



# STUDY GUIDE

## United Nations Security Council

- The Kashmir Issue

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# LETTER FROM SECRETARY-GENERAL

Dear Delegates,

I am thrilled to welcome you to the first session of HAS-MUN 2025! As your Secretary-General, it is a true honor to lead this incredible event, which stands as a testament to our school's dedication to promoting global awareness and developing diplomatic skills among our students.

This year's conference gathers young leaders from various backgrounds, all united by our common goal of tackling the urgent challenges our world faces today. The issues we will address demand innovative thinking, collaboration, and a commitment to finding solutions that reflect our shared humanity.

Hosting HAS-MUN is not just a privilege; it comes with great responsibility. We strive to foster an environment that promotes respectful debate, critical analysis, and the spirit of cooperation that the United Nations represents. I encourage each of you to seize this opportunity to learn, grow, and engage with your fellow delegates in a passionate and thoughtful manner.

As you prepare for the conference, I urge you to approach your research with curiosity and an open mind. Familiarize yourself with your assigned country's position and be ready to advocate for its interests while also considering the viewpoints of others. Remember, effective diplomacy relies on negotiation and compromise.

I want to extend my heartfelt thanks to our organizing committee, faculty advisors, and volunteers who have dedicated their time and energy to making this event a reality. Their commitment ensures that HAS-MUN 2025 will be a memorable and impactful experience for everyone involved.

Let us unite to make history at HAS-MUN 2025. I eagerly anticipate witnessing your passion and dedication as we embark on this journey toward understanding and cooperation.

Warm regards,

Rozita CAN  
Secretary-General,  
HAS-MUN 2025

# LETTER FROM THE CHAIR

Dear Delegates,

As we gather for this year's HAS-MUN 2025 Conference, I am honored to welcome each of you to the United Nations Security Council, a body dedicated to promoting peace, security, and cooperative diplomacy in an increasingly complex world. This year, we will turn our attention to one of the most pressing and historically significant conflicts on the global stage: The Kashmir Issue.

For over seven decades, the Kashmir conflict has persisted, marked by political strife, territorial disputes, and profound humanitarian concerns. The region, nestled between India and Pakistan, embodies not only the aspirations of its people but also the geopolitical tensions that can spiral into larger conflicts. As future leaders and diplomats, your role in addressing this multifaceted issue is crucial.

During our discussions, we will explore the historical roots of the conflict, the aspirations of the Kashmiri people, and the implications for regional and international peace. How can we foster dialogue and understanding between the involved parties? What innovative solutions can we propose to ensure that the voices of all stakeholders are heard and respected?

I encourage you to come prepared with in-depth research, a willingness to collaborate, and a commitment to recognizing the humanity at the heart of this issue. Your insights and proposals can pave the way for new approaches to this long-standing conflict.

Let us approach this agenda item with the seriousness it deserves, while also embracing the spirit of diplomacy, understanding, and respect for all perspectives. Together, we can work towards a resolution that promotes lasting peace and cooperation in the region.

I am looking forward to an engaging and constructive debate, and I am excited to see the innovative solutions each of you will bring to the table.

Yours sincerely,

Emmanuel JOHN  
Chair, United Nations Security Council  
HAS-MUN 2025

## 1. Information about the Committee

The United Nations Security Council is the most powerful organ within the United Nations, with the primary responsibility of maintaining international peace and security. Established in 1945, it operates under Chapter V of the UN Charter, granting it unique authority and powers.

### Key Features and Powers

- **Binding Resolutions:** The Security Council is the sole UN body capable of issuing legally binding resolutions for all member states. This authority allows it to address critical global issues like conflict, terrorism, and human rights violations.
- **Veto Power:** The Council comprises 15 members: 5 permanent members (United States, United Kingdom, France, Russia, and China) and 10 non-permanent members elected by the UN General Assembly for two-year terms. The permanent members possess veto power, meaning they can unilaterally block any resolution, a feature often criticized for hindering the Council's effectiveness.
- **Maintaining Peace and Security:** The Council's core function is to prevent and resolve conflicts. It can investigate disputes, impose sanctions on nations violating international law, authorize military interventions, and recommend measures to maintain or restore peace.
- **Other Roles:** The Council plays a crucial role in electing judges to the International Court of Justice and recommending the appointment of the UN Secretary-General.

### Current Composition

- Permanent Members: United States, United Kingdom, France, Russia, China
- Non-Permanent Members: Algeria, Ecuador, Guyana, Japan, Malta, Mozambique, Republic of Korea, Sierra Leone, Slovenia, Switzerland

### Limitations and Challenges

- **Veto Power:** The veto power of the permanent members can paralyze the Council, particularly when major powers disagree on critical issues.

- **Limited Effectiveness:** Critics argue that the Council's actions are often reactive and insufficient to address complex global challenges like climate change and pandemics.
- **Representation:** The composition of the Council, particularly the permanent members, has been criticized as outdated and unrepresentative of the current global power dynamics.

