



BME Model United Nations Conference 2019

Budapest University of Technology and Economics, Budapest, HU

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General Assembly

United Nations

Background Guide

United Nations: General Assembly

Topic: Conflict in Kashmir



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Letter from the Executive Board,

Hello everyone, we heartily welcome all of you to UNGA at BMEMUN 2019. We have prepared this guide, which is essentially to give you some idea about the agenda at hand and to cater your basic research.

Our role is just to moderate the delegates in any given chances and time alone. The direction and flow of debate shall be decided by the committee. The delegates are the ones who constitute the committee and hence will be uninhibited while presenting their opinions/stance on any issue. But, the EB will only intervene, in a limited and strategic manner, in case of loss of focus and/or direction of the committee. However, there are certain expectations from the committee which mainly constitutes of diplomatic courtesy and ideal representation of a diplomat during the committee sessions. The diplomats or representatives are expected to debate and deliberate upon the agenda item and come to a consensus on a decisive solution if they deem it necessary.

The executive Board would like to emphasize that this Background Guide is not exhaustive in nature and should be supplemented with further in-depth research. Please note that this guide is not an original drafted document, it's an accumulation of data, statistics and information from different sources.

We wish you all the best in your research prep and looking forward to a practical exchange of negotiations with the utmost diplomatic approach.

With High regards,
Harsha S. Rahul, **Director**
Idrees Razak, **Assistant Director**



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Method of Research

This self-paced guide aims to give delegate flexibility in their approach to research the following steps are meant to provide motivation and guidance about some possible strategies and minimum expectations for completing this research successfully:

This Study guide is meant to be relevant and practical.

- Before you begin to research, first run through the entire Background guide. Notice the articles and section titles to get an overall idea of what will be involved as you proceed.
- Strive to understand concepts and overall perspectives regarding the United Nations system and the charter.
- Set personal guidelines and benchmarks regarding how you want to schedule your speech and documentation.
- Study the research content and the learning the core matter objectives. At the beginning of each study, guide yourself to the main points. Read the Background guide twice to ensure maximum understanding and mental faculty.
- At the end of each research segments, take the imperative notes that are relatable to the study. Clarify any missed portions by recollecting them.
- After you complete all the research, prepare for the End-of research Document by taking time to review the main points of each researched articles.

Procedure

The purpose of putting in procedural rules in any committee is to ensure a more organized and efficient flow of debate. Kindly take note that the committee shall follow the **UNA-USA** Rules of Procedure, a link for which has been provided in the last section of this Guide. Although the Executive Board shall be strict with the Rules of Procedure, the discussion of the agenda will be the main priority. So, delegates are advised not to restrict their statements due to hesitation regarding the procedure.

Foreign Policy

Following the foreign policy of one's country/company is the most important aspect of a Model UN Conference. This is what essentially differentiates a Model UN from other debating formats. To violate one's existing foreign policy without adequate reason is one of the worst mistakes a delegate can make. So, the adjacent of the actual Foreign policy cannot be tolerated as well. That is, the Foreign policy shift from one faction to the other and the vice versa is not a toll to experience with this committee. Just because, in ministerial conferences the representation of oneness Country/Organisation is fixed with the type of trading system or negotiations that they approach. So, embrace yourself for a proper way to show off your Role play.

Note: No country is given hierarchy over others, even with their holdings in trade policies.



About the committee:

Structure

The cause of this committee's versatility lies with the fact that it is a collection of six sub-committees, each with their own scope of debate. The UNGA Plenary - what is to convene - adopts the agenda, to further allocate work to the various main committees of the Assembly.

The First committee or DISEC (Disarmament and International Security) deals with disarmament, global challenges, and threats to peace that affect the international community. Its scope includes, but is not limited to, issues pertaining to the general principles of cooperation in the maintenance of international peace and security, as well as principles governing disarmament and the regulation of armaments; promotion of cooperative arrangements and measures aimed at strengthening stability through lower levels of armaments.

The Second committee or the ECOFIN (Economic and Financial) deals with issues relating to economic growth and development such as macroeconomic policy questions; financing for development; sustainable development; human settlements; globalization and interdependence; eradication of poverty; operational activities for development; agriculture development, food security and nutrition; information and communications technologies for development; and towards global partnerships.

