

United Nations Security Council



The Kashmir conflict of 1948



Letter from the Executive Board

Esteemed Delegates,

Wars begin in the minds of men, and in those minds, love and compassion would have built defenses of peace

- U Thant (UN Secretary General 1961-1971)

We welcome you to the simulation of the United Nations Security Council being simulated at VIT Chennai Model United Nations 2017. This year the council will be a historic simulation set in 1948 with the aim of bringing peace to the Kashmir Region. Following Independence, unified India was partitioned into India and Pakistan in 1947 resulting in mass migration. During the process of accession of Princely States to India and Pakistan, the princely state of Kashmir transformed into a battleground for the later part of 20th century. With India and Pakistan racing forward to acquire Kashmir, the valley witnessed a military conflict.

Kashmir has been the battleground for three of the four wars between India and Pakistan. The conflict has escalated over the years with increased cross-border terrorism and nuclear weapons testing by both nations. The mountainous terrain and porous border has also rendered Kashmir a hotspot for illegal immigration and smuggling with disastrous consequences. Kashmir also has the distinction of complicating international law with the role of non-state actors in the battlefield.

Asia is being pitted to be the new age super power today, and a possible escalation in Kashmir could result in massive humanitarian, economic and security challenges for the world. In this context, a rewriting of history could alter the future. With this in mind, we wish to provide the delegates with an opportunity to travel back in time, start afresh and re-write history. We urge all delegates to take up the responsibility on their shoulders with high priority on diplomatic conduct with sound adherence to their foreign policy and knowledge. We wish you all good luck.

Ayush R

Vice Chairperson

Aman Singh

Chairperson

Dayanidhi Krishna

Director

United Nations Security Council

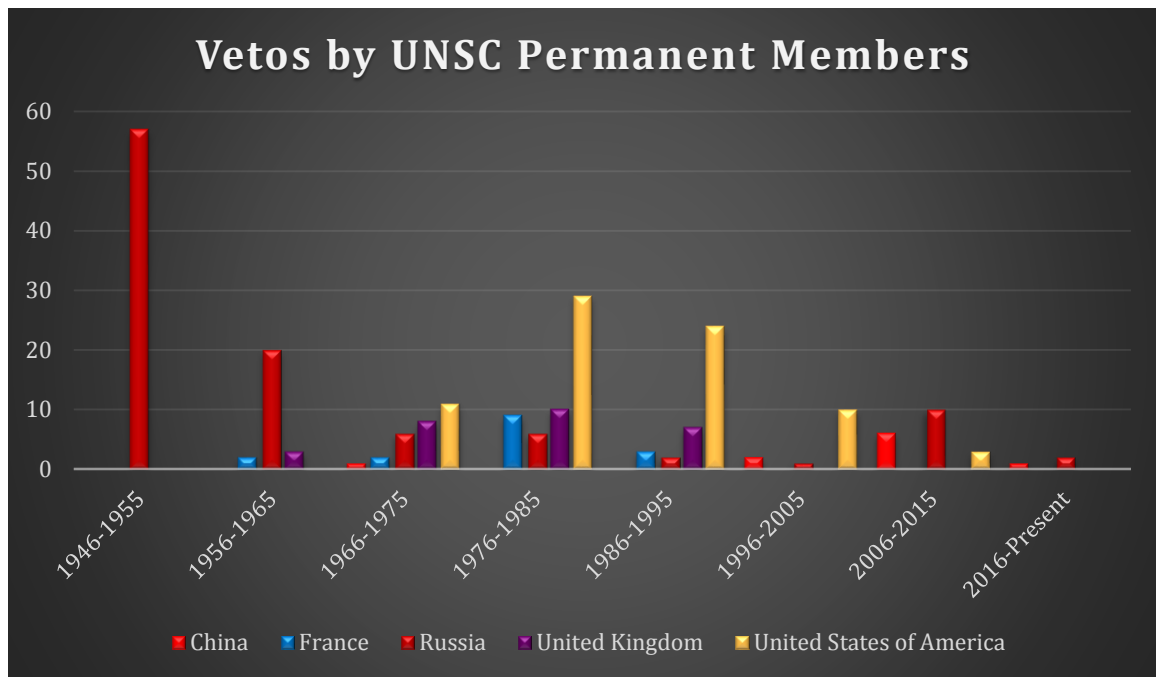


Figure 1 United Nations Security Council in session at the Norwegian Room at UN Headquarters, New York (Source: Getty Images)

The United Nations Security Council (UNSC) is one of the six principal organs of the United Nations. Its primary role is the maintenance of international peace and security. With powers like establishment of peacekeeping operations, imposition of international sanctions, authorization of military action, UNSC is the only UN body with the mandate to issue binding resolutions to member states.

