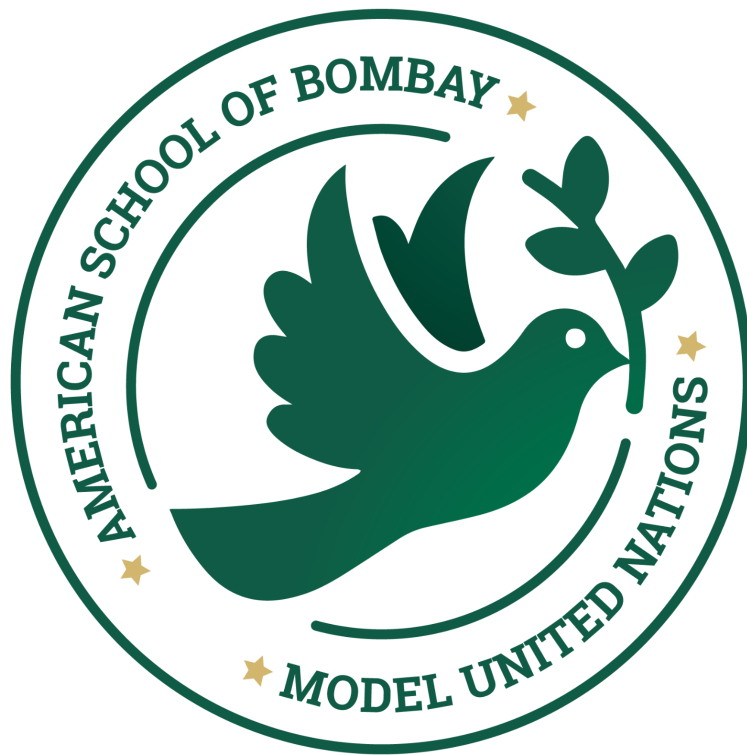


ASBMUN 2024

SC Topic 1 Research Report



American School of Bombay

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Committee: Security Council

Topic: Evaluating the security risks and geopolitical tensions arising from the Kashmir conflict

Chair: Camille Bauer le Gal

Letter from Student Officers

Greetings, delegates! I would firstly like to welcome you all to the annual ASBMUN conference! My name is Camille and it is my utmost pleasure to serve as your deputy chair for this year's simulation of the Security Council (SC)

As delegate of the Security Council your job is to maintain international peace and guarantee trust between nations. The security council is one of the most intense and demanding committees, because of how much it has to deliver as the pinnacle of UN diplomacy. Furthermore, the topics discussed in this session are of the utmost historical and present importance, with a new age of digital warfare and the modernization of weapons. Considering how much the world has changed between the last fruitful deliberation on the topic in 1971, it seems necessary to establish a new and more comprehensive approach to the issue, but I stand confident that this session will bring its fair share of new insights, innovative approaches and creative solutions.

Considering the critical nature of the agendas being discussed, every delegate of the Security Council must remember that the decisions they take will have far-reaching consequences and that the opportunity afforded here is to potentially change the world profoundly.

Through the course of the three days of this conference, we trust that you all will discharge your duties aptly and have loads of fun in the process! Never forget that the aim of this conference is to enhance your understanding of the situation worldwide in the most interesting and enjoyable way possible! We look forward to seeing you all in committee and presiding over your deliberations! Good luck!

Camille Bauer Le Gal

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Introduction

The Kashmir conflict is one of the longest standing wars in history, with more than 76 years of gruelling warfare and tense political debate. It takes its origins all the way back to the partition of India in 1947 by Sir Cyril Radcliffe, that led to one of the largest mass migrations in history with anywhere in between 200 000 and 2 million people displaced. China joined the conflict in 1962 in order to gain strategic advantage over the region after their taking of Tibet. Now the region of Jammu and Kashmir is largely divided between Pakistan, India and China with none of the latter recognising the other's legitimacy over a certain part of the territory. Causing the borders to be temporarily frozen, without complete definition by international organisations. Furthermore, negotiations are complicated by the presence of numerous ethnic groups in the region such as the Kashmiri, the Dards and the Ladakhis, divided themselves by different religious currents in the region such as Hindu, Buddhist and muslim influences.

