

SHRI MUN 2024



**AGENDA: COMBATTING THE CONFLICT OF
KASHMIR IN LIGHT OF THE ONGOING INDIA-
PAKISTAN WAR
FREEZE DATE: 26TH JULY, 1949**

BACKGROUND GUIDE

Letter from the Executive Board

Dear Delegates,

We are pleased to welcome you to the second edition of interschool Shri MUN in 2024. We hope you all have a wonderful MUN experience and that these three days in committee result in fruitful debate and constructive collaboration on a pertinent issue.

To give you a helping hand on how to prepare yourselves for this committee, we suggest familiarizing yourself with the history and workings of the United Nations Security Council (UNSC). Ensure you have a strong understanding of the historical relevance of the issue, its causes and consequences, and the various stakeholders involved. Make sure that you have your facts in place and be confident while speaking. A folder with important documents and research may come in handy for this purpose. We would like to reiterate that this background guide points you in the direction of actual research. However, read up thoroughly on the issue at hand and do not restrict yourselves to the background guide.

Remember that each delegate is the representative of their respective nation and the views and strategies expressed by you should be in line with the fundamental beliefs of the nation that you represent. Any formal queries regarding Shri MUN or our committee can be directed to our official email address: shrimun@tsrs.org. Please note that any form of documentation sent prior to the beginning of committee sessions will not be entertained. Best of luck!

Warm regards,

Yuvaan Mubayi Bery and Arush Vij
Shri MUN Organizing Committee

Combatting the conflict of Kashmir in light of the ongoing India-Pakistan War Freeze Date: 26 July 1949

Introduction

The Kashmir dispute, a longstanding territorial conflict between India and Pakistan, has its roots in the Partition of India in 1947. The subsequent armed conflict between the two nations led to a ceasefire and the establishment of a Line of Control (LoC) in 1949. However, the core issue of Kashmir's final political status remains unresolved, fueling tensions and periodic outbreaks of violence.

This UN Security Council committee will delve into the complexities of the Kashmir conflict, with a specific focus on the situation as it stood on 26 July 1949. Delegates will assume the roles of UN Security Council members and grapple with the challenges of finding a lasting solution to the dispute while considering the historical context and the geopolitical landscape of the time.

There are prominent major issues that can be explored, such as, the implementation and enforcement of the 1949 ceasefire agreement, the delineation of the Line of Control and its implications, the future political status of Kashmir, the role of external actors and regional powers in the conflict, human rights and humanitarian concerns in Kashmir, etc.

This committee will operate under the assumption of a hypothetical scenario where the UN Security Council is actively engaged in mediating the Kashmir conflict in 1949. Delegates should approach their roles with a keen awareness of the historical accuracy of the time period.

Historical Background

The Partition of British India (1947)

Under the partition plan provided by the Indian Independence Act, Kashmir was free to accede to either India or Pakistan.

Maharaja Hari Singh, the ruler of Jammu and Kashmir, initially chose to remain independent but in October 1947, tribal militias from Pakistan, supported by the Pakistani army, invaded Kashmir, prompting Hari Singh to seek military assistance from India. Due to which on 26 October 1947, Hari Singh signed the Instrument of Accession, formally making Jammu and Kashmir a part of India and on 27th October Indian troops were airlifted to Srinagar, the capital of Jammu and Kashmir, to defend the region against the tribal invaders. Indian forces secured Srinagar airport, which was critical for maintaining supply lines and reinforcements. They pushed back the tribal invaders, who had reached the outskirts of Srinagar, and stabilized the situation in the valley. As the war progressed, regular Pakistani Army units became involved in the conflict, marking a shift from the initial tribal invasion to a more formal military engagement. This escalation led to a series of battles along the northern frontiers, including skirmishes in the areas of Poonch, Mirpur, and Gilgit. The town of Poonch was besieged by Pakistani forces, and despite being surrounded, the Indian garrison held out for almost a year. Indian forces launched several attempts to relieve the siege, finally succeeding in November 1948.

The accession of Jammu and Kashmir to India triggered the first Indo-Pakistani War, a conflict that would set the stage for ongoing hostilities between the two nations. This war was characterized by a series of intense military engagements involving both regular armies and irregular forces, significantly escalating the dispute into an international crisis.

