



United Nations Security Council

The Fate of Kashmir

Crisis Committee

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Letter from your Chair

Greetings Delegates,

I am honored to welcome you to the United Nations Security Council and ClarkMUN XI! My name is Wynnie Gross, and I am excited to be serving as your chair for this committee. I am a first-year at Clark University with a prospective major in International Development and Social Change and a possible concentration in Ethics and Public Policy, however I love every single class I've taken at Clark so I expect my major(s) to change multiple times. I participated in Model United Nations as both a delegate and a chair all throughout my four years of high school and am extremely excited to be continuing in college. I'm looking forward to chairing the UNSC!

This year ClarkMUN XI's UN Security Council will be debating the topic of Kashmir, an area which has garnered much recent attention due to actions committed by the government of current Indian Prime Minister Narendra Modi. This committee is a historical UNSC taking place in May of 1999, an era in which India and Pakistan were on the brink of war. The fundamental question that delegates should seek to answer is the fate of Kashmir. Should it stay partitioned between India and Pakistan? Should Kashmir become a permanent part of one nation? Or, should Kashmir become a nation as itself through gaining independence? Kashmir's legal limbo presents an existential threat to both Pakistan's dreams of being a homeland to all of the Muslims on the Indian Subcontinent and India's founding ideal of being a secular republic where Hindus and Muslims can live together in peace.

Delegates will be representing the 15 countries present on the Security Council in 1999, before the beginning of the Kargil War. Similar to many long-standing frozen conflicts throughout the world as a result of colonialism, this topic is multifaceted and requires extensive debate and serious collaboration, as all sides have compelling arguments to make. Delegates should represent the interests of their nation with accuracy, but collaborate with other delegates as necessary to create a comprehensive, long-term solution to the issue of Kashmiri sovereignty.

Whether it is your very first Model United Nations committee, or you are nearing the end of your high school MUN career, I sincerely hope that this committee will give all delegates a more nuanced understanding of foreign policy and the hard work it takes to create solutions to the world's most complicated problems. I firmly believe this committee will be a fun and rewarding challenge full of fiery debate, comprehensive resolutions, and creative crisis arcs. I'm excited to see what you all bring to the table, especially to an issue that has yet to be solved by the international community.

If you have any questions or comments, please feel free to send an email. Best of luck with preparation and I look forward to meeting everyone this March!

Best,

Wynnie Gross

Chair, UNSC

ClarkMUN XI

(she/her)

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My name is Ethan Lutz and I am excited to be your Crisis Director for this committee. The stakes could never be higher, seeing as nuclear war is now on the table, and I look forward to seeing how each of you respond to the situation. I am a Senior here at Clark University, majoring in political science with a concentration in US Government, whilst also minoring in Biochemistry with hopes of attending medical school upon graduation. In this pursuit I have also worked as an EMT in the Worcester area for 3 years, responding to a range of emergencies, albeit none as dire as that which is occurring in Kashmir. In my free time I enjoy Westworld, begrudgingly studying for the MCAT, and fantasizing about a Yang presidency.

I am looking forward to reading and implementing your crisis arcs into an exciting possibility for the future of Kashmir. Delegates are encouraged to explore the complexity of the Kashmir conflict and utilize the various factions vying for power; China, India, and Pakistan. Delegates are recommended to explore the various ways these groups have influenced policy in the region and incorporate these methods into their crisis arcs.

I have been doing MUN at Clark since my Sophomore year, in that time attending a range of conferences, including McGill University's conference, helping the team win a Best Large Delegation award. I have participated in many crisis committees and many GA committees, and in these experiences have found an appreciation for the complexities of the crisis room. Whether you are on the board of a large corporation, a journalist, or a president every role in a crisis brings an angle to be played, all in the hope that your vision for the future becomes reality. I can't wait to see the innovative and hopeful solutions you bring to the table, and the plots you will use to implement them.