An escalation in the Kashmir conflict would have devastating effects on all parties involved, mainly because every nation taking part in the conflict (India, Pakistan, China) are in possession of the nuclear weapon. Furthermore, the threat of global escalation is not to be ignored as each party has strong allies such as Russia for China, or Iran for Pakistan. The risks of this conflict escalating cannot be ignored during debate. Nonetheless, part of what makes this conflict such a pressing issue is based on how much it affects geopolitical tensions in South Asia. Firstly, the tensions led to three wars in the region between India and Pakistan (1947, 1965 and 1999) and frequent low-level confrontations, as well as the construction of a Line of Control (LoC) and the Indo-China war of 1962. Furthermore all countries are suspected of supporting and funding terrorist groups in the region. The establishment of increasingly nationalistic governments have led to actions like India revoking article 370 of its constitution in 2019 that gave a certain amount of independence to the region of Jammu and Kashmir.

On the other hand, the conflict has presented itself to be a great source of suffering and pain for the inhabitants of Jammu and Kashmir, with the ongoing war taking its toll on the mental and physical health of the populations, according to a research paper titled: Conflict in the Indian Kashmir Valley II: psychosocial impact, a 33.3% of the interviewees have contemplated suicide, directly related to the psychological impact of the Kashmir conflict.

Definition of Key Terms

Line of Control (LoC)

The "de-facto" border separating Indian-administered Kashmir from Pakistan-administered Kashmir, established in 1947 (partition of India).

Article 370

A constitutional provision that used to grant special status to Jammu and Kashmir, revoked in August 2019

Insurgency

Armed rebellion against Indian forces, began in the late 1980s, involving groups that search for independence or merging with Pakistan.

Bilateral Dialogue

The diplomatic interaction between India and Pakistan, aimed at a de-escalation of the conflict.

Self-Determination

A principle advocated by certain Kashmiris and international organizations, supporting the right for Kashmiris to determine their own political leaders, through referendum or vote.

Militarization

There is an extensive military presence in the Kashmir region from all parties involved, with around 500,000 soldiers deployed in the region by India.

Territorial Dispute

The ongoing conflict between India and Pakistan over geographical ownership of the region.

Armed Forces Special Powers Act (AFSPA)

A controversial law giving extensive power to the military in "disputed regions", therefore including Jammu and Kashmir, due to allegations of human rights violations.

Track II Diplomacy

Unofficial diplomatic efforts, led by academics, scholars and civil society dialogue, seeking to build trust and understanding between the two parties.

Confidence-Building Measures (CBMs)

Diplomatic and practical steps designed to reduce stress and tensions.

Demographic Change

A complex issue involving migrating populations and cultural changes in a region, further adding to the ever-changing nature of the Kashmir conflict.

Background Information

Map of the Kashmir conflict:



Religious and cultural disparities in the region of Jammu and Kashmir:

The region of Jammu and Kashmir is home to many ethnicities, two capitals and a diverse array of religious tendencies.

The largest religions present in Kashmir are of course Islam (68.3%) and Hindu (24.8%), followed by a minority of other religions such as Sikhism (1.9%), Buddhism (0.9%) and Christianity (0.3%). The religions in Kashmir follow relatively clear repartition, with a clear definition of the east being hindu and the west being muslim, with part of the center being some form of buddhism.

Pakistan is largely motivated by the presence of Islam in the region, claiming that they are the rightful rulers of the Islamic portion of Jammu and Kashmir. The majority of muslims in Kashmir are of the sunni branch with a minority being Ismaili. Kashmir was originally Hindu but was converted to islam in the late

1600s. Islamic terror groups have been detected in the region largely supported by the Pakistani war effort, with weapons and finances.

The Hindu population mostly inhabits Jammu and most of the eastern part of the disputed region. The majority of the hindu population is protected by the Indian side of the dispute, they are predominantly present in smaller belts and enclaves around kashmir, implanted in various spots around the conflicted region both within the indian and chinese administered zones.

The other ethnicities are not affiliated with any side of the conflict, beyond personal preference, the buddhist are mainly present in the north as well as seemingly random spots adjacent to the kashmir valley. The sikh are mainly spread out alongside the hindu territories usually more in the south west. Finally Christians are present in rare enclaves, usually less than 400 people spread around the territory, regardless of administration.

Psychosocial impact of the conflict in Jammu and Kashmir

According to the national library of medicine (NLM), the conflict has taken a massive toll on the mental health of the population with alarming results in women and children.