Despite these challenges, the UN Security Council remains a vital institution in international relations, playing a crucial role in addressing global crises and promoting peace and security worldwide.

This highlights the Security Council's ability to include non-member states in its discussions. Here's a breakdown:

**Inviting Non-Members:** The Security Council has the authority to invite representatives from nations directly involved in a conflict, even if they are not UN members. This allows for firsthand perspectives and potentially facilitates resolution efforts.

**Observer Status:** These invited representatives participate as observers, meaning they can attend sessions and share their views but do not have voting rights in the Council's decision-making process.

In this specific instance, the chair of the Security Council considered appropriate to include Afghanistan, India, and Pakistan as observers. This suggests that these nations are directly involved in a conflict or a situation relevant to the Council's agenda.

This practice of including non-member observers demonstrates the Security Council's flexibility and its commitment to seeking comprehensive solutions by incorporating the perspectives of all relevant parties.

## **Key definitions**

**Ethnic Groups:** It defines ethnic groups as social categories within a society, often distinguished by shared race, language, nationality, or culture. While the concept of the nation-state often implies a homogenous population, most modern states are diverse, with multiple ethnic groups coexisting. In the case of Kashmir, the main ethnic groups are broadly categorized by religion: Hindu, Muslim, and Buddhist. However, these groups further subdivide

based on factors like language and specific religious sects.

**Kashmir:** The term "Kashmir" has evolved over time. Originally referring to a specific region, it now encompasses areas administered by India, Pakistan, and China. India controls Jammu and Kashmir, Pakistan administers Gilgit-Baltistan, and China controls a portion of Ladakh.

**Line of Control (LoC):** The LoC is the de facto border dividing the former princely state of Jammu and Kashmir between India and Pakistan. Established after the 1949 ceasefire in the First Indo-Pakistani War, it remains a highly contested boundary.

**Line of Actual Control (LAC):** is the de facto boundary separating Indian-controlled territory from Chinese-controlled territory. It was proposed by Chinese Premier Zhou Enlai in 1959 but rejected by India. The LAC was established after the 1962 Sino-Indian War. It remains a disputed boundary, with frequent clashes between Indian and Chinese forces. India continues to claim sovereignty over territories lost during the war.

**UNCIP:** The United Nations Commission for India and Pakistan (UNCIP) was established by the UN Security Council in 1948 to mediate the conflict between India and Pakistan. Its mandate included ensuring the self-determination of Kashmiri inhabitants. However, due to disagreements between India and Pakistan, UNCIP's activities ceased in 1951.

## 2. Introduction

The Kashmir conflict is a longstanding and complex issue that has plagued the region for decades, posing a significant threat to global peace and security. As the United Nations Security Council addresses this issue, it is essential to understand the historical, political, demographic, and socio-cultural factors that have contributed to the conflict.

The conflict in Kashmir has its roots in the decolonization of the British Raj in 1947. When the British withdrew from the Indian subcontinent, local leaders were left to govern a diverse population, leading to disputes over Kashmir's political status. Jammu and Kashmir, a significant princely state, was technically independent under a Maharaja but remained under British influence. This ambiguity created a power vacuum that would eventually lead to the current conflict.

The region of Jammu and Kashmir spans over 220,000 square kilometers, bordering China, Afghanistan, Pakistan, and India. The geography of the region is characterized by a diverse

landscape, with the Western Himalayas traversing the territory. The region is home to three main rivers: the Indus, Jhelum, and Chenab, which create three distinct valleys: the Indus Valley, the Chenab Valley, and the Vale of Kashmir. The Vale of Kashmir, where the summer capital Srinagar is located, is the most populous area.

According to the 1941 census, the population of Jammu and Kashmir was approximately 4 million, with around 75% being Muslim and 20% Hindu. However, current estimates indicate that over 16 million residents live across different administrative regions, with significant variations in population density and demographics.

The population of Kashmir is predominantly Muslim, but there are significant minority communities, including Hindus, Buddhists, Sikhs, and Pashtuns. In Pakistani provinces,

Gilgit-Baltistan and Azad Jammu and Kashmir, virtually the entire population is Muslim. However, in Indian-controlled Kashmir, each province has a different demographic composition. For example, Jammu has a majority Hindu population, while the Vale of Kashmir has a predominantly Muslim population.

Figure 1: Indian/Pakistani Government Censuses. (n.d.). The Future of Kashmir. BBC NEWS. Retrieved April 22, 2024.

<b>Religious groups: Indian-administered Kashmir</b>				
<b>REGION</b>	<b>Buddhist</b>	<b>Hindu</b>	<b>Muslim</b>	<b>Other</b>
<b>Kashmir Valley</b>	-	<b>4%</b>	<b>95%</b>	-
<b>Jammu</b>	-	<b>66%</b>	<b>30%</b>	<b>4%</b>
<b>Ladakh</b>	<b>50%</b>	-	<b>46%</b>	<b>3%</b>

The social structure in Kashmir is governed by a caste system, which has been in place for over 3,000 years. The caste system divides Hindu society into four main castes: Brahmins (teachers and priests), Kshatriyas (warriors and rulers), Vaishyas (traders and merchants), and Shudras (labourers). There is also a fifth category, known as Dalits or "outcastes," who are considered "unclean" or "dirty" jobs. Despite constitutional protections against caste discrimination in India, lower castes and non-Hindu populations face significant marginalization and social exclusion.

