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“Diplomacy in a Challenging Global Environment”

A Research Report

COMMITTEE: Disarmament and International Security Committee

QUESTION OF: The De-Escalation of the Kashmir Border

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Introduction and Background

The Kashmir Border is one of many borders disputed in the 21st Century and is easily one of the



longest border clashes in modern history. The Kashmir border is located at the northern tip of India and has portions of territory claimed by India, Pakistan, and China. Originally the disputed area, along with Pakistan and India, were British colonies until a consensus was made to divide colonial India into two separate states. These two states, one with a Muslim majority (now-Pakistan) and the other with a Hindu majority (now-India) are commonly seen as the

outcome of conflict between the nations’ elites. This idea was not brought to debate until the late 1930s. British leaders separated colonial India to avoid bloodshed between enraged Hindus and

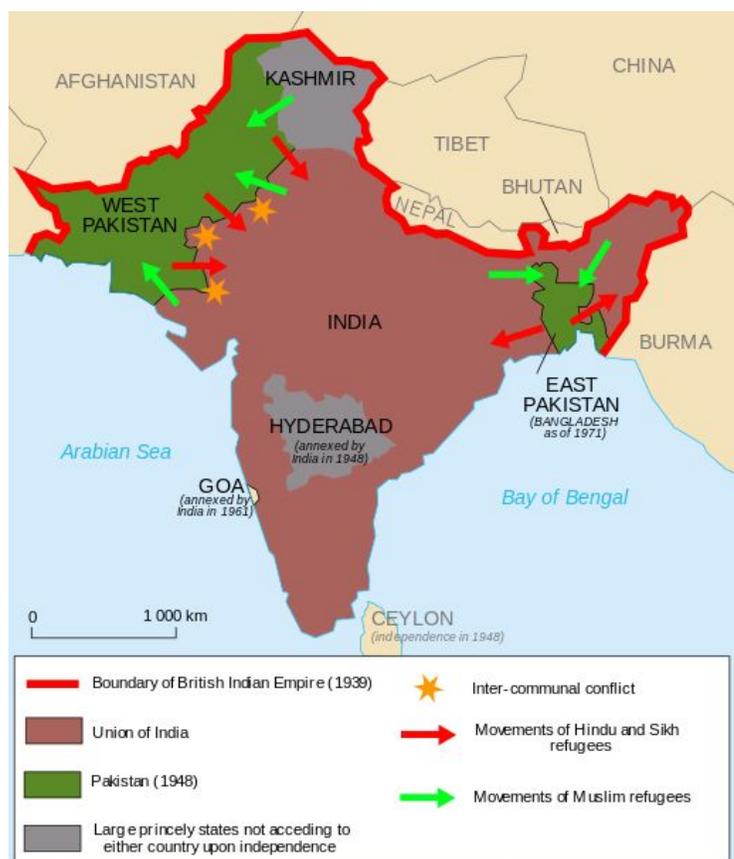
Muslims within colonial India, yet, as we know it today, blood is being shed on a border that has been disputed for over seven decades.

The Partition of India

In 1947 Britain made a decision to divide colonial India into two independent dominions, India and Pakistan. The Dominion of India is now the Republic of India and the Dominion of Pakistan is now the Islamic Republic of

Pakistan. The partition involved the division of two provinces within colonial India: Bengal and the Punjab, which was based on district-wise Hindu and Muslim majorities. It also involved the division of the British Indian Army, and the Royal Indian Navy, the Indian Civil Service, railways, and the central treasury between the two new dominions. The partition was set forth in the Indian

Independence Act of 1947, and resulted in the dissolution of the British Raj, or Crown rule in India. The two self-governing countries of India and Pakistan legally came into existence at midnight on the 15th August 1947.



The partition displaced between ten and twelve million people along religious lines, creating an overwhelming refugee crisis in the newly constituted dominions. There was a spike in large-scale violence, with estimates of death reaching several hundred thousand to two million. The violent nature of the partition created an atmosphere of hostility and suspicion between India and Pakistan that plagues their relationship to the present.

NOTE: The term *Partition of India* does not cover/include the secession of Bangladesh from Pakistan in 1971, nor the earlier separations of Burma (now Myanmar), and Ceylon (now Sri Lanka) from the administration of British India. The term also does not cover the political integration of princely states into the two new dominions, nor the disputes of annexation or division arising in the princely states of Hyderabad, Junagadh, and Jammu and Kashmir, though violence along religious lines did break out in some princely states at the time of the partition. It does not cover the incorporation of the enclaves of French India into India during the period 1947-1954, nor the annexation of Goa and other districts of Portuguese India by India in 1961. Other contemporaneous political entities in the region in 1947, Sikkim, Bhutan, Nepal, and The Maldives were unaffected by the partition.