The Third committee or SOCHUM (Social, Humanitarian and Cultural) who work towards issues like advancement of women, the protection of children, indigenous issues, the treatment of refugees, the promotion of fundamental freedoms through the elimination of racism and racial discrimination, and the right to self-determination. Both these committees focus their efforts on areas that aren't as socially or economically forward to bring reforms.

The Fourth committee or SPECPOL (Special Political and Decolonization) considers a broad range of issues covering a cluster of five decolonization-related agenda items, the effects of atomic radiation, questions relating to information, a comprehensive review of the question of peacekeeping operations as well as a review of special political missions, the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA), the Report of the Special Committee on Israeli Practices and International cooperation in the peaceful uses of outer space. The other two committees are the Administrative and Budgetary committee - which considers and approves the budget of the Organization; and a legal committee which provides answers to all legal questions respectively.

Scope of Debate

The General assembly deals with broad issues, those that must be discussed and debated with several viewpoints in mind, those which pertain to the entire world community as a whole and those that haven't ever been discussed on a major platform. The issue of the impasse over the Northwest Passage, is one of concern to countries from the Eastern coasts of Asia, to the oil producers of the middle east, to those nations who share a similar elsewhere and most obviously, to every nation with a maritime establishment. It is one that would have various ramifications, security-wise, economically, socially, etc. thus adoptable as an agenda, for only the UNGA. Further, the fact that it is an issue that has never been discussed at large, on a multilateral platform, comprised of matters that do not seem to be of urgent importance, but of prospective consequences that shall unravel in the near future, makes it fit for discussion in the General Assembly.



Mandate

Established in 1945 under the [Charter of the United Nations](#), the General Assembly occupies a central position as the chief deliberative, policymaking and representative organ of the United Nations. Comprising all [193 Members of the United Nations](#), it provides a unique forum for multilateral discussion of the full spectrum of international issues covered by the Charter. It also plays a significant role in the process of standard-setting and the codification of international law. The Assembly meets from September to December each year, and thereafter from January to August, as required, including to take up outstanding reports from the Fourth and Fifth Committees. Also, during the resumed part of the session, the Assembly considers current issues of critical importance to the international community in the form of High-level Thematic Debates organized by the President of the General Assembly in consultation with the membership. During that period, the Assembly traditionally also conducts informal consultations on a wide range of substantive topics, including on UN reform-related matters.

Functions and powers

The Assembly is empowered to make recommendations to States on international issues within its competence. It has also initiated actions—political, economic, humanitarian, social and legal—which have affected the lives of millions of people throughout the world. The landmark [Millennium Declaration](#), adopted in 2000, and the [2005 World Summit Outcome Document](#), reflect the commitment of Member States:

- to reach specific goals to attain peace, security and disarmament along with development and poverty eradication;
- to safeguard human rights and promote the rule of law;
- to protect our common environment;
- to meet the special needs of Africa; and
- to strengthen the United Nations.

In September 2015, the Assembly agreed on a set of [17 Sustainable Development Goals](#), contained in the outcome document of the United Nations summit for the adoption of the post-2015 development agenda ([resolution 70/1](#)).

According to the Charter of the United Nations, the General Assembly may:

- Consider and approve the United Nations budget and establish the financial assessments of Member States;
- Elect the non-permanent members of the Security Council and the members of other United Nations councils and organs and, on the recommendation of the Security Council, appoint the Secretary-General;
- Consider and make recommendations on the general principles of cooperation for maintaining international peace and security, including disarmament;
- Discuss any question relating to international peace and security and, except where a dispute or situation is currently being discussed by the Security Council, make recommendations on it;
- Discuss, with the same exception, and make recommendations on any questions within the scope of the Charter or affecting the powers and functions of any organ of the United Nations;



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- Initiate studies and make recommendations to promote international political cooperation, the development and codification of international law, the realization of human rights and fundamental freedoms, and international collaboration in the economic, social, humanitarian, cultural, educational and health fields;
- Make recommendations for the peaceful settlement of any situation that might impair friendly relations among countries;
- Consider reports from the Security Council and other United Nations organs.

