

Dear Delegates,

Welcome to the fourth Metro Detroit Model United Nations Conference. Over the past four years we have worked tirelessly to develop an exciting and innovative Model United Nations format that challenges our delegates in a competitive and inclusive environment. We work year-round to ensure that our staff members are as prepared as possible to ensure that all of our delegates can participate in our debates. Moreover, the topics that you will discuss have been carefully selected for their global importance and the larger questions that they ask. When reading through the following background guide, be sure to analyze and evaluate what larger questions are being provoked by the topic and what commentary these larger questions make about the current international system. Finally, if you have any questions, be sure to reach out to your chairs on the email address provided on their committee page.

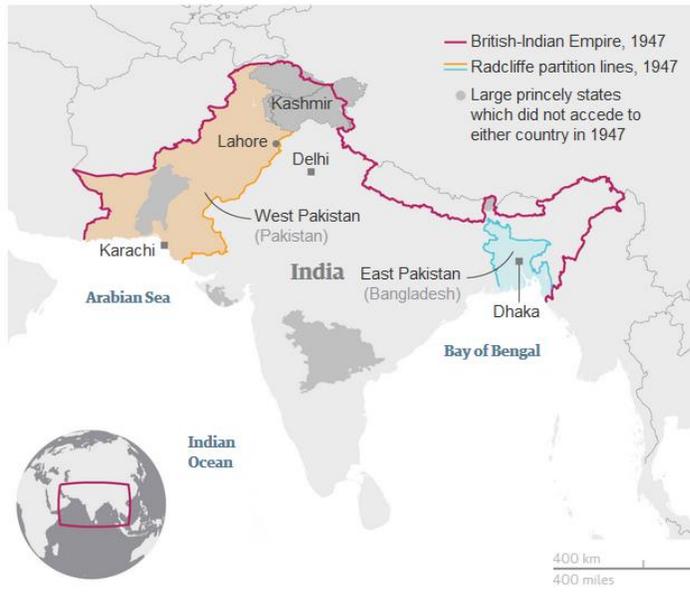
We look forward to welcoming you in January,

Mitchell Dennis

Secretary General of the Metro Detroit Model United Nations IV

The Dispute over Jammu and Kashmir

History of Territorial Debate between Jammu and Kashmir



Guardian graphic

Located in India, Jammu and Kashmir was a monarchy in the 1920s. As the process of decolonization began in earnest after the Second World War, British India was one of the first places to agitate for independence. Eventually, after much strife and debate, the British consented to independence, but Colonial India was a religiously, ethnically and linguistically diverse area. In order to unite any post-independent state, it was determined that religion would be used to unite each nation.¹ Thus, the previously united British India, was divided into two administrative areas that became India,

the Hindu-state, and Pakistan, the Muslim state. The partition process was a bloody, and confusing process, with British authorities largely drawing lines with little knowledge of what the true conditions were like in the areas they were dividing.² However, in the partition process, the British allowed princely states, or areas that were ruled by native-subjects, to choose which country they would join.³ Kashmir and Jammu were given this decision, and their ruler tried to keep them independent as he was Hindu, but the majority of his subjects were Muslim; and would have presumably wanted to join Pakistan, rather than become a part of India.⁴ Overall, the partition process was bloody and disruptive, with 14 million people displaced and between 200,000-2 million people killed in the process.⁵ The partition's legacies continue to be felt today as India and Pakistan are engaged in a Cold War of sorts that encompasses many aspects, but centers on territorial claims in Kashmir and Jammu.

Since the division India and the creation of Pakistan in 1947, the nations have fought two wars over the Muslim-majority territory, which both claim in full, but control different parts. The

¹ "How the Partition of India happened- and why its effects are still felt today." *Independent*. http://www.independent.co.uk/news/long_reads/how-the-partition-of-india-happened-and-why-its-effects-are-still-felt-today-a7888131.html.

² "Why Pakistan and India remain in denial 70 years on from partition." *The Guardian*. <https://www.theguardian.com/world/2017/aug/05/partition-70-years-on-india-pakistan-denial>.

³ *Ibid*.

⁴ "Kashmir: Why India and Pakistan fight over it." *BBC News*. <http://www.bbc.com/news/10537286>.