Kashmir

Tensions between India and Pakistan have diminished in recent days after repeated military clashes in Kashmir led to fear that the two nuclear powers could be on the verge of war. The Kashmir issue has caused tension and conflict in the Indian subcontinent since 1947, when independence from Britain created India and Pakistan as two sovereign states. Jammu and Kashmir - the full name of the princely Himalayan state, then ruled by Maharaja Hari Singh - acceded to India in 1947, seeking military support after tribal raids from Pakistan into the state's territory.

The two countries have fought three wars over the region since. The first, which started in 1947, ended with the partition of Jammu and Kashmir between India and Pakistan under a 1949 United Nations-brokered ceasefire. Wars in 1965 and 1999 ended in stalemate. But Kashmir is not

simply a bilateral dispute between India and Pakistan. Kashmir is a multi-ethnic region with several internal subregions, whose inhabitants have distinct political goals. Pakistani Kashmir consists of Azad Kashmir and Gilgit-Baltistan, jurisdictions that want to become formal provinces of Pakistan to gain more political autonomy over their internal affairs. Indian Kashmir includes Jammu, Ladakh, and the Kashmir Valley. While the first two regions desire to remain part of India, the Muslim-majority Kashmir Valley wants independence from it.

The desire for autonomy in different areas of Kashmir has led to repeated uprisings and independence movements. The most prominent is a violent insurgency against Indian rule in the Kashmir Valley that began in 1989 and has continued, in ebbs and flows, over the past three decades. Thousands have been killed. The Kashmir Valley has become a militarized zone, effectively occupied by Indian security forces. According to the United Nations, Indian soldiers have committed numerous human rights violations there, including firing on protesters and denying due process to people arrested.

The UN also cites Pakistan's role in the violence in the Kashmir Valley. Its government supports the movement for Kashmir's independence from India by providing moral and material support to Kashmiri militants - allegations the Pakistani government refutes. Pakistan also tacitly supports the operations in Kashmir of non-Kashmiri extremist groups like Jaish-e-Muhammad. As a result, consecutive Indian governments have managed to write off unrest in the Kashmir Valley as a byproduct of its territorial dispute with Pakistan. In doing so, India has avoided addressing the actual political grievances of Indian Kashmiris.

An entire generation of young Kashmiris have been raised during the 30-year insurgency.

Research shows that citizens deeply alienated from India view it as an occupying power. Militant

groups in the region tap into this discontent, recruiting young people to use violence in their quest for Kashmir's freedom. Indeed, the man who under the auspices of Jaish-e-Muhmamad blew himself up in the February 14 suicide bombing of the Indian military convoy was a young Kashmiri.

Tensions in Kashmir may have subsided, but the root causes of the violence there have not. In many assessments, the Kashmir dispute cannot be resolved bilaterally by India and Pakistan alone - even if the two countries were willing to work together to resolve their differences. This is because the conflict has many sides: India, Pakistan, the five regions of Kashmir and numerous political organizations. Establishing peace in the region would require both India and Pakistan to reconcile the multiple - and sometimes conflicting - aspirations of the diverse peoples of this region. Only when local aspirations are recognized, addressed and debated alongside India and Pakistan's nationalist and strategic goals will a durable solution emerge to one of the world's longest-running conflicts.

Why is Kashmir Disputed over 70 Years Later?

70 years later after the first shots were fired in the Kashmir Valley (1947), the Kashmir debate remains unsolved. The dispute is a legacy of the partition that accompanied Britain's withdrawal from India. Both India and Pakistan claim the region, and both are now equipped with nuclear arsenals. Under the terms by which Britain brought an end to the Raj, it was up to princely rulers to decide whether to accede to India or Pakistan. Kashmir was one of the few princely states adjoining both new dominions where there was a concrete decision made.

When General Pervez Musharraf was in power in Pakistan from 2001 to 2008, progress was made towards a deal over Kashmir. The Pakistani leader greatly reduced support for insurgent groups and proposed that the ceasefire line should become a permeable border, along with steps towards greater autonomy and the withdrawal of troops. India was receptive, but the moment was lost when Musharraf resigned from office in 2008. While the Kashmir conflict is often seen as a dispute between India and Pakistan, there is another dimension to it: while Hindu-majority Jammu is more comfortable with Indian rule, the Indian authorities and the people of the Kashmir Valley are still at a stand-off. Although there's an elected state government, separatists don't contest the elections, while India's repeated interventions mean that many Kashmiris feel they have little say in how they are governed.