The Assembly may also act in cases of a threat to the peace, breach of peace or act of aggression, when the Security Council has failed to act owing to the negative vote of a permanent member. In such instances, according to its [“Uniting for peace” resolution](#) of 3 November 1950, the Assembly may consider the matter immediately and recommend to its Members collective measures to maintain or restore international peace and security. (See [“Special sessions”](#) and [“Emergency special sessions”](#).)

Introduction to the agenda

From an international security perspective, the Kashmir conflict is intriguing for many reasons. To introduce it, it may be informative to compare it to another long-running border dispute, the Korean conflict. Much like in Korea, which is more often discussed in the foreign policy sphere, it is a border dispute that developed following the independence of a region from foreign rule in the aftermath of World War II. Just as in Korea, the United Nations has played a central role over the years as a forum for discussion and mediation of the conflict—as recently as this summer, India and Pakistan traded barbs over the Kashmiri insurgency at the UN. Finally, and similarly to how the conflict dominates political discussion in the Koreas, the Kashmir conflict has become a defining element of Indian and Pakistani military and cultural policy (less so of China’s). As a result, even though Kashmiris are an ethnic minority in the subcontinent, the Kashmir conflict is now central to the political identities of all of India and Pakistan.

For many other reasons, however, Kashmir is unique. First off, India and Pakistan both possess nuclear weapons, yet neither is a party to the Nuclear Non-Proliferation Treaty (NPT), and neither is as closely tied to an NPT member as the DPRK is to China and South Korea is to the US. Second, Kashmir’s legal status within India was (some say deliberately) left uncertain following the Partition of India and Pakistan in 1947. As a result, India continues to treat the Kashmir insurgency as a domestic issue. This has hindered humanitarian aid to the region and in many cases has enabled human rights violations to go unnoticed. Lastly, though Indian-administered Kashmir (where the current conflict is centered) is a Muslim-majority region within a Muslim-minority country, ISIS, the Taliban, and other well-known Islamic extremist groups do not significantly influence political dynamics in the region. There are smaller terrorist cells (including Lashkar-e-Taiba, which carried out the 2008 Mumbai attacks), but their appeal is limited. Compared to much of the Middle East, popular support for the Kashmir insurgency is more political and less religious.

History

The ambiguous political status of Kashmir dates to the time of the British colonial occupation. The British did not control all of India directly; in many cases, they chose to secure guarantees of loyalty from existing “princely states,” which were still run by kings. The Kingdom of Jammu and Kashmir, which included the Muslim-majority (and stunningly beautiful) Kashmir valley as well as the southern Hindu-majority region of Jammu (see “Geography and Demographics” section), was



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ruled by the Maharaja Hari Singh, a Hindu.

In 1947, the entire subcontinent gained independence from Britain: in a process known as Partition, it was separated into two new countries, a Muslim state known as Pakistan and a Hindu-majority India (most Sikhs, Jains, Buddhists and other minorities remained in India). Kashmir was located near the border of the two new countries, so Hari Singh was given the opportunity to choose which country to join. Unable to reconcile his personal Hindu beliefs with the fact that 75% of his citizens were Muslim, he initially chose to remain neutral.

However, given Kashmir's strategic position at the crossroads of India, Pakistan and China, it was clear that this arrangement would not last. In October of 1947, Pakistan sent in militants to try and take the valley. Hari Singh fled to Delhi and signed the Instrument of Accession, which gave Jammu and Kashmir to India. India quickly sent in their army and fighting continued despite UN appeals. A ceasefire was signed in early 1949, leaving India with around two-thirds of the land, including the Kashmir valley, the eastern region of Ladakh, and the southern region of Jammu. Pakistan gained a largely mountainous western region known as Azad Kashmir. The two sides established a de-facto border, known as the Line of Control (LoC), which exists to this day. Jammu and Kashmir formally became a part of India in 1957, when Article 370 of the Indian constitution took effect—this essentially states in writing that the state should enjoy autonomy within India and is not bound by most other provisions of the constitution. This is the legal basis for most arguments by pro-independence Kashmiris. It should be noted that, until the 1980s, most Kashmiris were happy to accept relatively autonomous rule within India. Pakistan was comparatively unstable and military rule had yet to become a facet of daily life in the region. Several conflicts took place which are worth mentioning.