Best Wishes,

Ethan

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Introduction and Role of This Committee

The United Nations Security Council was established in 1945 as one of the six main organs of the United Nations through the establishment of the United Nations Charter.¹ The primary responsibility of the UN Security Council is maintaining international peace and security. The Security Council may meet whenever peace is threatened. The Council has 15 members- each has one vote. The five permanent members of the Security Council are China, France, Russian Federation, the United Kingdom, and the United States.² 10 non-permanent members are elected by the General Assembly for two-year terms. Under the United Nations Charter, all member states are obligated to comply with Council decisions.

When a threat to peace is brought to the Council, the council may:

- set forth principles for such an agreement;
- undertake investigation and mediation, in some cases;
- dispatch a mission;
- appoint special envoys; or
- request the Secretary-General to use his good offices to achieve a pacific settlement of the dispute.³

¹ <https://www.un.org/securitycouncil/content/what-security-council>

² <https://www.un.org/securitycouncil/content/current-members>

³ <https://www.un.org/securitycouncil/content/what-security-council>

When a dispute leads to hostilities, the primary concern is to end them quickly. As such, the council can:

- issue ceasefire directives that can help prevent an escalation of the conflict;
- dispatch military observers or a peacekeeping force to help reduce tensions, separate opposing forces and establish a calm in which peaceful settlements may be sought.

Beyond this, the Council can opt for enforcement measures, such as:

- economic sanctions, arms embargoes, financial penalties and restrictions, and travel bans;
- severance of diplomatic relations;
- blockade;
- or even collective military action.⁴

The main concern of the Council is to focus action on those responsible for the policies and practices condemned by the international community, and still minimizing the impact of the measures taken on other parts of the population and economy. Only the Security Council has the power to make decisions that member states are then obligated to implement under the Charter, making it one of the most powerful bodies of the United Nations.

⁴ <https://www.un.org/securitycouncil/content/what-security-council>

Historical Background

The conflict in Kashmir is one of many entrenched conflicts birthed out of imperial ambitions and a rushed withdrawal of colonial powers. The area known as Kashmir in modern times was ruled first by the Afghan Durrani empire from 1752 to 1819. The Durrani government was eventually toppled by the Sikh empire following an invasion in 1819, and the area enjoyed relative stability until 1846. In 1846, the territory was ceded to the British East India Company after the first Anglo Sikh War. Through a series of principalities, the British controlled Kashmir under a system of colonial rule known as British paramountcy, which placed the interests of the British Crown above any others. It was during this period that the mostly Muslim population became ruled by an Indian monarch. British rule through a Indian monarch continued until 1947 when the British government divided British India into Muslim majority Pakistan and Hindu majority India. The monarch in charge of Kashmir was given a choice to either join India, join Pakistan, or to remain Neutral. The monarch in charge of Kashmir opted to remain neutral, so as to avoid angering the Muslim majority population they governed.

In 1947, Tribesmen in Kashmir saw independence as an attack against the local Muslim majority and began mobilizing against the ruling regime. The ruling monarch, fearing insurrection by pro-Pakistani tribesmen, decided to join India, which prompted Pakistan to enter the conflict officially marking the start of the first Indo-Pakistani War. In 1949 the UN brokered a ceasefire between the two nations with India controlling $\frac{2}{3}$ of the territory and Pakistan controlling the remaining $\frac{1}{3}$.

In 1965 Pakistan was discovered transporting insurgents into Indian controlled Kashmir with the goal of fomenting dissent and causing an uprising against the ruling Indian government. India retaliated against this discovery with a full-scale invasion of West Pakistan using aircraft, artillery, and tanks among other armaments. This conflict would come to be known as the Second Indo-Pakistani War and was the impetus for the largest tank battle since World War II. The Second Indo-Pakistani War ultimately resulted in heavy casualties on both sides of the conflict; 3000 Indians and 3800 Pakistanis were killed or injured as a result of the clash. Largely due to the efforts of both American and Soviet diplomatic missions, the UN Security Council passed Resolution 211, which declared a ceasefire between the two powers.