The large military presence in the Kashmir Valley, along with alleged human rights abuses, has stirred disaffection. In 2010, thousands of young Kashmiris took to the streets to protest against Indian rule. They threw stones while the security forces responded with pellet guns and bullets. About 120 Kashmiris were killed over that summer, which contributed to the radicalising of a new generation. Last year, protests prompted by the killing of a young and popular armed separatist led to another upsurge of violence.

In recent months, some prominent Indian public figures have warned of the scale of the disaffection. Palaniappan Chidambaram, a former home minister, went so far as to say "the alienation of the people of the Kashmir Valley is almost complete. We are on the brink of losing Kashmir." Wajahat Habibullah, once a senior official in Kashmir, lamented that "my life's mission to win over the people of Kashmir for India is lost, irretrievably." He described young Kashmiris as "educated, talented and consumed with hatred of the Indian state." The Indian

government promises attention to Kashmiri concerns, but there has been no sign of genuine political initiative. Delhi seems to have decided it can simply contain the insurgency and ride out any political turbulence. The Kashmir issue does not sway many votes in Indian elections, and the level of international concern is low - meaning there's no great pressure on India to resolve a problem which has festered ever since independence seven decades ago.

Possible Solutions

On April 27, 2004 the United States Institute of Peace hosted a presentation by senior fellow Wajahat Habibullah on "The Kashmir Problem and Its Resolution." Drawing from his research for the project and his many years of service with the government of India in Kashmir, he described the background to the problem and identified some of the factors that continue to make resolution difficult. In particular, he discussed the economic impact of the war on life for Kashmiris and the consequences this has for fueling further conflict. He also suggested paths for moving the conflict toward settlement. Habibullah observed that the problem in Kashmir is often represented primarily as a matter between India and Pakistan and framed around the issues of the legitimacy of Kashmir's accession to India at independence. But this is not the problem today, he argued, as circumstances since the accession have changed such that the insurgency is now largely fueled by local grievances. In the current situation, resolutions ought to focus on the experiences and aspirations of the people in the Kashmir Valley.

The beginning of the insurgency (late 1980s) was caused by ethnic issues. However, over the years the insurgency has been carefully and deliberately cultivated into a religious one. This created an environment of intolerance, intimidation, and ultimately violence throughout the

valley that only exasperated other existing tensions - a situation that led to the exodus of the Kashmiri Hindu Pandits from the region. Today, a large section of the people are either orphans or destitute, the suicide rate in the valley is high, and psychiatric services for post-traumatic stress are virtually unavailable.

Revitalizing the economy in the valley would help address some of these problems. Jobs are at a standstill and local businesses are being torn to shreds due to high government control. A possible solution to this is to have a more open private sector to provide Kashmiris with a greater stake in the future. Further, a vibrant economy overall, would remedy the crisis of high unemployment that currently afflicts Kashmir - a situation that is clearly linked to propelling young Kashmiris toward insurgent movements, much as it has in many other conflict zones around the world. However, even though an economic strategy would be most important to ending the insurgency, any effective comprehensive approach would need to have both an economic and political component.

Before progress in the political situation can be made, cross-terrorism needs to cease and the proxy war between India and Pakistan must come to an end. Large Indian deployments in civilian areas were a burden on everyday lives of Kashmiris - and the way to reverse this burden as well as removing cross-terrorism is to remove the need for large deployments of Indian troops to provide security in the region. In addition this would benefit India by freeing up resources currently dedicated to counterterrorism activities, a reduction of Indian troops in Kashmir would also result in a decline in the inevitable "collateral damage" caused by the size of the deployment and nature of Indian counter-insurgency activities in Kashmir.

Turning to areas where increased Indian-Pakistani political cooperation would have added benefits in Kashmir, many reporters in the region have stated that reopening the roads currently blocked on both sides of the border was one simple, yet overlooked, potential benefit. Ending the road closures would not only facilitate the ability of the people of Jammu and Kashmir to again function as one regional entity, but would also improve the effectiveness of any economic development initiatives undertaken in the region.

Lastly, while there is no doubt that policymakers, both in India and Pakistan have a vital role to play in any political solution to the problem, it is also necessary that the people of the Kashmir Valley have a say in the final resolution.

Conclusion

The key to any solution lie not in territorial compromises between states, but focusing on the needs of the people on both sides of the border. The Kashmiri people should be made to feel free and able to run their own lives. There does not have to be any territorial change, there needs to be changes in the liberties that are exercised by the people of the region, whether they be in the area that is in Pakistan or India. However, it is also important that the region be demilitarized so the Kashmiri people can live their lives in liberty.

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