Following World War II, the UN was formed to address the shortcomings and failure of the League of Nations in its duty of maintaining world peace. UNSC initially functioned at Hunter College, Bronx in New York under the newly formed UNO (later UN). The UNSC later shifted to its present home, the Norwegian Room at the UN Headquarters in New York.

The Security Council during its inception consisted of 5 permanent members – United States of America, United Kingdom of Great Britain and Northern Ireland, Union of Soviet Socialist Republics, French Republic, and Republic of China. The present membership has been altered with Russia succeeding USSR's seat, and People's Republic of China taking Republic of China's seat.



However, since this session is a historic simulation, the earlier membership shall be considered. Each of the permanent members have the absolute veto against any resolution, which may extend to addition of new members as well as the election of a new Secretary General. In addition to the 5 permanent members, 6 non-permanent members (present day 10), who are voted by the UN General Assembly to a two year term on rotational basis, each representing a regional group. The presidency of the Security Council rotates between its members on a monthly basis.

When the Security Council is convened on emergency basis to address some imminent threat to global peace, countries that are party to the conflict are invited as observers (no voting privileges). Considering the need for representation for a wider set of nations that have played an indirect role in the Kashmir Conflict, the number of observers includes countries beyond India and Pakistan.

The Security Council has on numerous occasions authorized military interventions, peacekeeping missions, as well as economic sanctions despite policy paralysis due to conflict between cold war era rivals USA and USSR. The United Nations Charter Chapter V lays down the mandate of operation for all such measures that the Security Council may take via its resolutions. The Security Council ensures the enforcement of its resolutions through UN peacekeepers, which consists of military and policy personal

drawn from UN's member states on voluntary basis with its own budget allocation within the UN Budget.

The UN Charter under Chapter VI urges all member states to use peaceful solutions to resolve any disputes. However, in the event that such a dispute endangers the maintenance of international peace and security, the charter empowers the SC to deliberate and enforce solutions to deescalate the situation and maintain international peace. When a threat to international peace is established, the charter under Chapter VII Art. 41, provides for economic sanctions to deter a member state from the use of force. The charter also provides for alternative military options under the same chapter "to maintain or to restore international peace and security".

Kashmir's Socio-political History

Kashmir was initially ruled by King Lalitaditya (699-736 CE). During his reign, Kashmir grew as a center of Shaivaite and Hindu culture. Despite its Hindu majority, Kashmir also was home to Buddhist monks. At about 250 BCE, Emperor Ashoka conquered Kashmir. Under his leadership Buddhism gained a major thrust. At about late 12th century AD, Islamic Culture became the major religion in practice in Kashmir. In the year 1325, Renchen Shah, an Islamic convert from Ladakh became the first Islamic ruler of Kashmir. In the centuries to follow, Kashmir changed hands between local Islamic leaders to Persians, Moghuls and finally Afghans (1753).

In the year 1819, Sikh rulers conquered Kashmir on the request of Kashmiri Pandits who had faced oppression and religious prosecution for over half a millennium. After the British invasion, Kashmir was sold by the British to Dogra King Maharaja Gulab Singh in the year 1846. The Treaty of Amritsar was signed as a result.

The king and his descendants strongly favored the Hindus resulting in high level of poverty among most followers of Islam. When a revolt occurred in 1931, then King Maharaja Hari Singh constituted a commission whose recommendations were later accepted. A Kashmiri pandit revolt ensured the cessation of reservations in jobs on a religious basis that were initially recommended by the commission.