The region of Kashmir is linguistically diverse, with several languages spoken across different areas. In Pakistani provinces, Urdu is the official language used in administration and English is widely spoken in administrative and academic spheres. However, the de facto language varies across provinces. In Gilgit-Baltistan, Shina, Balti, Burushaski, Wakhi, and Khowar are spoken by the majority of the population in at least one tehsil. In Azad Jammu and Kashmir, around 70% of the population speaks Pahari-Pothwari as their mother tongue.

In Indian-controlled Kashmir, the linguistic diversity is also significant. In Jammu, about 45% of the population speaks Drogi (Indo-Aryan), while people speaking Pahari, Gojri, and Kashmiri account for between 11-13% each. Hindi is the mother tongue of only 3% of the population. In Ladakh, where the culture is similar to Tibetan culture, around 38% speak Ladakhi (Sino-Tibetan), 33% Purkhi (Sino-Tibetan), and 9% Hindi among others.

In conclusion, the Kashmir conflict is a complex issue that requires a comprehensive understanding of its historical, demographic, socio-cultural, and political dimensions. The region's diverse geography, linguistic diversity, and social structure have contributed to the conflict's complexity. Addressing this issue will require a multifaceted approach that takes into account these various factors and promotes peace and stability in the region.

### **3. History of the Topic**

The history of the Kashmir region is deeply woven into the broader tapestry of South Asian history, encompassing cultural, religious, and political influences that have shaped its identity over the centuries. Until the 13th century, Kashmir experienced a rich Hindu heritage marked by the rule of several dynasties that helped establish it as a center of Hindu culture. This prominence continued until the mid-14th century when the arrival of Muslim invaders led to nearly five centuries of Muslim rule. This era saw profound transformations in the cultural and social landscape of Kashmir as it gradually integrated into the Islamic world.

In the 19th century, following a tumultuous period, the region came under the control of the Sikh Kingdom of Punjab after a series of conquests and conflicts. The British colonial presence became significant after the First Anglo-Sikh War, culminating in the treaties of Lahore and Amritsar in 1846. These treaties allowed Raja Gulab Singh of the Dogra dynasty to purchase the region from the British, establishing what was known as the princely state of Jammu and Kashmir.

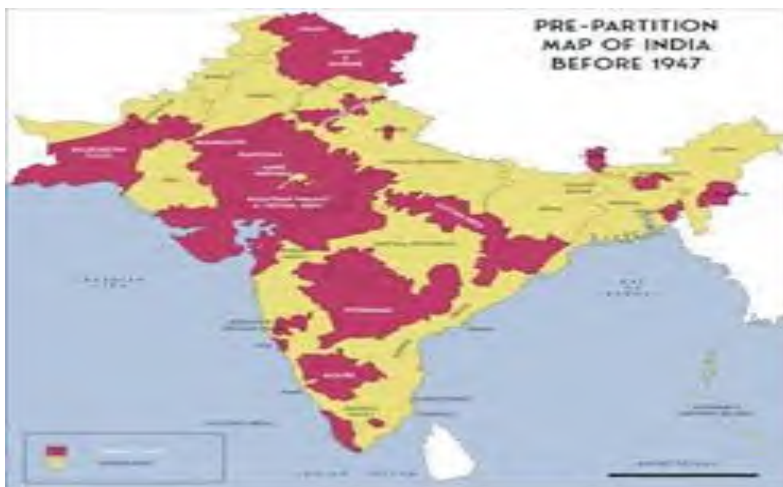
The British strategically utilized Kashmir as a buffer zone against rival Asian powers, including China and Russia. The establishment of princely states allowed the British to exert influence while minimizing administrative responsibilities. This system also granted the British the ability to manipulate territorial borders as needed, further complicating the already diverse political landscape of the region.

Crucially, the year 1947 marked a turning point in the history of Kashmir. As the British prepared to withdraw from India, a decolonization process driven by local and international pressures came

to a head. Viceroy Louis Mountbatten engaged in negotiations with key political factions, notably the Indian National Congress, led by Jawaharlal Nehru, and the Muslim League, led by Mohammad Ali Jinnah. Their irreconcilable differences led to the partition plan announced on June 3, 1947, which envisaged the creation of two independent states—India and Pakistan.

The hurried and contentious partition process brought to the fore long standing religious divisions. While religion was indeed a factor in the political differences between the Congress and the Muslim League, the simplistic approach to partition failed to capture the complex social fabric of the region. The Boundary Commission, tasked with delineating borders, was chaired by Cyril Radcliffe, a British lawyer unfamiliar with the Subcontinent. Consequently, the division of Punjab and Bengal received more attention than the intricacies of the princely states, including Jammu and Kashmir.