The situation in Kashmir would remain at a simmer until 1971 and the onset of the Third Indo-Pakistani War, which occurred when the Indian government helped rebels in East Pakistan lead an insurrection against the Pakistani government. This uprising resulted in the modern day state of Bangladesh while also serving to ratchet up tensions in Kashmir between India and Pakistan. Both powers reinforced their positions with additional tanks, infantry, and artillery. This conflict was ultimately mediated in 1972 with the Simla agreement, which turned the ceasefire line into an official line of control with designated Indian and Pakistani regions of Kashmir.

The conflict in Kashmir again heated up in 1987 when elections in Indian controlled Kashmir were reportedly rigged in favor of a pro-India political party. As a result of their power at the ballot box being stripped away, the populace of Indian controlled Kashmir took to the streets against Indian occupation. The occupying Indian forces responded with harsh crackdowns on peaceful protests which radicalized many members of the local population and helped encourage a popular uprising. The invigorated Kashmiri independence movement began targeting occupying Indian military forces. The Pakistani government saw this as an opportunity and began sending pro-Pakistani Islamic terror organizations to Indian controlled Kashmir to assist the Kashmiri independence movement. The Indian government responded to Pakistani involvement with even harsher crackdowns against peaceful protests and armed militants alike, which served to further radicalize disillusioned members of the populace. The region saw the rise of yet another conflict in 1999 known as the Kargil War.

Current Situation

The year is 1999 and the Kashmiri region is on the brink of the Kargil War. The war took place between May and July of 1999 in Jammu and Kashmir's Kargil district, orchestrated by Pakistan army chief General Pervez Musharraf without the knowledge of Pakistani Prime Minister Nawaz Sharif. Before this conflict, there was only one brigade of the Indian Army guarding 300 kilometers of Indian territory, along the Line of Control between Zojila and Leh. The Pakistani Army took advantage of this lack of protection and intruded 4 to 10 kilometers into Indian territory and occupied 130 winter-vacated Indian posts. The intruders positioned themselves in key locations that gave them a strategic advantage during the start of the conflict. Delegates, it is your responsibility to respond to these imminent threats. The fate of Kashmir rests in your hands.

Goals for Discussion

1. How can the territorial dispute best be solved peacefully? Are bilateral solutions the most effective? Are multilateral solutions most effective and who should be invited to the negotiating table?
2. What role does the UNSC play in the resolution of this conflict? How can it best use its powers to resolve the conflict peacefully?
3. How can UNSC prevent further human rights violations in Kashmir?
4. How can the threat posed by the multiple terrorist groups on the ground best be neutralized? What obligations do the countries involved have in the fight against terror?
5. How can we prevent conflicts such as the Kargil War from continuing in the region?

Country List

1. United Kingdom

The United Kingdom is perceived by much of the international community to favor Pakistan in the Kashmiri region, yet there remains an 'elephant in the room' concerning the strengths of the UK-India bilateral relationship. The UK is thought to be favoring Pakistan diplomatically and being critical of India's governance over Jammu and Kashmir, especially on the brink of conflict.

2. China

On the brink of the Kargil War, China's foreign policy was leaning towards support of Pakistani forces in the Kashmiri region. The People's Republic of China has always played an important role in the Kashmir Conflict due to its geographic proximity to the valley. In the decade of 1950, China was openly supportive of India but in the wake of the Indo-Chinese War in 1962, things changed. The Chinese are deliberately supporting Pakistani forces at this time.

3. Russia

Russia's stance on the Kashmir conflict can be defined in two words: historical continuity. During the Cold War, the Soviet Union was the only country to veto UNSC Resolutions seeking UN intervention in Kashmir in 1957, 1962, and 1971. After the collapse of the Soviet Union and the end of the Cold War, the newly established Russian Federation was clear on its position toward the conflict and it expressed its intention to continue with its support of India's claims over Kashmir.