Indiscriminately of genre and age, here are some of the most important statistics:

Are you easily frightened?	55.9%
Do you feel nervous, tense or worried?	62.7%
Do you cry more than usual?	45.1%
Have you thought about ending your life?	33.9%

We notice a very high amount of people that have considered ending their life, just ten percent away from the amount of people that claim to cry more than usual, an alarminly high rate of potential suicide victims, kashmir having had 1769 victims as of 2022.

The second part of the paper follows through with a gendered analysis, reveling that men have witnessed cases of murder, kidnapping, rape and torture way more than women, this is probably due to the fact that the majority of respondents were muslim, meaning that women are more likely to be held away from the conflict, however this does does not mean that women are not victim of atrocities and war crimes in the conflict.

A final table in the paper reveals that isolation is the most used way of coping (64%), explaining some of the aforementioned statistics such as how much more time has been spent alone. The next most used way is aggressive behaviour, at 49.8% demonstrating the idea that violence fuels violence.

Geopolitical standpoint in Southeast Asia

Nations in southeast asia are increasingly concerned about an escalation in the conflict, mainly due to all parties involved in the conflict being in possession of the nuclear bomb. This leads to a tense relation between muslim countries such as Indonesia, being culturally tied to Pakistan but militarily biased towards India for trade and travel. A lot of people in the region will have difficulties travelling to either Pakistan or India. Furthermore tourism authorities discourage nationals from traveling to kashmir due to the dangerous and unstable nature of the region.

Alliances such as BRICS or ASEAN have a stance that is biased towards the claim of India, but have also retained a fairly nuanced and neutral dialogue with all parties involved, in the aim of preserving peace in the region of southeast asia.

The conflict is further complicated by the presence of historical and current trade and military routes in the region, as well as some tourism; the fact that neither of those options can be exploited hinders the economic growth of the region. Furthermore, China uses the region to transport troops to Tibet, which means that the conflict is directly complicit to the capturing of Tibet by China.

America has spoken up several times about the potential risk that the presence of terrorist groups in the region causes to national security, but has never taken action towards it.

Ecological footprint of the Kashmir conflict

The Kashmir conflict has taken a huge toll on the environment, due to multiple factors including human waste, water contamination and desperate populations.

Ever since the Indian and Pakistani troops set foot on the territory in 1987 the region has fallen victim to millions of tons of human waste, empty cans, plastic bottles and trays. The demand for food, drink, weapons and miscellaneous goods caused by the sheer amount of soldiers positioned in the conflicted region means that both nations are forced to supply massive amounts of packed meals, canned drinks and operate transport of these things to the troops. All of this paired with extremely poor trash management, soldiers are said to pack oil drums full of trash and drop them in crevices of rivers to dispose of them, this leads to groundwater pollution, which in turn leads to series of disease such as cholera, dysentery and e.coli, adding to the already poor quality of life in the region.

Furthermore, the past use of explosives and chemical warfare have strongly affected the quality of the soil to the point where agriculture is almost impossible near the Line of Control (LoC). This leads population to seek other sources of food, that aren't as much sustainable such as hunting and gathering, endangering species such as the Asian Sun Bear or the Kashmiri Otter. The already arid conditions of parts of the conflicted region are enhanced by bad practices of agriculture and cattle-farming.

Finally, air pollution in Kashmir is an ever-growing issue, presenting itself due to extensive transport operations, explosives and crop-burning. The Chinese are known for their almost-constant usage of the region as a strategic route, contributing to air contamination. The population of Kashmir also lacks education and concern for agricultural and hunting practices that affect the air quality in the Kashmir region.

Economical consequences of the Kashmir conflict

The conflict in between India and Pakistan has led to significant economic losses for all parties involved, but has mostly affected the conflicted region, according to one source, the conflict has been a significant hindrance for the economic growth of the region, as it was unable to develop itself towards tourism, agriculture or any other economic activity.

Both nations are accused of purposely manipulating the region's economy to advantage their goals, for example India has attempted to orient Kashmir towards tourism, by allowing contractors to build large resorts in the mountain ranges of the region, in the hopes of attracting visitors from abroad and publicise their possession of the region. Pakistan, on the other hand, has seen the agricultural potential of the region and believes in the growth of a farming economy.

Humanitarian aid in Kashmir

Kashmir is in desperate need of humanitarian aid, offered by organisations all around the world, but as always, never enough to sustain the population completely.

Humanitarian aid has begun relatively recently compared to the scale of the conflict, with organizations such as The Red Cross, MSF and a large number of smaller groups taking part in the humanitarian action in Kashmir. The UN has stayed out of the conflict both with military assistance and humanitarian assistance.