The partition resulted in the forced displacement of over 15 million people and ignited widespread communal violence. In Jammu and Kashmir, both Muslims and Hindus fled in fear of persecution, resulting in horrific communal massacres, with more than 2 million lives lost in violence classified by some as genocidal in nature. Sikhs, a community historically ally to the British, suffered extremely high casualty numbers, shattering the narrative of martial valor that had characterized their diaspora.



Map 1: Chhetri, Y. (2015, January 18). *Integration of princely states*. SelfStudy history. Retrieved April 26, 2024

At the time of partition, Jammu and Kashmir, along with over 500 other princely states, was given the option to accede to either India or Pakistan or remain independent. Unlike many other states, however, the integration process in Jammu and Kashmir became particularly contentious. The Maharaja of Kashmir, Hari Singh, initially sought to maintain autonomy amid mounting pressures from both India and Pakistan.

In July 1947, as the British prepared to withdraw and partition India, the political situation in the semi-independent state of Jammu and Kashmir became increasingly complicated. Maharaja Hari Singh and Prime Minister Ram Chandra Kak, both Hindus ruling over a Muslim-majority

population, held differing views on the future of the state. Kak advocated for autonomy, while Singh hesitated due to rising communal violence and external pressures. After dismissing Kak on August 11, Singh signed the Standstill Agreements on August 15, aiming to maintain neutrality and allow time for Kashmiris to decide their political future.

However, this neutrality quickly deteriorated into violence. A major massacre occurred on August 18 when Muslims attacked a train carrying Hindus and Sikhs, prompting retaliatory violence against Muslims in Jammu. Estimates suggest that between 50,000 and 100,000 Muslims were killed during this turbulent period. Criticism arose against Maharaja Singh for either failing to protect the Muslim population or actively participating in the violence. Although some segments of local security forces sought stability, their actions amid the chaos faced scrutiny.

The brief period of independence following the Standstill Agreement ended as civil society groups began calling for accession to Pakistan, influenced by motivations like land reform. While groups such as the Kisan Mazdoor Conference and the All Jammu and Kashmir Muslim Conference pushed for integration, the All Jammu and Kashmir National Conference, led by Sheikh Abdullah,



opposed this, advocating for Kashmir's autonomy. This period marked a crossroads for Jammu and Kashmir, revealing deep-seated ethnic and religious divisions and setting the foundation for the ongoing Kashmir conflict.

Map 2: US Central Intelligence Agency. (2023). Kashmir region showing sub-regions administered by different countries. Commons Wikipedia. Retrieved April 26, 2024



Finally, On October 6, 1947, the Poonch rebellion began in Jammu and Kashmir as Muslims revolted against Maharaja Hari Singh's rule, supported by Pashtun tribesmen and the Pakistani army. This uprising was intensified by Pakistan's blockade of goods, breaching the Standstill Agreements. The loyalist forces, already weak, retreated to Srinagar, prompting the Maharaja to seek help from India and sign the Instrument of Accession on October 26. Indian forces then entered the region, initiating the First Indo-Pakistani War, which lasted until a UN-mediated

cease-fire on January 1, 1949. This cease-fire established the Line of Control, dividing the territory between India and Pakistan, with India controlling Jammu, Ladakh, and parts of Kashmir, while Pakistan gained control of Gilgit-Baltistan and Azad Jammu and Kashmir. A Tripartite Agreement in April 1949 gave local governance to the Muslim Conference in Azad Jammu and Kashmir, while Gilgit-Baltistan remained relatively neglected by Pakistan. Additionally, Article 370 of the Indian Constitution conferred significant autonomy to Jammu and Kashmir as a state.



Map 3: Clearias TEAM. (2023, October 28) *India-China Border Disputes – What is the Doklam Issue?* Retrieved April 26, 2024

Following the establishment of the Control Line, Kashmir experienced relative peace, which was disrupted in the 1960s with China's increased involvement in the conflict. On October 20, 1962, Chinese troops invaded the Aksai Chin region in Ladakh and advanced in Eastern regions of the McMahon Line, overpowering the ill-prepared Indian army. A unilateral ceasefire was declared by China on November 19, ending the brief conflict, with India continuing to assert sovereignty over the disputed areas.

The region saw another major conflict between August and September 1965, known as the Second Indo-Pakistani War, during which approximately 1 million troops, along with over 1,000 aircraft and 1,500 tanks, were deployed mainly in Kashmir, resulting in significant casualties. This war followed a brief period of military tensions between India and Pakistan after the Sino-Indian War, which had prompted both nations to bolster their military presence around the Line of Control.

Diplomatic efforts, aided by the United Kingdom and resulting in a ruling from the International Court of Justice, temporarily resolve some disputes, awarding Pakistan 800 square kilometers of

disputed land. However, mutual distrust persisted, leading to Pakistan launching Operation Gibraltar on August 5, 1965, where about 30,000 Pakistani troops infiltrated Kashmir disguised as locals to incite an uprising.