⁵ "70 years later, survivors recall the horrors of India-Pakistan partition." *The Washington Post*. <http://wapo.st/2yuR5wU>.

first group of United Nations military observers arrived in the area in January 1949 as a part of the United Nations Military Observer Group in India and Pakistan (UNMOGIP) to observe the ceasefire that was declared that same month, with Kashmir being partitioned between India and Pakistan.⁶

Over a decade after the ceasefire, two wars were fought over the territory in the 1960s: in 1962 China defeated India in a brief war over the Aksai Chin border, and in 1965 the Second Indo-Pakistan War ended in a ceasefire. That same year, Kashmiri nationalism became prominent as the Jammu Kashmir Liberation Front (JKLF) was created with the intent of forming state independent of Pakistan, China and India.

Following renewed hostilities in the territory in 1971, UNMOGIP has remained in the area in order to “observe developments pertaining to the strict observance of the ceasefire of 17 December 1971 and report thereon to the Secretary General.”⁷ Despite this ceasefire, insurgencies began and lasted through the 1980s and 90s with the rise of Pakistan-backed militant groups. These groups were funded by Pakistan in the hopes they would gain power and be able to take over some of India’s owned territory. In 1989, insurgency spread throughout Kashmir and as a result, a massacre broke out where an estimated 100 people were killed. Recently, in 2016, riots broke out during a by-election in Kashmir. Eight protestors were killed by “paramilitary forces” as rioters set buildings on fire and protested against Indian rule in Kashmir. Voter turnout during this time was only 7%. Since the 2016 riot, social media has also been banned in Kashmir. Today, this territory is considered to be one of the most militarized regions in the world.

The Current Situation

Territorial Dispute and Current Claims

Although the territories are located in the north of India, Pakistan argues that this land region belongs to them. Both India and Pakistan claim full ownership over the entire region, although India officially controls Kashmir since the Maharaja signed the Instrument of Accession in 1947. At times, neighboring China also plays a role in border control, specifically claiming and exercising sovereignty over the majority Buddhist area of Aksai Chin. Much of the dispute is also fueled by religious disagreements, the center of Pakistan’s claim to the region. Within Kashmir and Jammu, Ladakh in the northwest is majority Buddhist, the Kashmir Valley, roughly split between India and Pakistan, is majority Muslim, and Jammu, the southernmost part, and is Majority Hindu.

Religious Affiliation

The region of Jammu and Kashmir is mostly Muslim-populated (Islam), similar to Pakistan. In India, the most common religion is Hinduism, followed by Islam and Christianity, respectively. Pakistan

⁶ "Kashmir territories profile." *BBC News*. http://www.bbc.com/news/world-south-asia-11693674?intlink_from_url=http%3A%2F%2Fwww.bbc.com%2Fnews%2Ftopics%2F5b1359-19b3-47c2-92a7-70879ac4823c%2Fkashmir&link_location=live-reporting-story.

⁷ "United Nations Military Observer Group in India and Pakistan (UNMOGIP)." *United Nations*. <http://www.un.org/en/peacekeeping/missions/unmogip/>.

believes that they own Kashmir because of its Muslim affiliation, whereas India states its ownership on the basis that they have documents stating they occupy it. India's religious makeup is mostly Hindu, but has sizeable religious minorities of Indian-Muslims and Indian-Sikhs.⁸ Religion plays a large part in the dispute because it is a reason behind many of the skirmishes and wars over Kashmir and Jammu. These disputes date to the partition, when religion was used to determine which areas would be Pakistan and which India, before the partition the different religious groups lived in relative harmony throughout India. However, the partition forced the displacement of many of these people, with many Muslims fleeing to newly-created Pakistan and many-Hindus and other religious groups fleeing to newly-created India.

Unrest in the Government and Insurgency

The government is not very stable in the surrounding regions, including Pakistan and India, but also China and tensions between the governments of India and Pakistan have increased because of the riots and protests. Riots led by jihadist groups have led to thousands of civilian injuries and deaths as these groups continue to clash with the government. Many terrorist groups have been clashing with the government because they either support Pakistan's occupation of Kashmir, or total independence. Because of this, there are reports that Pakistan has funded the terrorist attacks in order to win over Kashmir. In 1987, a failed State election led to assembly members forming armed groups. By 1988, demonstrations and riots came to an all-time high in what is known as the Kashmir Insurgency, which carried on into the early 90's and was India's highest threat concern at that time, which took place inside the country. Around 46 thousand of civilians have died as a result of being targeted by these jihadist groups.