However much more aid is needed, especially concerning education and ecology, mostly because of the disastrous effect the conflict has had on these sectors of daily life, and the fact that neither Pakistan or India have led extensive operations to fix problems in these domains.

Women in Kashmir

Women are marginalized by two forms of patriarchy in Kashmir: the social order of the majority Muslim population and the highly militarized environment.

Since 1989 the women of Kashmir have been highly oppressed and endangered by men from any side of the conflict, but even though even today traditional norms are highly regarded the situation of women has greatly improved, from nearly unlivable to a much more stable and calm environment. On the other hand lots still have to be improved, especially when it comes to education, as most women in Kashmir rarely exceed secondary education.

Major Countries and Organizations Involved

India

India has been part of the conflict since the partition in 1947, they consider themselves the righteous owners of the entirety of Jammu and Kashmir. According to the original partition, these regions are also within the borders of India. However Pakistani influence and interests on the region have led to three wars, and the issue still hasn't been resolved, further complicated by the introduction of China in the 60s, with strategic interests on the region. Currently they own the majority of the Kashmiri territory (55%) and 70% of the population. They are the only nation on the international stage that do not recognise the

Pakistan

Pakistan is also the part of the original belligerents, they have an ideological interest in the region due to the high number of Muslims present in the Kashmir valley. They have less interest in the regions than India and have repetitively presented themselves as open for negotiations, which they have concluded with China at the issue of the Indo-China war, granting them part of the Kashmir territory. Pakistan has allegations of funding Islamist terrorist groups and encouraging guerilla warfare in the region.

China

China is the only party that is currently not involved in the conflict, as they have obtained the rights to administer part of the region of Jammu and Kashmir. China was interested in the region to establish better military transport routes to Tibet.

Timeline of Events

Pre Partition Period (Pre-1947)

→ 1846: Treaty of Amritsar - Maharaja Gulab Singh purchased the Kashmir region from the East India Company for 7.5 Million Rupees.

Partition and Early Conflict (1947-1948)

→ **August 1947:** British India is partitioned, Kashmir still is technically independent

→ Maharaja Hari Singh attempts to remain neutral

→ **October 1947:** Pakistani Backed tribal militants attempt to invade Kashmir

→ Maharaja Hari Singh calls upon India for military aid.

→ 1st Indo-Pakistani war begins

→ **1948:** UN intervenes in first attempt to de-escalate conflict.

Early Conflict Period (1950-1989)

→ **1950:** Indian constitution grants special status to Kashmir (article 370)

→ **1965:** 2nd Indo-Pakistani war begins

→ **1971:** 3rd Indo-Pakistani war begins

→ Results in the creation of Bangladesh

Insurgency Period (1989-2000)

→ **1989:** Armed Insurgency Begins

→ Widespread protests and militant activities emerge.

→ Significant militarization in the region

→ **1999:** Kargil War

→ Pakistani military and militants infiltrate Indian controlled territory

→ significant international attention on the topic

Contemporary Period (2000-2019)

→ **2002:** Massive military build-ups

→ Increased tensions after terrorist attacks

→ **2008-2010:** Major protests

→ Widespread civilian demonstrations

Recent Developments (2019-Present)

→ **August 5, 2019:** Abrogation of article 370

→ Implements Kashmir as an inherent part of Indian territory.

→ Massive security lockdowns and communication restrictions

→ **2019-2023: Continued Tensions**

→ Increased militarization

→ Ongoing diplomatic dispute

→ Continued Human rights concerns

Relevant UN Treaties and Events

Over time the UN has passed many resolutions and has led much debate with very little outcome, the first resolution passed on the conflict, resolution 38 written at the beginning of the conflict to no avail.

Past resolutions Include:

SC resolutions:

→ **A/RES/38 (January 17, 1948)**

This resolution passed by the Security Council was the first of a long series, it requested both countries to come to a peaceful communication standpoint.

→ **A/RES/39 (January 20, 1948)**

This resolution is a follow up after the failure of resolution 38, it puts in place the United Nations

Committee for India and Pakistan (UNCIP), initially composed of three members, later expanded to five,

it is tasked with the investigation on the conflict and diplomatic mediation.

→ **A/RES/47 (April 21, 1948)**

This resolution is one of the most meaningful of the conflict, it orders India to remove forces from the region, and Pakistan to remove nationals from the area. It also plans a plebiscite to determine the state's accession to either India or Pakistan.