4. France

Similarly to the United Kingdom, France has continued to claim the Kashmir conflict is a bilateral dispute between India and Pakistan. France has been a faithful ally of India, consistently supporting its attainment of a permanent seat at the UNSC and its incorporation into three critical nuclear non-proliferation regimes: the Missile Technology Control Regime, the Wassenaar Arrangement, and the Australia Group, which should be noted as the region becomes a site of conflict.

5. United States

The United States government has consistently demonstrated little understanding of the complex nature of the Kashmir conflict and failed to enact effective foreign policy in response to it. Because both India and Pakistan possess nuclear weapons, the conflict should be included in the US national security agenda. However, the United States government has consistently supported the issue being resolved bilaterally. The United States has thus far refused to ally with Pakistan in the leadup to the current Kargil conflict, demonstrating a commitment to US-India ties.

6. Gabon

Gabon is a member of the African Union and as such denounced India's actions in Kashmir. As a recipient of substantial financial aid from China, Gabon is likely to support China's stance on the matter and support Pakistan despite having a Christian rather than a Muslim majority population.

7. Gambia

Gambia has been quite vocal about the human rights abuses committed by India in Kashmir, and even suggested that Pakistan should elevate the matter to the International Court of Justice. This stance is in line with the one adopted by Niger, another West African country who raised the issue to the African Union. As a predominantly Muslim country, it is expected for Gambia to support Pakistan in the dispute over Kashmir and conflicts like the Kargil War.

8. Namibia

Namibia is a member of the African Union and as such denounced India's actions in Kashmir. As a recipient of substantial financial aid from China, Namibia is likely to support China's stance on the matter and support Pakistan despite having a Christian rather than a Muslim majority population.

9. Bahrain

Much like the United Arab Emirates and Saudi Arabia, Bahrain has been courted by India and invited to invest in the development of Kashmir. Bahrain is host to 300,000 Indian nationals and has expressed appreciation for the contributions of the Indian community in the development of the country. As a Middle Eastern country, Bahrain has the responsibility to push forward the region's best interests in regard to the Kashmir issue and conflicts at large.

10. Malaysia

Malaysia has conflicted with India in the past, starting something of a trade war over Malaysian palm oil. The nations have yet to achieve further reconciliation or diplomacy despite India's boycott of Malaysian palm oil. This should be noted when discussing alliances in conflict in the Kashmiri region.

11. Brazil

As a country looking for permanent membership in the UNSC, Brazil and India have maintained good diplomatic relations over the years. Brazil has condemned violence in the region, but supports Indian claims to the Kashmiri region in times of conflict such as the Kargil War.

12. Argentina

Argentina is a democratic South American country with a faulty human rights record from its days under the Peron regime. Both Argentina and Pakistan have been advocates for the right to self-determination at the United Nations and the reform of the UNSC. It is unclear what stance Argentina would take on the matter but it is clear that the government condemns all forms of violence taking place in Kashmir, namely the Kargil War.

13. Canada

As an international advocate for human rights, the Canadian government takes into consideration the human rights violations being committed in Kashmir. However, Canada has been repeatedly criticized for its silence on the Kashmir issue, thus far taking no sides in the leadup to the Kargil War. A member of the British Commonwealth, Canada is home to one of the largest South Asian communities abroad per capita, which includes both Indians and Pakistanis.

14. Netherlands

The Netherlands is a liberal Western nation and a firm advocate for human rights. Additionally, the nation is a supporter of international organizations such as the United Nations and the International Court of Justice, and is likely to support agreements and decisions made by these bodies over unilateral moves by any nation concerning conflicts such as the Kargil War.

15. Slovenia

Despite being a European democracy, Slovenia has a faulty human rights record with the highest number of human rights violations recorded in any European nation; the nation has lost 94% of its cases in the European Court of Human Rights. Although they have not declared a clear stance on the issue, it is likely Slovenia would not go against Russia concerning conflicts and human rights violations such as the Kargil War.

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