Key Events Leading to 26 July 1949

Initial Invasion and Accession (October 1947)

The conflict began with an invasion by tribal militias from Pakistan. These militias, comprised of Pashtun tribesmen, were supported by the Pakistani government, both logistically and materially. The tribal invaders, motivated by religious fervor and promises of loot, aimed to capture Srinagar, the summer capital of Jammu and Kashmir.

Invasion Dynamics

The tribal militias crossed into Kashmir on 22 October 1947, initiating a series of violent encounters as they advanced towards Srinagar. Their initial success was marked by the capture of Muzaffarabad and Uri, and the widespread looting and massacre of non-Muslim residents. The brutality of these actions spurred Maharaja Hari Singh to urgently seek assistance from India, despite his initial reluctance to accede to either dominion.

Instrument of Accession

Faced with the imminent fall of his kingdom, Maharaja Hari Singh signed the Instrument of Accession on 26 October 1947. This legal document ceded control of defense, communications, and foreign affairs to India, effectively making Jammu and Kashmir a part of the Indian Union. The next day, Indian troops were airlifted to Srinagar to repel the invaders.



Major Battles and Military Movements

Defence of Srinagar

Upon arrival in Srinagar on 27 October 1947, Indian forces immediately took up defensive positions around the city. The airport was secured, ensuring a critical supply and

reinforcement route. The first major engagement occurred at the Battle of Shalateng on 7 November 1947, where Indian troops, supported by the Royal Indian Air Force, successfully pushed back the tribal invaders. This victory was pivotal in stabilizing the situation and preventing the fall of Srinagar.

Siege of Poonch

The town of Poonch, located in the western part of Jammu and Kashmir, became a significant battleground. Surrounded by Pakistani forces, including both tribal militias and regular Pakistani troops, the Indian garrison and local defenders endured a prolonged siege. Despite being cut off and facing severe shortages of supplies, the defenders held out through numerous attacks and harsh conditions.

Relief of Poonch

Indian forces launched several operations to relieve the besieged town. The most notable effort was Operation Easy, which aimed to open a land route to Poonch. After months of fierce fighting and logistical challenges, the siege was finally broken in November 1948, nearly a year after it began. This successful relief operation boosted Indian morale and secured a crucial strategic position.

Battle of Naushera

In early 1948, Pakistani forces launched an offensive to capture Naushera, a key town in the Jammu region. The battle saw intense fighting, with both sides suffering heavy casualties. Indian forces, commanded by Brigadier Mohammad Usman, mounted a determined defense, repelling multiple attacks. The successful defense of Naushera was critical in preventing further Pakistani advances into the Jammu region.

Diplomatic Efforts and UN Involvement

As the conflict escalated, international concern grew over the potential for a wider war. Both India and Pakistan sought support from the global community, leading to diplomatic efforts to mediate the dispute. The United Nations intervened, recognizing the need for a ceasefire and a negotiated settlement.

Establishment of UNCIP

The establishment of the United Nations Commission for India and Pakistan (UNCIP) was a significant development in the Kashmir conflict, reflecting the international community's recognition of the need for a peaceful resolution. UNCIP's formation and activities marked the first substantial intervention by the UN in the Indo-Pakistan dispute, laying the groundwork for future diplomatic efforts.

Background and Formation

As the first Indo-Pakistani War escalated, the international community grew increasingly concerned about the potential for a broader regional conflict. Both India and Pakistan sought to garner international support for their respective positions. Recognizing the urgent need for mediation, the United Nations Security Council (UNSC) passed Resolution 39 on 20 January 1948, which led to the creation of UNCIP.

United Nations Security Council Resolution 39

Resolution 39 was adopted in response to the deteriorating situation in Jammu and Kashmir. The resolution called for the establishment of a commission to investigate the conflict and mediate between the two countries. The main objectives of UNCIP were to:

1. **Investigate the Dispute:** UNCIP was tasked with understanding the origins and dynamics of the conflict by gathering firsthand information from both India and Pakistan.
2. **Facilitate Dialogue:** The commission aimed to facilitate dialogue between the two parties to negotiate a peaceful settlement.
3. **Propose Solutions:** Based on its findings, UNCIP was expected to propose measures to resolve the conflict and restore peace in the region.