→ **A/RES/51 (June 3, 1948)**

This resolution adds two more members to UNCIP bringing it from 3 to 5 total members.

→ **A/RES/80 (March 14, 1950)**

This resolution terminates UNCIP and appoints a UN representative to the Kashmir conflict. It also calls once more for demilitarization of the region, and insists that the region's allocation should be done by a plebiscite.

→ **A/RES/91 (March 30, 1951)**

This resolution establishes the United Nations Military Observer Group in India and Pakistan (UNMOGIP), tasked with monitoring the ceasefire line; it remains active to this day.

→ **A/RES/96 (November 10, 1951)**

This resolution addressed the "All Jammu and Kashmir National Conference", and declares it unfit to determine the final disposition of the state.

→ **A/RES/98 (December 23, 1952)**

This resolution offers arbitration to help to de-escalate the conflict, and orders demilitarization of all parties.

→ **A/RES/122 (January 24, 1957)**

This resolution reaffirms the offers and orders made in previous resolutions, especially concerning the creation of a plebiscite.

→ **A/RES/123 (February 21, 1957)**

This resolution requests the president of the SC to examine proposals for resolving the dispute.

→ **A/RES/126 (December 2, 1957)**

This resolution reiterates previous statements.

→ **A/RES/209 (September 4, 1965)**

This resolution was issued during the 1965 Indo-Pakistani war, it aims at a deescalation of the conflict.

→ **A/RES/210 (September 6, 1965)**

This resolution asks the secretary general to reinforce UNMOGIP.

→ **A/RES/211 (September 20, 1965)**

Calls for a ceasefire and the end of the 1965 conflict.

→ **A/RES/214 (September 27, 1965)**

This resolution expresses concern that the ceasefire has not been respected.

→ **A/RES/215 (November 5, 1965)**

Final resolution of the 1965 conflict, calls for withdrawal of troops.

→ **A/RES/303 (December 6, 1971)**

This resolution was issued during the 1971 Indo-Pakistani war, it called for a durable ceasefire in all areas of conflict.

→ **A/RES/307 (December 21, 1971)**

This resolution followed the 1971 Indo-Pakistani conflict and the creation of Bangladesh, it established a ceasefire and called for respect of the Geneva convention.

UN General Assembly resolutions:

→ A/RES/1469 (XII) (December 7, 1957)

→ A/RES/2375 (XXII) (November 8, 1967)

→ A/RES/3314 (XXIX) (December 14, 1974)

→ A/RES/36/10 (October 28, 1981)

→ A/RES/43/59 (December 6, 1988)

International Treaties

→ **Instrument of Accession (October 26, 1947) India - Pakistan**

This is the foundational treaty that grants the region of Jammu and Kashmir to the nation of India.

→ **Karachi Agreement (July 27, 1949) India - Pakistan**

It established the Line of Control, and was signed by significant military figures from both sides of the conflict.

→ **Simla Agreement (July 2, 1972) India - Pakistan**

Calls for peace and bilateral communication.

→ **Lahore Declaration (February 21, 1999) India - Pakistan**

Reiterates commitment to peaceful negotiations

Previous Attempts to Solve the Issue

There have been many attempts to solve the Issue, coming from diverse international organizations and the belligerent parties.

The UN has always been determined to stop the conflict ever since prime minister Nehru brought the 1948 conflict to the security council. However time and time again, negotiations have led to a ceasefire, brief peace and temporary bilateral dialogue but always, tensions come back and a new conflict is soon to happen again.

Furthermore discussion has happened between India and Pakistan but has led to the same consequences as efforts done by the UN. This can be explained by the fact that neither country is ready to lose the conflict, and consequently the region.

Possible Solutions

Many solutions have been tried and failed, such as encouraging bilateral dialogue or forcing ceasefire, it seems like the real solutions lie somewhere that has never been tested by the UN before.

Solutions could include: unofficial plebiscite to determine the population's orientation towards either nation, bilateral dialogue between the two nations to determine the allocation of the region under pressure of the international community to push an outcome, improved humanitarian and educational aid in the region to promote the growth of the independence of the population and consequently push the two belligerents to take inhabitants of Jammu and Kashmir more seriously and engage in a plebiscite to finally determine the allocation of the territory, the creation of a UN committee tasked with the organization of the creation of an independent nation of kashmir to maximize the chances of a safe outcome for the newly independent region.

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