Initially caught off guard, Indian forces soon received reinforcements and, despite being outnumbered, managed to leverage their superior air and artillery support against Pakistan's better-equipped tank divisions. The conflict showcased the ongoing volatility in the region, exacerbated by territorial claims and military engagements.

After multiple unsuccessful diplomatic efforts, including a bilateral arms embargo and previous UN resolutions (206 and 210), the United Nations Security Council unanimously adopted Resolution 211. This resolution mandated a ceasefire to take effect on September 22, 1965, at 0700 hours GMT and required both India and Pakistan to withdraw their military personnel to the positions they held before August 5th. The United States and the Soviet Union engaged in extensive diplomatic efforts to facilitate this ceasefire, which was ultimately achieved one day later than scheduled. Despite the ceasefire, tensions remained high, with both nations continually accusing each other of violations in the months that followed.

A significant step toward lasting peace occurred on January 10, 1966, during a conference held in Tashkent, organized by Soviet leader Leonid Brezhnev. Indian Prime Minister Lal Bahadur Shastri and Pakistani President Muhammad Ayub Khan formalized peace terms through the Tashkent Declaration, which reestablished the Line of Control as the de facto border and laid the foundation for diplomatic relations between the two countries until the Bangladesh Independence War in 1971.

This period also marked a shift in international alliances, with both India and Pakistan recognizing their reliance on traditional allies like the US and UK. India sought to strengthen ties with the Soviet Union, while Pakistan turned toward China as a new ally. The Sino-Pakistan Agreement of 1963 exemplified this budding relationship, as it acknowledged Pakistani sovereignty over the Gilgit Agency and awarded China control of the Trans-Karakoram Tract, thereby resolving a longstanding border dispute between the two nations.



Map 4: US Central Intelligence Agency. (2022). Kashmir region showing sub-regions administered by different countries. Commons Wikipedia. Retrieved April 26, 2024

#### 4. Past actions regarding the issue

This section will differentiate between the actions taken by the UN Security Council, other UN bodies and agencies, as well as regional and bilateral efforts to address the Kashmir situation.

Since 1948, the UN Security Council has adopted 18 resolutions related to the Kashmir conflict, with the last resolution specifically addressing the issue being passed in 1971. These resolutions have aimed to provide frameworks for peaceful resolution and to address the ongoing tensions between India and Pakistan over the region. In contrast, other UN bodies and agencies may have taken different approaches, such as humanitarian efforts or discussions related to human rights,

while regional or bilateral initiatives often involve direct negotiations and agreements between the parties involved.

The following is a detailed summary of the 18 UN Security Council resolutions concerning the Kashmir conflict from 1948 to 1971, highlighting their key actions and intents:

1. **S/RES/38 (1948)**: Called for an immediate cessation of hostilities and the withdrawal of tribal invaders from Kashmir, initiating the UN's engagement in the conflict.
2. **S/RES/39 (1948)**: Established the United Nations Commission for India and Pakistan (UNCIP) tasked with investigating and mediating the dispute.
3. **S/RES/47 (1948)**: Expanded the UNCIP's role and membership, with an emphasis on preparing for a plebiscite to ascertain the future of the region.
4. **S/RES/51 (1948)**: Directed UNCIP to continue its efforts with a strong emphasis on conducting a plebiscite.
5. **S/RES/80 (1950)**: Called for a joint declaration from India and Pakistan committing to hold a fair plebiscite and outlined responsibilities for the plebiscite administrator.
6. **S/RES/91 (1951)**: Established the United Nations Military Observer Group in India and Pakistan (UNMOGIP) to supervise the ceasefire, significantly expanding their responsibilities.
7. **S/RES/96 (1951)**: Acknowledged progress towards demilitarization and a peaceful settlement while reiterating the need for a plebiscite.
8. **S/RES/98 (1952)**: Urged immediate negotiations between India and Pakistan, facilitated by the UN Representative, to agree on troop reductions.
9. **S/RES/122 (1957)**: Reaffirmed the necessity of holding a plebiscite, highlighting that the Constituent Assembly's actions regarding Kashmir's status would not constitute a final resolution.

10. **S/RES/123 (1957)**: Requested updates from both nations on their progress towards a peaceful resolution and reiterated the UN's role in administering the plebiscite.
11. **S/RES/126 (1957)**: Called for renewed efforts to implement earlier UNSC resolutions with a strong focus on demilitarization.
12. **S/RES/209 (1965)**: Addressed various ceasefire violations, urging both India and Pakistan to cease combat and honor the ceasefire agreement.
13. **S/RES/210 (1965)**: Urged for cessation of hostilities and a return to positions held prior to the escalation of the conflict.
14. **S/RES/211 (1965)**: Demanded an immediate ceasefire and the withdrawal of armed personnel to pre-August 1965 positions.
15. **S/RES/214 (1965)**: Expressed growing concern over ceasefire violations, demanding adherence to previously agreed-upon ceasefire terms.
16. **S/RES/215 (1965)**: In light of failed ceasefires, it called for a meeting between representatives of India and Pakistan alongside a representative from the Secretary-General.
17. **S/RES/303 (1971)**: In response to deteriorating India-Pakistan relations, called for adherence to previous resolutions and peaceful settlement principles.
18. **S/RES/307 (1971)**: Demanded a durable ceasefire and cessation of hostilities, asking the Secretary-General to provide updates on the situation.