In 1962, China and India fought the Sino-Indian War to resolve what was supposedly a border conflict; however, many believe Mao was frustrated by India's decision in 1959 to offer the Dalai Lama shelter after the Chinese invasion of Tibet. In any case, the war ended when India ceded the sparsely populated and mountainous region of Aksai Chin to China. India and Pakistan fought again in 1965 before signing a ceasefire known as the Tashkent agreement. In 1971 yet another short war was fought, however this time the focus was on East Pakistan, which with Indian military support declared independence from Pakistan as Bangladesh. A western theatre of the war opened as well, and so Kashmir once again became a site of conflict.

By the late 1970s, the seeds of grassroots opposition to Indian rule were emerging. Prime Minister Indira Gandhi had centralized power in Delhi during a period known as the Emergency, inciting much resentment in Kashmir, and at the local level the incumbent National Conference (NC) party was also seen as corrupt and unrepresentative. Several new groups, including the Muslim United Front (MUF) and the Jammu Kashmir Liberation Front (JKLF) gained the support of a wide range of people: Kashmiris frustrated with Indian rule, supporters of independence and/or unification with Pakistan, and militants within Pakistan itself. These groups formed the basis of the insurgency that has continued to the present day.

Near-constant protests and violence continued from 1987, when mass protests and assassinations took place following a contested election, throughout the 1990s. In January of 1990, the Indian government imposed military rule in Kashmir. This is when the narrative really shifted—the Indian Army, not the insurgents, became the most visible perpetrators of violence in the region. Reports from international human rights observers suggest that over the past 25 years, Army and security forces have killed and injured civilians, censored the press, and denied Kashmiris due process of law. Protests took on an additional religious dimension in 1990, and after several murders of Hindus, a mass exodus from the valley of over 100,000 Hindu residents (known as “pandits”) took



place. This is a source of contention to this day and is often cited in India as a reason for antagonism towards the Kashmiri independence movement.

The Kargil War, the last (quasi-)direct conflict between India and Pakistan over the region, took place in 1999. Pakistani army and paramilitary forces from Azad Kashmir had claimed many high-altitude posts on the Indian side of the LoC, leading to a protracted conflict as the Indian army pushed them back. After rebukes from the international community, including a direct appeal by US president Bill Clinton to Pakistani prime minister Nawaz Sharif, both sides agreed to cease hostilities. Since then, even as India and Pakistan have remained largely at peace, animosity in Indian-administered Kashmir towards Indian security forces has grown. In 2010, widespread protests erupted when Indian soldiers killed three civilians after falsely claiming that they were Pakistani militants. In a rare instance of legal action against Indian military, 5 soldiers were sentenced to life imprisonment as a result of the deaths.

Geographic and Demographic Context

The map shows the parts of Kashmir that are administered by India, Pakistan, and China, and the de-facto Lines of Control. Nearly all Pakistani Kashmir's 3.5 million residents are Muslim, and Chinese-controlled Aksai Chin is essentially uninhabited.⁷⁷ Indian administered Kashmir can be split into three main regions. The Kashmir valley has 4 million residents, of which 95% are Muslim.⁷⁸ However, 66% of the 3 million residents of the southern region of Jammu are actually Hindu, and in the less populated eastern region of Ladakh, 40% of the population is Muslim while 40% is Buddhist.⁷⁹ In proposing solutions to the conflict, delegates must take into account the significant presence of non-Muslims outside the Kashmir valley. They still play a significant role since the Indian state of Jammu and Kashmir

Issues to consider

The above information was necessary to frame the conflict, but since this is not a war committee, we will not be debating the details of culpability for this summer's conflict. The following section details a few of the issues that are within the scope of the UN and other international bodies. Successful resolutions will address these issues creatively and effectively

The Sovereignty and Autonomy of Kashmir

As the History section shows, Kashmiri sovereignty is on questionable legal ground. Whether Kashmir belongs to India, Pakistan, China, or a combination is a question for the committee to discuss. India maintains, as a result of Hari Singh signing the Instrument of Accession and of Article 370 of the Indian Constitution, that Kashmir is clearly Indian territory—and therefore that any international discussion in it simply constitutes meddling in Indian domestic affairs. Pakistan has reiterated the need to hold a referendum on Kashmiri sovereignty under the terms of the 1948 Security Council resolution on the issue. While many Kashmiris support this, India would strongly oppose it given public sentiment in the region. There appears to be waning international support for a referendum as well, as the UN no longer considers Kashmir to be a disputed territory. There are also many questions surrounding Kashmir's viability as an independent state. Given its strategic location and lack of military forces, many fears that an independent Kashmir would quickly be annexed by Pakistan, even if many of those fighting for independence from India desired a separate country.