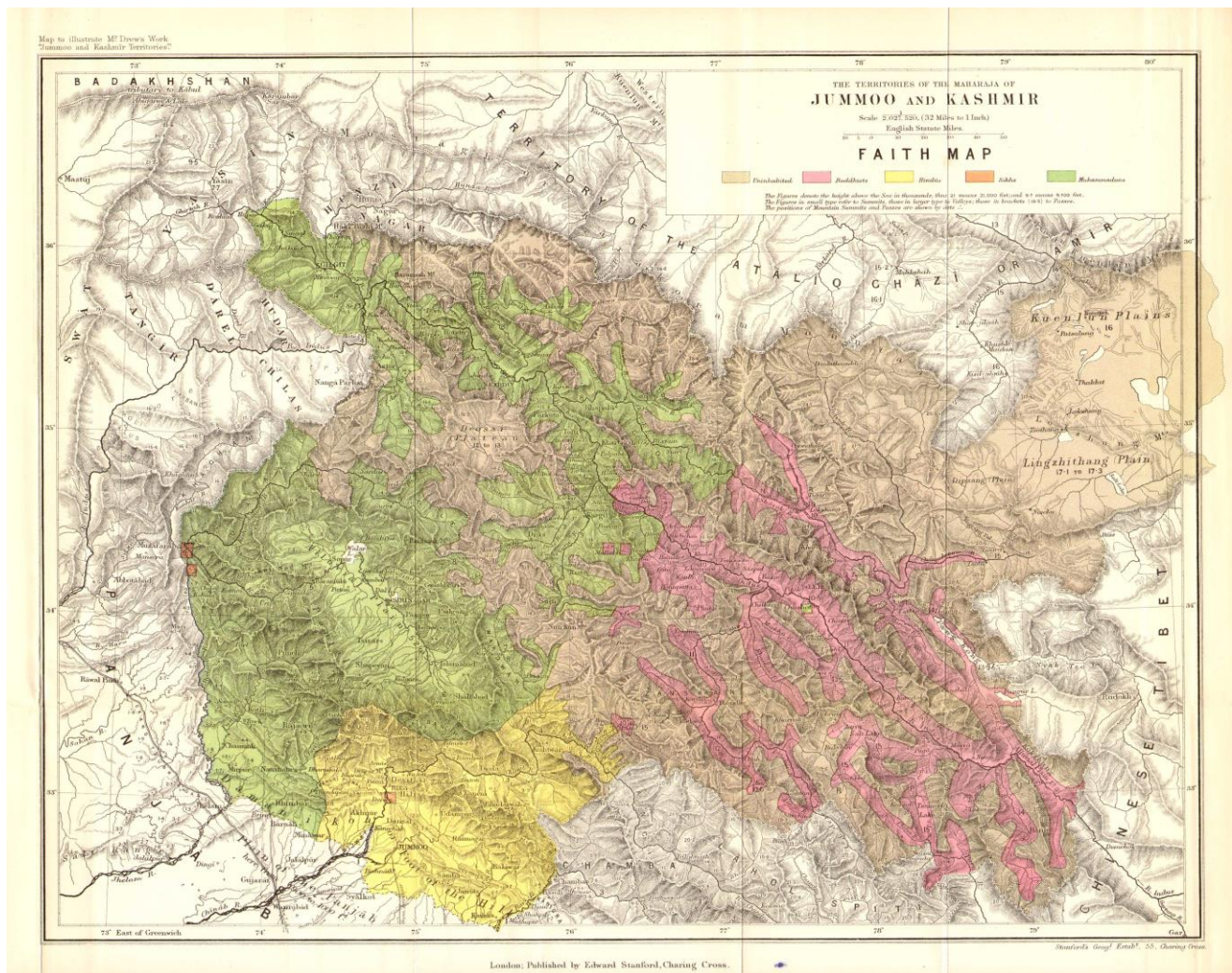


Figure 2 Map of citizens based on religious sentiments during the tenure of King Hari Singh (Source: Edward Stanford, Mr. Drew's Works)

All Jammu and Kashmir Muslim Conference, a party aimed at protecting the interests of the Muslim citizens was founded in 1932. This was in the aftermath of limited legislative institutions being setup by the King. Despite the absence of a communal agenda, two parties, Kashmir Pandit Conference and Hindu Sabha were founded to counter the Muslim Conference. Despite Muslim lead press houses in Punjab communalizing the political changes, Sheikh Abdullah called for peace and a common future for the people of India and Kashmir with the goal of setting aside religious and caste differences. He even went to the extent of removing the word “Muslim” from the organization’s name in 1939.

