir-Pakistan Standstill agreement as Pakistan began questioning the Maharajah's commitment to remaining a neutral entity and feared a potential alliance between Kashmir and India.⁹ As relations between Kashmir and Pakistan continued to breakdown, their Punjab border began to deteriorate, resulting in a rather fluid border situation and the occurrence of several illegal border crossings and disputes.¹⁰ People began to flee into across borders between Pakistan and India and into the Jammu District, creating economic stability and social

¹ Erin Blakemore, "The Kashmir conflict: How did it start?," *National Geographic*. March 2, 2019. <https://www.nationalgeographic.com/culture/2019/03/kashmir-conflict-how-did-it-start/#close> (Accessed March 02, 2020).

² Erin Blakemore, "The Kashmir conflict: How did it start?," *National Geographic*.

³ Erin Blakemore, "The Kashmir conflict: How did it start?," *National Geographic*.

⁴ Thorner, Alice. "The Kashmir Conflict." *Middle East Journal* 3, no. 1 (1949): 17-30. Accessed February 13, 2020. www.jstor.org/stable/4322039.

⁵ Thorner, Alice. "The Kashmir Conflict." *Middle East Journal* 3, no. 1 (1949): 17-30. Accessed February 13, 2020. www.jstor.org/stable/4322039.

⁶ Erin Blakemore, "The Kashmir conflict: How did it start?," *National Geographic*.

⁷ Erin Blakemore, "The Kashmir conflict: How did it start?," *National Geographic*.

⁸ Erin Blakemore, "The Kashmir conflict: How did it start?," *National Geographic*.

⁹ Thorner, Alice. "The Kashmir Conflict." *Middle East Journal* 3, no. 1 (1949): 17-30. Accessed February 13, 2020. www.jstor.org/stable/4322039.

¹⁰ Thorner, Alice. "The Kashmir Conflict." *Middle East Journal* 3, no. 1 (1949): 17-30. Accessed February 13, 2020. www.jstor.org/stable/4322039.



violence.¹¹ Further, Pro-Pakistani rebels funded by the Pakistani government began an insurgent campaign in western Kashmir, taking over much of the region.¹² In response, Hingh requested assistance from the government of India, resulting in the signing of the Instrument of Accession between Kashmir and India on October 26, 1947, which stated that the state of Jammu and Kashmir acceded to India, but the Indian Parliament had ability to legislate over the region in matters of communication, defense, and external affairs only.¹³ The decision to accede to India has since created decades of political, social, and economic unrest, including war and seemingly unending insurgency.¹⁴

Security Council Actions

Concerned over a formal declaration of war in the form of an undeniable act of aggression, India chose to bring the matter before the Security Council and members of the International Community. On December 31st, 1947, Indian Premier Nehru sent the Security Council a charge-sheet detailing the unfriendly acts conducted by the Government of Pakistan with the hope of resolution.¹⁵ The formal request read:

“The government of India requests the Security Council called upon Pakistan to put an end immediately to the giving of such assistance which is an act of aggression against India, if Pakistan does not do so, the government of India may be compelled, in self-defense, to enter Pakistani territory, to take military action against the invaders. The matter is, therefore, one of extreme urgency and calls for immediate action by the security council in order to avoid a breach of international peace.”¹⁶

The Government of Pakistan responded with a formal complaint to the Security Council against India, claiming three separate counts: genocide in the Punjab, aggression against Junagadh, and non-implementation of partition agreements.¹⁷ Following the conclusion of several debates on the matter, the Security Council passed a resolution on April 21, 1948, calling for the withdrawal of both Indian troops and Pakistani Tribesmen from Kashmir as a means of establishing a “free and impartial plebiscite.”¹⁸ Furthermore, the United Nations would appoint a plebiscite administration and a five-member commission under purview of the Security Council would be dispatched on the scene with the main objective of establishing order in Kashmir, facilitating peace between the two disputing parties. However, despite this Resolution, further violence and infighting continued to break out during the Indo-Pakistani Wars of 1965 and 1971. On July 2, 1972, the Simla Agreement formally established the line of control between India and Pakistan's controlled territories.^{19,20} Kashmir was ultimately granted special constitutional autonomy status within the Indian constitution, which stated the region of Kashmir would have independent governance within its regional borders. However, the formal management of foreign communications, relations, and defense protocols would be retained by the Indian Government. The agreement remained in place until August 5th, 2019, when the Indian government revoked Kashmir's special status through the invocation of

¹¹ Thorner, Alice. "The Kashmir Conflict." *Middle East Journal* 3, no. 1 (1949): 17-30. Accessed February 13, 2020. www.jstor.org/stable/4322039.

¹² Erin Blakemore, “The Kashmir conflict: How did it start?,” *National Geographic*.

¹³ Rahul Tripathi, “Instrument of Accession: From 1947 till date,” *Economic Times*, August 06 2019. <https://economictimes.indiatimes.com/news/politics-and-nation/instrument-of-accession-from-1947-till-date/articleshow/70546147.cms>. (Accessed March 02, 2020.)

¹⁴ Rahul Tripathi, “Instrument of Accession: From 1947 till date,” *Economic Times*.

¹⁵ “Statement of the honorable Mr. N.Gopalaswami Ayyanger before the Security Council,” January 15, 1948.

¹⁶ “Statement of the honorable Mr. N.Gopalaswami Ayyanger before the Security Council,” January 15, 1948

¹⁷ Security Council. Verbatim Record of the 227th Meeting, January 15, 1948. S/P.V 227, p. 26.

¹⁸ UN S/RES/47 (1948).

¹⁹ Lyon, Peter (1 January 2008). Conflict Between India and Pakistan: An Encyclopedia. ABC-CLIO. p. 80. ISBN9781576077122.

²⁰ Amin, Tahir; Schofield, Victoria. Kashmir. The Oxford Encyclopedia of the Islamic World. Oxford University Press. The origins of the current insurgency in Kashmir relate to latent frustration among the population. Despite Indian promises to the Kashmiri people and the UN that a plebiscite would be held, the Indian government never allowed the Kashmiris to exercise their right of self-determination.



Article 370 of the Indian Constitution which transformed the state into two separate federal territories of Jammu and Kashmir.

Current Situation

Article 370 of the Indian Constitution changed the constitutional autonomy granted to the territories of Jammu and Kashmir to that of two separate federal territories.²¹ This has resulted in a further escalation of the tensions between India and Pakistan, as well as tensions between the Muslim and Hindu populations of the region. The Indian Government has since deployed thousands of additional troops into the disputed Kashmir territory, and imposed a series of severely limiting curfews, implemented a total telecommunication and media blackout within Kashmir, and arrested several prominent Kashmiri political leaders.²² As a result, the Pakistani Government has limited its diplomatic presence and relations with India.²³ Continued escalating violence within the region has had social, economic, and political repercussions on the area and the international arena, and is like to continue.

²¹ “Kashmir Under Lockdown: All The Latest Updates” 2020. *Aljazeera.Com*.

²² “Kashmir Under Lockdown: All The Latest Updates” 2020. *Aljazeera.Com*.

²³ “Kashmir Under Lockdown: All The Latest Updates” 2020. *Aljazeera.Com*.