Water Disputes



Because of territorial disputes, the surrounding bodies of water are also disputed as they are vital for the economy of Pakistan and India. For example, many of the vital rivers that run through Pakistan start in India-controlled Kashmir. Pakistan wants to control the headwaters of these rivers because it would be more beneficial to their economy. Conversely, for India, control over the headwaters of rivers that are vital to the Pakistani economy would give India serious leverage over Pakistan in the event of future conflicts. In this sense, Pakistan feels threatened by India's control of these rivers as it directly threatens the safety of its people and its economy. However, another major problem affecting these waterways are pollution and climate change. Kashmir relies on agriculture for most of its

⁸ "Census of Religion: Three Charts That Show the Changing Face of Faith in India." *The Wall Street Journal*. <https://blogs.wsj.com/indiarealtime/2015/08/26/census-of-religion-three-charts-that-show-the-changing-face-of-faith-in-india/>.

economy's output, so clean waterways are important to them. In 1960, the Indus Water Treaty was passed between India and Pakistan in regard to managing the river systems. The treaty states that the eastern rivers are strictly India's, whereas the western bodies belong to Pakistan, which is divided pretty evenly and followed by both countries. This treaty has been in place since 1960 and is the only treaty that has been upheld by both India and Pakistan in regards to Kashmir.⁹ Recently, climate change has become a hot topic and the rivers are at the main conflict of it. If the rivers dry up or anything happens to one of them (pollution, etc), this would be the culmination of a major disagreement. Moreover, in the next 40 years, India's population will increase to 1.678 billion from 1.309 billion in 2015; and while its population will start to decline in the 2060s, this population increase represents an even larger drain on the water resources of the Indus River Valley.¹⁰ Pakistan, which is more reliant on the Indus River for water, is in an even more difficult position. Pakistan's population is expected to double by 2050, from 207.7 million to over 400 million.¹¹ A population increase on both sides of the Indus, coupled with climate change that will melt much of the glaciers that feed the rivers has the potential to devastate the economies of both nations, create a large-scale humanitarian crisis, and spark a potential conflict between two nuclear powers.

Nuclear Weapons

One of the most critical part of the dispute is the presence of nuclear weapons. Neither India, nor Pakistan are signatories on the Nuclear Non-Proliferation Treaty, so they do not have to abide by this international agreement that limits the spread of nuclear weapons. There is increasing evidence that India could launch a preemptive strike against Pakistan, with the attack possibly being aimed at Islamabad's (the capital city of Pakistan) nuclear arsenal, in order to prevent a counterattack. According to Vipin Narang, a nuclear strategist from the Massachusetts Institute of Technology, "India's opening salvo may not be conventional strikes...but a full 'comprehensive counterforce strike' that attempts to completely disarm Pakistan of its nuclear weapons so that India does not have to engage in iterative tit-for-tat exchanges and expose its own cities to nuclear destruction."¹² As of 2016, Pakistan has 120-130 nuclear warheads and India has 110-120. The presence and threat of nuclear weapons in this conflict limit the possibility of a long-lasting solution to the conflict. Ultimately, while disarmament or arms control should be long-term goals, in the short-term it is crucial that active lines of communication are established and maintained between the governments of India and Pakistan so as to avoid a potential limited nuclear strike made due to a misunderstanding or a simple accident. Proper communication between India and Pakistan to avoid nuclear war can help limit the chance for accidents to spiral out of control and can hopefully lead to more substantial

⁹ "The Indus Waters Treaty." *Stimson Center*. <https://www.stimson.org/the-indus-waters-treaty>.

¹⁰ "Five Surprising Trends in India's Population Growth in the Coming Decades." *Huffington Post*. http://www.huffingtonpost.in/2017/06/24/five-surprising-trends-in-indias-population-growth-in-the-comin_a_22676736/.

¹¹ "A disaster in the making': Pakistan's population surges to 207.7 million." *The Washington Post*. <http://wapo.st/2wLSH3i>.

¹² "#Nukefest2017 Hot Takes: potential Indian Nuclear First Use?" *South Asian Voices*. <https://southasianvoices.org/sav-dc-nukefest2017-potential-indian-nuclear-first-use/>.

conversations regarding not only disarmament or strategic arms control, but also water rights, the Kashmir and Jammu dispute and a whole host of other issues plaguing the two nations.