Nationalism and Kashmir Conflict

With India’s freedom struggle reaching a success, Sheikh Abdullah coined a philosophy – Kashmiriyat (a sense of pride w.r.t Kashmiri values and culture). He started

the Quit Kashmir movement with the clarion call of protecting Kashmiriyat and revolted against the Dogra reign over Kashmir. Certain political leaders within the party criticized Abdullah for colluding with the Congress and supported what they believed was a Hindu regime in New Delhi. The history of the years that followed has been disputed between India and Pakistan. These years saw an intense struggle for the liberation of Kashmir from Dogra rule.

In 1947, when Britain partitioned undivided India into India and Pakistan. All princely states including Jammu and Kashmir were given the liberty to accession to India or to Pakistan. King Raja Hari Singh signed a standstill agreement with Pakistan to maintain status quo until he decided on the future of Jammu and Kashmir. Pakistan's Foreign Minister in his speeches at the UNSC session later in January, claimed massacre of Muslims in Poonch and Jammu which in turn they claimed resulted in over two hundred thousand refugees migrating to Pakistan. In the months that followed, there was a steady flow of armed tribal folk from the northern frontier into the state which was aimed at overthrowing the regime of King Hari Singh. While Pakistan claimed a policy of non-interference, India and Raja Hari Singh have both claimed the involvement of Pakistan in the form of assistance to these aggressors. In Maj. (Retd.) Agha Humayon Amin's account, Liaquat Ali was present during the meeting that decided the future of Pakistani involvement in Kashmir. During this meeting, the tribals were promised support, and a master plan of action was setup on aiding Azad Kashmir and the Gilgit Scouts with the larger goal of taking over Kashmir. The meeting saw the attendance of former Kashmir State Police leadership who were supportive of the Pakistani cause. The founder of Pakistan, Mohammed Ali Jinnah himself urged the military leadership to aid the Kashmiri Muslims. Later that year, in the month of October, Raja Hari Singh signed the treaty of accession with the Dominion of India in return for military assistance from the Indian Dominion to protect its citizens and territory.

In accordance with Government of India Act 1935 (as amended in 1943), any letter of accession by the ruler of a princely state shall enter into force following the acceptance of the His Majesty, the King of United Kingdom of Great Britain or by the Governor General of the Dominion of India on his behalf. On October 27th, a day following the date of the letter of accession, Lord Mountbatten, then Governor General of India accepted the

treaty of accession. However, he also wrote a letter to King Raja Hari Singh urging a plebiscite to incorporate the will of the people of Jammu and Kashmir.

India on 1st January, 1948 formally approached the United Nations Security Council seeking redressal to the threat to its sovereignty arising due to aggression from the north. In addition, Pandit Nehru, India's Prime Minister openly agreed for an independent plebiscite provided it was held in a free and fair manner with no external intervention. He also laid down a second demand that Sheikh Mohammed Abdullah's status as the present Administrator of Kashmir must be mutually accepted by Pakistan. The exact details of Pakistan's claims can be sourced from the speech delivered by Sir. Mohammad Zafrullah Khan, the foreign minister of Pakistan at the UN Security Council session on 16th & 17th January.

A Glimpse into the Military Conflict

The tribal armed actors were initially aided by frontier warlords who were pro-Pakistan. These forces initially disabled the border security infrastructure and followed it up with a siege down south via the Domel Road with Srinagar as the target. The forces from the north understood the challenges of the famed Kashmiri winter and the resultant logistical hurdles, which led them to believe that India wouldn't intervene. Until the Indian intervention, they were barely met with any resistance.