*These resolutions reflect the UN Security Council's ongoing efforts to mediate the Kashmir conflict, emphasizing ceasefire enforcement, plebiscite preparation, and adherence to international principles for peaceful resolution.*

Following the UN Security Council resolutions on Kashmir from 1948 to 1971, a shift in approach occurred, with bilateral agreements becoming more prominent. Notably, the Simla Agreement of 1972 between India and Pakistan recognized the Kashmir issue as a bilateral matter and declined third-party intervention. This document reaffirmed the Line of Control (LoC) as a de facto border between India and Pakistan in the Kashmir region.

However, the Security Council continues to receive updates on the humanitarian, political, and military situation in Kashmir. In 2019, Pakistan's Foreign Ministry and then-Foreign Minister

Makhmood Qureshi sent letters to the Security Council detailing alleged violations of bilateral agreements and past UN resolutions. These letters highlighted the following issues:

1. **Letter S/2019/623 (August 1, 2019):** The letter detailed growing tensions between India and Pakistan in Indian-administered Kashmir and called for a UN Special Representative. It also referred to the Office of the United Nations High Commissioner for Human Rights (OHCHR) report, noting that Kashmir had become the world's most militarized zone.
2. **Letter S/2019/654 (August 13, 2019):** This letter from the Foreign Ministry of Pakistan emphasized India's alleged breaches of binding resolutions, including those from 1951 and 1957. It also highlighted the repression of normal life in Kashmir, including the cutting of communications and arbitrary detention of Kashmiri leaders and activists.
3. **Letter S/2019/944 (December 12, 2019):** This letter declared that the Indian Home Ministry had deliberately violated ceasefire stipulations, which posed a risk to regional stability. Details included numerous missile tests and over 3,000 ceasefire violations that targeted vulnerable groups, such as women and children.
4. **Letter S/2020/771 (August 3, 2020):** The letter, sent one year after India implemented communication blockades and increased military presence, highlighted India's alleged human rights violations against activists, women, and children. It also noted the removal of key articles from India's constitution and the introduction of a Public Service Act, which granted impunity to Indian soldiers in Kashmir.

Beyond the Security Council, other agencies have taken action or reported on regional developments. The United Nations Military Observer Group in India and Pakistan (UNMOGIP) and the OHCHR are notable examples.

#### **The OHCHR released two reports.**

The **first report**, issued on June 14, 2018, covering the period from June 2016 to April 2018, provided an in-depth look at human rights violations and abuses by state and non-state actors in Indian-administered and Pakistan-administered Kashmir. The report detailed excessive force, unlawful killings, and a culture of impunity, and called for an international inquiry.

The **second report**, released on July 8, 2019, updated the situation from May 2018 to April 2019 and continued to criticize India's handling of the situation, particularly its use of crowd control

measures and the legal immunity granted to security forces. It also highlighted human rights challenges in Pakistan-administered Kashmir, including restrictions on freedom of expression.

The UNMOGIP was formed in 1948 to supervise the ceasefire line and investigate any agreement violations. After hostilities in 1971 and the Simla Agreement, the group's mandate was greatly reduced. The UN observers are now mainly limited to observing and monitoring ceasefire developments on the Pakistani-administered side of the LoC, as India has explicitly denied third-party assistance in the Kashmir issue.

## **5. Current Situation**

The developments in the Kashmir region since the removal of Articles 370 and 35A in August 2019 have been significant, marking a pivotal point in the political and security dynamics of the conflict. This response analyzes the implications of these changes and the resulting consequences on the region.

### **Background of Articles 370 and 35A**

**Article 370** provided special autonomy to Jammu and Kashmir, allowing the region considerable self-governance except in areas concerning defense, finance, foreign affairs, and communications. Its removal effectively brought Jammu and Kashmir under the same legal framework as the rest of India.

**Article 35A** defined the rights of permanent residents in Kashmir, prohibiting non-residents from purchasing land or settling in the region. This article aimed to protect the demographics and cultural identity of the region, but it faced criticism for discrimination against individuals who married outside of Kashmir.

### **The Abrogation of Articles 370 and 35A**

The abrogation of these articles was a long-standing agenda for the Bharatiya Janata Party (BJP) and was justified by the Indian government as a necessary step to promote integration and combat the long-standing insurgency that emerged in Kashmir in 1989. However, this move also drew significant domestic and international criticism. Opponents, including many Kashmiris, argued that it could lead to disenfranchisement and destabilization, as it stripped the region of its unique political and legislative character.