Human Rights Abuses

Human rights have long been abused in Jammu and Kashmir due to the ongoing tensions between India and Pakistan. Because of the riots and government instability, there have been examples of excessive force used on rioters by police forces, such as tear gas, pellet guns, and lethal weapons. As of September 2015, two human rights groups have accused the Indian government of covering up human rights abuses in order to avoid the punishment of high ranking officials implicated killings, disappearances, torture, and sexual violence in Kashmir. A report by the International People's Tribunal on Human Rights and Justice in Kashmir and the Association of Parents of Disappeared Persons (APDP) blamed over 900 individuals, 150 of which were officers with a rank of major or above, for a number of human rights abuses carried out by Indian security officials between 1990 and 2014.¹³ The most recent riot attack caused by the election in 2016 left 30 dead and hundreds injured. Other abuses include the suppression of freedom of speech and religion, as well as rape, torture, and enforced "disappearances" carried out by the Pakistani government. The Jammu and Kashmir Disturbed Areas Act and the Armed Forces Special Powers Act are two laws that were passed in 1990 and involved both countries that give military forces the power and authority to shoot suspected lawbreakers and those who disturb the peace.¹⁴ Consequently, nearly 30 years following the introduction of these laws, "not a single member of the security forces deployed in the state has been tried for human rights violations in a civilian court," says a report published by Amnesty International in 2015.¹⁵

Asia Cooperation Dialogue

The Asia Cooperation Dialogue (ACD) was established in 2002; the current chair for 2016-2017 is the United Arab Emirates. This dialogue is important because it allows all the Asian countries involved to discuss their opinions in a peaceful setting. ACD also helps to expand trade and financial market in Asian countries. No countries that have joined ACD have left and the dialogue has been overall, very successful. The ACD was founded with the explicit purpose to be a regional forum for nations in Asia, and in this sense it can air the grievances between those nations involved in the dispute over Kashmir and Jammu.¹⁶ Additionally, although the ACD has more traditionally focused on economic

¹³ "Indian forces in Kashmir accused of human rights abuses cover-up." *The Guardian*.

<https://www.theguardian.com/world/2015/sep/12/indian-forces-kashmir-accused-human-rights-abuses-coverup>.

¹⁴ "Human rights abuses in Kashmir." *SoundVision*. <https://www.soundvision.com/article/human-rights-abuses-in-kashmir>.

¹⁵ "India: Accountability still missing for human rights violations in Jammu and Kashmir." *Amnesty International*. <https://www.amnesty.org/en/latest/news/2015/07/india-accountability-still-missing-for-human-rights-violations-in-jammu-and-kashmir/>.

¹⁶ "Asian Cooperation Dialogue (ACD): An Endeavor for Common Problems." *IPCS*. <http://www.ipcs.org/article/south-asia/asia-cooperation-dialogue-acd-an-endeavour-for-solving-common-problems-1422.html>.

cooperation, it can work to solve an inherently political issue. Above all, many of the intense disputes over Kashmir and Jammu surround economic problems, through its commitment to greater economic integration throughout Asia, it is possible that the ACD can foster economic cooperation between India and Pakistan.

Resolving the Dispute

In 2001, the most recent successful talks of peace were proposed during the Agra Summit between Indian prime minister Atal Bihari Vajpayee and Pakistani president Pervez Musharraf.¹⁷ Although the leaders failed to come to an agreement during the Summit, this was a huge step in the right direction. As mentioned before, the Indus Water Treaty has been around since the 1960's and is still followed by India and Pakistan. In 2008, trade lines between India and Pakistan were open for the first time in 60 years. In 2015, peace talks began between India and Pakistan on the issue of terrorism and the Kashmir dispute. Although nothing official has been put into place, the talks between once completely stalemated nations are expected to increase tourism and trade.

Questions to Consider

- Does either India or Pakistan have a more legitimate claim to the contested land?
- What is more important: the location of the region, or the similarities/differences between the neighboring regions in deciding the conflict?
- Why have peace talks and ceasefires failed in the past? What can we learn from these failures?
- How can we guarantee that weapons of mass destruction will not be used in order to escalate the conflict?
- What can the Asia Cooperation Dialogue do to de-escalate tensions between India and Pakistan?
- How can the Asia Cooperation Dialogue create lasting peace?

¹⁷ "How India, Pakistan resumed peace talks." *BBC News*. <http://www.bbc.com/news/world-asia-35058399>.