Arrival and Initial Efforts

UNCIP arrived in the region in mid-1948, with its members comprising representatives from various countries. The commission began its work by conducting a series of fact-finding missions and holding meetings with officials from both India and Pakistan. These initial efforts focused on understanding the perspectives of both nations and identifying common ground for negotiations.

Fact-Finding Missions

UNCIP's fact-finding missions involved visits to key conflict zones, including Srinagar, Jammu, and areas along the Line of Control (LoC). These missions provided the commission with valuable insights into the ground realities, including the humanitarian impact of the conflict, the military situation, and the positions of both governments.

Engagement with Indian and Pakistani Officials

UNCIP held extensive meetings with high-level officials from both India and Pakistan. These discussions were aimed at:

1. **Clarifying Positions:** Understanding the official stances of both countries regarding the status of Jammu and Kashmir and their conditions for a ceasefire.
2. **Identifying Concerns:** Addressing specific concerns raised by both parties, such as issues of sovereignty, territorial integrity, and the protection of civilian populations.
3. **Exploring Compromises:** Encouraging both sides to consider potential compromises and confidence-building measures to de-escalate the conflict.

Diplomatic Mediation and Ceasefire Proposal

One of UNCIP's primary goals was to mediate a ceasefire between India and Pakistan. Through its diplomatic efforts, the commission sought to create an environment conducive to peace talks and a long-term resolution.

Ceasefire Negotiations

UNCIP played a crucial role in facilitating ceasefire negotiations. The commission proposed a series of measures aimed at achieving an immediate cessation of hostilities, including:

1. **Mutual Withdrawal:** Encouraging both India and Pakistan to withdraw their forces to pre-conflict positions to reduce the risk of further clashes.
2. **Demilitarization:** Proposing the demilitarization of certain areas within Jammu and Kashmir to create buffer zones and reduce tensions along the LoC.
3. **Humanitarian Access:** Ensuring the provision of humanitarian aid and access to conflict-affected populations to address the immediate needs of civilians.

UNSC Resolution 47

On 21 April 1948, the UNSC adopted Resolution 47, which was heavily influenced by UNCIP's findings and recommendations. Resolution 47 called for:

1. **Ceasefire:** An immediate cessation of hostilities and a formal ceasefire agreement between India and Pakistan.
2. **Withdrawal of Forces:** The withdrawal of Pakistani nationals and tribal militias from Jammu and Kashmir, followed by a gradual withdrawal of Indian forces, except those necessary for maintaining law and order.
3. **Plebiscite:** The holding of a plebiscite under UN supervision to allow the people of Jammu and Kashmir to determine their future.

Challenges and Implementation

Despite the clear directives outlined in Resolution 47, implementing these measures proved challenging. Both India and Pakistan had reservations about certain aspects of the resolution, particularly the conditions and timing of the proposed plebiscite. Key challenges included:

1. **Trust Deficit:** Deep-seated mistrust between India and Pakistan hindered the willingness to fully cooperate with UNCIP's proposals.
2. **Security Concerns:** Both countries had significant security concerns regarding the withdrawal of forces and the potential for renewed hostilities.
3. **Plebiscite Conditions:** Disagreements over the conditions for the plebiscite, including the presence of troops and the administration of the vote, complicated the process.

Legacy and Impact

UNCIP's efforts, though not immediately successful in resolving the conflict, had a lasting impact on the Kashmir dispute. The commission's work highlighted the complexities of the issue and established the United Nations as a key mediator in the conflict. The ceasefire line, later known as the Line of Control (LoC), created a de facto border that persists to this day.

Establishment of the Line of Control

The ceasefire agreement brokered by UNCIP in 1949 led to the establishment of the LoC, which divided Jammu and Kashmir into areas administered by India and Pakistan. This line remains a significant and contentious feature of the conflict, symbolizing both the division and the unresolved nature of the dispute.