In 2023, the Indian Supreme Court upheld the decision to abrogate Article 370, stating that

Jammu and Kashmir should integrate into the same framework as other Indian states. Critics maintain that such judicial decisions overstep the constitutional boundaries established by the original formation of Jammu and Kashmir, arguing that only the region's Constituent Assembly could amend its status.

### **Immediate Aftermath**

Following the removal of special status, the region witnessed a significant crackdown on dissent. Reports indicated the detention of numerous Kashmiri political leaders, extensive internet blackouts, and the suppression of media freedom. Human rights experts from the UN reported that these measures threaten the already delicate socio-political balance in the region, with concerns that an influx of non-native populations could further alter its demographic fabric.

Indian officials dismissed these concerns as unfounded and insisted that "democracy in Kashmir has strengthened" post-abrogation. The government has adopted stringent laws, such as the Public Safety Act (PSA), enabling prolonged detentions without trial, which has disproportionately affected journalists and political activists in the region.

### **Political and Security Developments**

The political landscape in Kashmir has been marked by a severe repression of civil liberties since the abrogation. Reports from news agencies highlight the increased militarization under the pretext of combating terrorism. Although the Indian government claims that removing Article 370 facilitates a stronger response to armed groups, violence against civilians has surged. The Institute of Conflict Management in New Delhi noted that many attacks on Indian forces stem from military operations that have been initiated in the region, with civilian casualties often as collateral damage.

While there has been an apparent decline in violence-related incidents between 2020 and 2024, the effectiveness of the Modi government's policies in reducing terrorism remains ambiguous. The overall security situation continues to be tense, characterized by ongoing military confrontations, heightened human rights abuses, and a pronounced sense of alienation among the Kashmiri populace.

### **Conclusion**

The removal of Articles 370 and 35A has undoubtedly altered the political and security context in Kashmir, fostering an environment of heightened tensions and human rights violations. The region now faces significant challenges, balancing between integrating into the larger Indian polity and addressing the grievances of its diverse population. The implications of these changes remain a critical focal point for both regional stability and international diplomatic engagement concerning Kashmir. Continued monitoring and advocacy for human rights in the region are essential as the situation evolves.

## **6. Block positions**

This overview highlights the varied stances of different United Nations Security Council (UNSC) members regarding the Kashmir issue, reflecting their geopolitical interests and historical relationships with India and Pakistan. Each country's position is influenced by factors such as regional stability, human rights concerns, bilateral relations, and security dynamics. Below is a summary of positions from key members and pertinent countries:

### **India**

India maintains a strong assertion of sovereignty over Jammu and Kashmir despite the abrogation of Articles 370 and 35A. Following territorial reorganizations, the Indian government appears committed to reinforcing control over the region. Although unrest and dissatisfaction within the Kashmiri population persist, marked by increased military presence and delayed elections, the Modi administration remains focused on internal stability and countering perceived external threats, particularly from China, rather than initiating a dialogue with Pakistan. The broader implications for Kashmir's political integration into Indian governance remain a contentious issue, further complicated by regional dynamics involving Afghanistan and China.

### **Pakistan**

Pakistan's approach toward Kashmir is characterized by a dual strategy: advocating for international involvement while maintaining diplomatic discourse with India when advantageous. However, internal instability, exemplified by protests in Azad Jammu and Kashmir and rising economic discontent, complicates its policy. Pakistan's leadership, while historically supportive of Kashmiri self-determination, must balance domestic challenges with maintaining strategic alliances with China and Afghanistan, as well as the necessity of normalizing relations with India.

## **China**

China has been vocally critical of India's actions in Kashmir, especially since the abrogation of Article 370. It advocates for a peaceful resolution through bilateral negotiations and has initiated informal discussions about alleged violations of international law by India, although these efforts have not materialized into concrete outcomes. China's position is largely influenced by its regional interests and growing influence in South Asia.

## **Afghanistan**

The Taliban regime's stance on Kashmir reflects its historical position of supporting Pakistan while promoting bilateral relations with India. While it has pledged not to interfere in Kashmir, recent military clashes along the Durand Line reveal underlying tensions with Islamabad. The Taliban has stated its intention to condemn perceived violence against Muslims in Kashmir while maintaining a façade of neutrality in regional disputes.

## **United States**

The U.S. has historically acted as a mediator in Kashmir but has leaned towards India in recent years, particularly under the Trump administration. The current approach seems to reinstate a balance, promoting regional stability and counterterrorism cooperation while not overtly criticizing India's policies. The U.S. continues to prioritize diplomatic engagement and the prevention of conflict escalation.

## **Russia**

Russia has consistently supported India's position regarding Kashmir, advocating for bilateral solutions and rejecting internationalization of the issue. Moscow emphasizes adherence to existing agreements and has expressed support for India's sovereignty, viewing India as a vital geopolitical ally in opposition to Western influence.