A slightly more productive discussion may take place over additional autonomy for the Indian state



of Jammu and Kashmir. Depending on the interpretation of Article 370, there is scope for a broad devolution of powers from the Indian central government to the Jammu and Kashmir state authorities. In addition, many powers—for instance, of policing— remain with the army considering the Armed Forces Special Powers Act. There is precedent for devolution of powers to autonomous regions in other parts of the world, and delegates are urged to find inspiration there for successful solutions.

Nuclear Weapons

While no nuclear weapons are physically located in Kashmir, the fact remains that both India and Pakistan possess nuclear weapons. It is crucial for delegates to consider the consequences of this for the Kashmir conflict—a quick, unchecked escalation could be catastrophic. This situation almost manifested itself in 1998-99, when both India and Pakistan separately tested nuclear weapons and delivery systems. Neither country has signed the Nuclear Non-Proliferation Treaty (NPT), so their nuclear arsenals are technically outside the jurisdiction of most international agreements. The NPT makes a clear distinction between Nuclear Weapons States (currently the USA, UK, France, Russia, and China) and Non-nuclear Weapons States (all other signatories). The P5 nations have systematically refused to recognize India and Pakistan as nuclear weapons states, as this would constitute official recognition of their development of nuclear arsenals outside international power structures. As a result, India and Pakistan are unwilling to sign the agreement, which would require them to voluntarily give up all weapons and become non-nuclear states. Delegates must consider how to resolve this disagreement, and in the short-term how to facilitate conflict resolution outside the framework of the NPT.

Terrorism vs. Protest

Because of insurgent groups' ambiguous connections both with the Kashmiri people and the Pakistani government, regulating their activities becomes a highly contentious issue. Groups like the Jammu and Kashmir Liberation Front (JKLF), which enjoy popular support among Kashmiris, are still organizing protests where stone-throwing and other violence takes place. While the suppression of the JKLF by Indian forces may ensure peace and quiet, it also erodes what little support exists for the Indian government among the Kashmiri people. This issue becomes even more complicated with Kashmiri-filled militant groups like Hizbul Mujahideen, who are openly violent but are still comprised of locals. Finally—and this is an area where the international community can have more influence—the committee must decide whether foreign intervention in the Kashmir conflict should be allowed or suppressed. Despite being classified as a terrorist group by both India and the United States, Lashkar-e-Taiba continues to function in Pakistan (perhaps with the help of the ISI). Its leader Hafiz Saeed is free to give speeches and interviews. Let is controversial as it is primarily made up of foreigners, and because its hardline Islamist views are not shared by most Kashmiris. The committee will need to consider whether groups like LeT should be checked, and if so, how to successfully limit their influence. The international community has a long history of working together to combat terrorism through information sharing and other efforts, so those may be a good starting point.

Violence and Accountability for Security Forces

One longtime sticking point, and one that the international community continues to be interested in, is the question of what constitutes an “acceptable” use of force by the Indian Army. India, for instance, accepts pellet guns as a necessary peacekeeping tool because they do not kill but only result in injury as a side effect of keeping the peace. However, many inside and outside Kashmir are critical of the guns because they cause permanent physical damage (particularly eye damage)



and have been used repeatedly on civilians. The Armed Forces Special Powers Act (AFSPA) has also been a longtime target of criticism because it essentially grants Indian soldiers' impunity.

Amnesty International released a report in 2015 that highlighted cases in which soldiers had not been prosecuted despite accusations of murder, kidnapping, or rape. The report laid out several recommendations, including that the AFSPA be repealed, that the Indian military and civilian justice systems swiftly hold trials for the accused, that information be made available to families on those who have disappeared, and that India ratify and respect relevant international treaties. Depending on country policy, delegates will likely support some combination of these and should come up with creative ways to enable collaboration on this issue with the Indian government.