Ceasefire Agreement

After months of mediation, a ceasefire agreement was reached, coming into effect on 1 January 1949. This agreement established the Line of Control (LoC), a de facto border that divided Jammu and Kashmir into areas administered by India and Pakistan. The ceasefire significantly reduced hostilities, though sporadic skirmishes continued along the LoC.



Stakeholders and Their Stances

India

India's stance is rooted in the legal accession of Jammu and Kashmir to the Indian Union. India views the region as an integral part of its territory and has consistently advocated for a bilateral resolution to the dispute. India also emphasizes the importance of secularism and the protection of the diverse population within Jammu and Kashmir.

Pakistan

Pakistan's position is based on the demographic composition of Jammu and Kashmir, which has a Muslim majority. Pakistan argues that the accession was against the wishes of the people and calls for a plebiscite under UN supervision to determine the region's future. Pakistan views the conflict as a struggle for self-determination by the Kashmiri people.

United Kingdom

As the former colonial power, the United Kingdom has a complex legacy in the region. The UK supports UN-mediated solutions and has urged both India and Pakistan to engage in dialogue. However, its influence is tempered by its historical role in the partition.

United States

The United States has maintained a position of advocating for peaceful negotiations and supporting UN efforts to mediate the conflict. The US views stability in South Asia as crucial for broader geopolitical interests, particularly during the early stages of the Cold War.

Soviet Union

The Soviet Union, while not directly involved in the conflict, has supported India's stance on non-alignment and territorial integrity. The USSR's support for India is also influenced by broader Cold War dynamics and its rivalry with the United States.

People's Republic of China

China, having just established the People's Republic in 1949, maintains a strategic interest in the region, particularly regarding its borders with both India and Pakistan. China's stance has been one of cautious neutrality, with a focus on securing its own territorial claims.

France

France, similar to other Western powers, supports UN-mediated solutions and encourages bilateral negotiations. France's involvement is primarily diplomatic, with an emphasis on maintaining regional stability.

Middle Eastern Countries

Countries like Iran, Saudi Arabia, and Egypt have expressed solidarity with Pakistan, primarily on religious and ideological grounds. However, their involvement is largely rhetorical, with limited direct influence on the conflict.

Other Relevant Stakeholders

Afghanistan

Afghanistan has historical and ethnic ties to the region but has largely remained neutral in the conflict, focusing on its own internal issues and regional stability.

Nepal

Nepal, maintaining a policy of non-alignment, has advocated for peaceful resolution and regional cooperation. Nepal's stance is influenced by its proximity to both India and China.

Legal and Humanitarian Issues

Instrument of Accession and International Law

The Instrument of Accession, signed by Maharaja Hari Singh, is a key legal document in the dispute. India bases its claims on this instrument, while Pakistan questions its legitimacy, citing the need for a plebiscite.

Human Rights Concerns

The conflict has resulted in significant human rights violations, including violence against civilians, forced displacement, and restrictions on freedom of movement. Both India and Pakistan face accusations of human rights abuses in their respective administered areas of Jammu and Kashmir.

Refugees and Displacement

The war led to large-scale displacement, with many Hindus and Sikhs fleeing to Indian-administered areas and Muslims moving to Pakistani-administered areas. The refugee crisis has added to the humanitarian burden and intensified communal tensions.

Questions to Help with Research:

1. What were the main causes of the conflict in Kashmir that led to the India-Pakistan War of 1947-1948?
2. How did the princely state of Jammu and Kashmir's decision to accede to India influence the outbreak of war between India and Pakistan?
3. What role did the United Nations play in mediating the conflict between India and Pakistan over Kashmir by July 1949?
4. How did the ceasefire agreement of January 1, 1949, and the establishment of the Line of Control affect the territorial claims and military positions of India and Pakistan in Kashmir?
5. What were the key strategic and political objectives of India and Pakistan in the Kashmir conflict up to the freeze date of July 26, 1949?
6. How did the local population in Kashmir perceive the conflict, and what were their primary concerns and aspirations during this period?
7. What were the implications of the ongoing conflict for regional stability in South Asia, and how did neighbouring countries and major world powers respond to the situation by mid-1949?

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