## **United Kingdom**

The UK's official stance emphasizes that Kashmir is fundamentally a bilateral issue, expecting

India and Pakistan to reach a resolution independently. Although there have been discussions in Parliament on the matter, the government prefers not to act as a mediator, underscoring the need for cooperation between the two nations.

### **Algeria**

Algeria's government openly aligns itself with India on the Kashmir issue while historically supporting ethnic minorities. This position illustrates the complex interplay between national interests and broader geopolitical considerations.

### **Ecuador**

Ecuador takes a more passive stance, promoting respect for territorial integrity and peaceful coexistence among nuclear powers. Relations with both India and Pakistan are cordial, without an engaged or assertive foreign policy on the Kashmir issue.

### **France**

France supports India's stance on Kashmir, viewing the country as a strategic ally in countering Chinese influence in the Indo-Pacific region. The French government has gradually aligned itself with India, prioritizing military and counterterrorism cooperation.

### **Guyana**

Like many South American countries, Guyana does not possess a strong position on Kashmir, maintaining friendly relations with both India and Pakistan while adhering to diplomatic norms.

### **Japan**

Japan promotes a peaceful resolution to the Kashmir dispute that ensures stability for all involved parties. Its strategic partnership with India, particularly under the Quad security framework, enhances its interest in supporting India's regional influence against China.

Here's an overview of the positions of additional countries, specifically **Malta, Mozambique, the Republic of Korea, Sierra Leone, Slovenia, and Switzerland**, regarding the Kashmir issue. This provides insight into how these nations engage with the geopolitical dynamics surrounding this longstanding conflict.

### **Malta**

Malta is recognized for its commitment to international peace and conflict resolution through dialogue. As a member of the European Union (EU), the Commonwealth, and the Organization for Security and Co-operation in Europe (OSCE), Malta's stance on Kashmir is likely shaped by broader EU policies that emphasize diplomatic solutions and multilateral cooperation. Malta's focus on peace and dialogue might lead it to promote dialogue between India and Pakistan while advocating for stability and human rights in Kashmir.

### **Mozambique**

Mozambique maintains strong diplomatic relations with all stakeholders in the Kashmir issue, especially India and China. Its partnerships involve significant economic and military cooperation, particularly with India in anti-piracy initiatives and with China in trade and infrastructure investments. Mozambique's position is thus influenced by its economic interests and alliances, although it likely advocates for a peaceful resolution given its diplomatic engagements.

### **Republic of Korea**

The Republic of Korea (South Korea) enjoys amicable relations with India but has remained neutral regarding the Kashmir dispute. The recent social media incident involving Hyundai, which commemorated Kashmir Solidarity Day, sparked India's displeasure but was handled diplomatically, with South Korea's Foreign Minister expressing regret over the situation. This highlights South Korea's emphasis on maintaining favorable ties with both India and Pakistan, navigating complexities without taking a public stance on the dispute.

### **Sierra Leone**

Following the 2019 constitutional changes in India, Sierra Leone engaged in bilateral talks with India that touched upon the Kashmir issue. Sierra Leone expressed solidarity with India's values and vision, suggesting a supportive stance for India in the context of Kashmir. This aligns with

Sierra Leone's diplomatic approaches, focused on strengthening partnerships and addressing mutual interests rather than remaining neutral in the dispute.

### **Slovenia**

Slovenia's position closely aligns with EU policies emphasizing the safety and interests of various populations in Kashmir without explicitly favoring one side over the other. While Slovenia promotes solidarity for the region, it prioritizes non-intervention and is unlikely to support aggressive measures from the UNSC regarding Kashmir. Its approach focuses on encouraging dialogue and peaceful resolutions to conflicts.

### **Switzerland**

Switzerland adopted a more critical stance toward India's actions in Kashmir, particularly following the 2019 constitutional changes. The Swiss government publicly condemned these changes and sought to engage with Pakistan diplomatically. Switzerland champions a peaceful resolution in line with UN resolutions, viewing the unresolved status of Kashmir as a potential threat to regional stability. This position reflects Switzerland's broader commitment to diplomacy and human rights advocacy.

### **NB**

The positions of these countries regarding the Kashmir issue underscore a complex interplay of diplomatic, economic, and strategic considerations. While some nations like Switzerland and Malta vocalize concerns about human rights and advocate for peaceful resolutions, others like Mozambique and the Republic of Korea balance their positions with regard to significant bilateral relations. This highlights the diverse diplomatic landscape surrounding the Kashmir conflict and the varying degrees of engagement by different countries. Each country's approach showcases the multifaceted nature of international relations and the importance of context in shaping foreign policy.

## 7. Questions a Resolution should address

- What role should the Council play in achieving peace in Kashmir?
- Should the Council expand its resolutions on the Kashmir dispute?
- How can the Council uphold human rights for various population groups in the region?
- What measures can be taken to reduce military clashes among parties involved?
- What is the impact of the Chinese-Pakistani partnership on the conflict?
- What roles can external actors like the USA, Russia, EU, and ASEAN play?

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