Stakeholders policy

India

In terms of the immediate border conflict with Pakistan, India declares that the entire state of Jammu and Kashmir is a part of India. In response to international calls for a plebiscite to decide the fate of the region, India maintains that the continued participation of Kashmiri people in Indian national elections amounts to recognition of Indian sovereignty. As a result, any unrest in the region is considered an internal issue, so India is unlikely to accept much international intervention (military, economic, or otherwise) in the region. India also emphasizes that Chinese-controlled Aksai Chin is part of India and has long asked for negotiations with China to establish a Line of Actual Control (de facto border) and prevent future conflict.

Pakistan

Pakistan is likely to reiterate calls for a plebiscite (referendum) to decide the future of Kashmir. They are likely to support foreign intervention in the area, as this internationalizes the Kashmir issue and gives their claims greater credibility. This applies to both political recommendations and humanitarian aid. Pakistan is also unlikely to support active efforts to limit the influence of grassroots political or militant groups in Kashmir—many are popular in Pakistan and some have links with Pakistani intelligence services.

China

Because of its conflict with India over Aksai Chin, China has generally quietly sided with Pakistan in the border conflict—China and Pakistan signed a deal that settled their own border dispute long ago. However, China has long resisted agreeing to a Line of Actual Control (de facto border) with India, which leaves the possibility open of spontaneous conflict between the two powers there. However, China is also eager to sign trade and investment deals with India, which dampens any incentive to engage in diplomatic hostility.

United States and Western Europe

While the US has traditionally maintained a neutral point of view in the Kashmir conflict, its allegiances have shifted over the years. During the Cold War, it was a strong backer of Pakistan; in recent years, while its relationship with Pakistan has grown in importance post-9/11, India's economic growth has also made it a key regional partner. The US is also likely to be concerned about global terrorism, so it will be eager to stop any Islamic fundamentalists, particularly those from abroad, from causing havoc in Kashmir. Western European countries are likely to follow the US's lead on these issues, particularly out of an eagerness (given recent events) to limit the growth of terrorism. They are also likely to be the most concerned about potential human rights violations



and the lack of prosecution of them, so the reported use of excessive force by the Indian military is likely to be of interest.

Russia and the Eastern Bloc

Russia and its allies also refrain from expressing an official policy on the issue. However, Russia is a long-time military ally of India, and many of the weapons and strategies in place on the Line of Control are originally Russian. Given that Russia and its allies are generally more protective of national sovereignty and give less legitimacy to international intervention on the basis of human rights, they are also less likely to support active intervention in Kashmir.

Middle East and North Africa

This region is primarily Muslim, and therefore is likely to support the rights of Muslim Kashmiris. Most will advocate for a political solution such as the long-awaited referendum. Some may tacitly approve covert action—for instance, it is suspected that some of the militant groups active on the border are funded by citizens of the oil-rich Gulf States (UAE, Saudi Arabia, Qatar, etc.). While support for Kashmiri independence is not as prominent a cause across the Muslim world as, for instance, the fate of Palestine, it is likely that in the case of a larger flare-up these countries would come to the protestors' aid.

Latin America, Asia, Sub-Saharan Africa

While most other countries do not have a direct stake in the conflict, their policy is likely to be influenced directly by the diplomatic and economic relationships they have with India and Pakistan. As Indian economic growth continues to impress, its diplomatic sway will increase as well. Given past experiences with colonialism, most of this group of countries will likely be wary of intrusive military interventions but should support peacekeeping and diplomatic efforts.

Role of the united nations

The issue of Kashmir was first taken to the United Nations Security Council on January 1 1948 by India in which they lodged a complaint against Pakistan under Article 35 (Chapter VI) of the UN Charter, in which Pakistan was accused of aiding the tribal infiltration in the areas Kashmir but two weeks later Pakistan denied the charges and accused India of annexing Kashmir and destabilize Pakistan in its infancy.

The first U.N debate on the issue of Kashmir started under the title of “Kashmir Question”

United Nations, European Union, OIC and other international institutions adopted a principled position when the Kashmir question first came before the UN Secretary General, voting in support of resolutions of 1948 and 1949, upholding the right of people of Kashmir to decide their future in a free and impartial plebiscite under UN auspices. Despite many resolutions and debates the issue of Kashmir still stands the oldest unsolved dispute in UN. The UN involvement in the Kashmir issue lasted for almost 23 years. During these 23 years (1948-1971), the United Nations passed several resolutions, which were aimed at solving of the conflict.

Between 1948 and 1971, the U.N Security Council passed 23 resolutions on Kashmir Conflict.

The UN resolutions on this issue were not self-enforceable but infect they were of recommendatory in nature which had to be implemented by the concerned states which are India and Pakistan respectively but due to the change in stance of the Indian Government on the issue



of Kashmir and refusing to give Kashmiris the right of referendum despite promising it in their white paper on Kashmir in 1948 lead to the dead lock and halted the implementation of these resolutions.

Timeline of events

1846: Maharaja Gulab Singh buys the Kashmir Valley from the East India Company, thus forming the State of Jammu and Kashmir under the Treaty of Amristar⁵⁶.

1857: Indian Rebellion of 1857 against the British employed East India Company. The first significant revolt in the past of the region.

1931: The movement against the Maharaja in Kashmir begins but is suppressed by State forces.

1932: The 'All Jammu and Kashmir Muslim Conference' is formed by Sheikh Mohammed Abdullah as a measure to fight for Kashmiri freedom from the Maharaja's rule. This conference eventually transforms into the National Conference in 1939. A report is published in 1932 by the Glancy Commission⁵⁷ regarding the inequalities the Muslim population faces, especially in terms of inadequate representation in the state's services.

1939: The National Conference starts the 'Quit Kashmir'⁵⁸ movement, protesting the sovereignty of the people of Kashmir.

1940: The Pakistan Resolution is passed. Thus the establishment of an independent state is called for Muslims majority areas.

1947: In March an internal revolt is launched in the Poonch region. This is retaliated by the Maharaja's forces. In August, the Partition for independence is given. The British Indian Empire is dissolved. The Muslim-majority regions located in the East and West are partitioned to form the separate state of Pakistan.

1947: The Standstill Agreement is signed between Kashmir and Pakistan. In October, the Indo-Pakistani War of 1947 begins. Thousands of Pashtuns, comprising the Azad Army, attack Kashmir and the Maharaja's forces. The Maharaja asks India for help, who abides under the conditions that he relinquish control over defense, communication and foreign affairs to India. The Instrument of Accession is signed.



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1948: The Kashmir problem is taken to the UN Security Council. Resolution 39 and 47 are published by the Security Council, ordering the cessation of hostilities and a formulation of a truce agreement. A plebiscite is decided upon to determine the future of Jammu and Kashmir.

1949: A ceasefire is called upon between India and Pakistan on January 1st. The demilitarization of the valley leaves India in control of most of the valley, including Jammu and Ladakh. Pakistan takes control of Azad Kashmir and Northern territories.

1950: In January, India gains independence and becomes a republic.

1957: India's Minister of Home Affairs Sardar Vallabhbhai Patel declares that the State of Jammu and Kashmir belongs to India. The question of a plebiscite is rejected. Protests of self-determination continue.

1962: Beginning of the Sino-Indian War over Aksai Chin.

1963: In December, large uprisings occur in the Kashmir Valley. Protests occur specifically against Articles 356 and 357 of the Indian Constitution⁵⁹. The Indian army attacks the protesters.

Questions of importance

Currently, India and Pakistan are in a stand-off state regarding Kashmir. Both nations maintain their respective parts of Kashmir on either side of the Ceasefire Line. While the Azad Army is recuperating and attempting to incite unrest amongst citizens, India is further militarizing the Kashmir region, especially areas close to the Ceasefire Line, while also working to integrate Kashmir into the Indian rule and lifestyle. It can be said that both nations are currently in a state of extremely alert tranquility.

- What are some solutions committee can come up with to stop the influx of insurgent groups?
- What is the sentiment regarding UNSC Resolution 47? Are the measures proposed therein still feasible under the current circumstances? Why or why not?
- What can be done regarding the Line of Control and the lines of communication? Is the Instrument of Accession signed by Maharaja Hari Singh a legitimate document? Why or why not?
- How the conciliation from the UN can be stronger?
- How can the Human Rights violations arising out of military presence in the region be mitigated?
- What is the possibility of having a referendum in Kashmir?