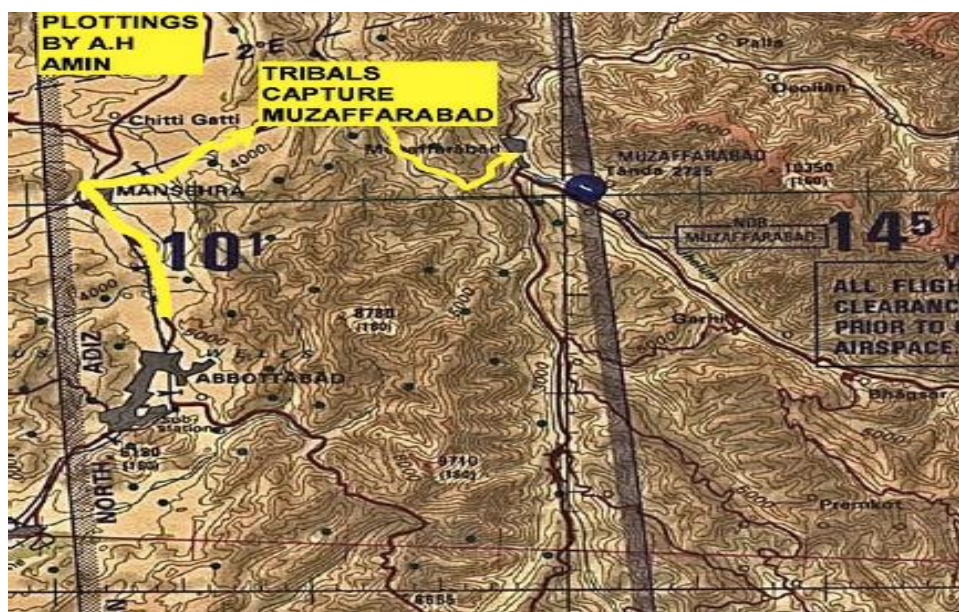


Figure 3 Siege of Muzaffarabad

By 20th October, Muzaffarabad and Abbottabad were taken over by the Laskhar aided by Muslim members of the State Police Force units in the area. On 23rd, Domel was also taken over. By the time the King signed the accession and sought aid, the forces had taken over Uri and Mahura; Srinagar and Baramulla were threatened. For the Indians, this was the first war, especially in such inhospitable conditions. The Ministry of Information and Broadcasting reported over 700 sorties between Srinagar and Delhi by the Royal Indian Air Force in the first offensive. The Western Command (then Delhi-East Punjab Command) records indicate that they had 6 officers when they were given the task of coordinating these sorties. On October 27th, the invaders had taken control of Baramulla, while Indian forces were gaining strength at Srinagar. The challenge for the Pakistan government was to maintain discipline among the Laskhar ranks whose motive was also to engage in looting and pillaging and not taking over Srinagar. Most War historians believe that the capture of Srinagar would mean permanent disconnection for the Indians to Leh and the northern frontiers of Kashmir.

Col. Rai, the commander of the forces at Srinagar moved forward towards Baramulla only to find the irregulars in a highly organized column with heavy numbers. He martyred his life in the process of holding ground at Pattan (halfway between Baramulla & Srinagar) while his troops retreated from Baramulla with low casualties, thereby providing time and cover for reinforcements. Several regiments including the Kumaon Regiment, the Sikh Rifles joined the war but were outnumbered by the huge numbers of the invaders. Several senior officers were killed trying to engage in an offensive. Pakistan's war accounts indicate that the success of holding ground was primarily attributed to top military leadership positioning themselves at the front of the battle zone. They finally resorted to delaying the invader's offensive. Despite continuous flow of reinforcements after a visit by Sardar Vallabhbhai Patel, Deputy Prime Minister of India, the situation was least favorable. When the troops from the north found an alternative infiltration point bypassing Pattan, Brig. Sen, then commander pulled back westwards to a point about 4.5 miles. While this strengthened the defensive formations, the logistical chain was further narrowed.



Figure 4 Invasion Map of Kashmir & Jammu - MIB, Govt. of India

On November 5th, 1948, the dynamics of the war changed when Major-General Kalwant Singh took over as the commandant. In the following hours, one armored squadron drove all the way from Punjab combating terrain, poor roads and all odds to support the campaign. Under the command of Maj-Gen. Kalwant Singh, the forces drove the raiders away from Srinagar and Baramulla with Brig. Sen ambushing the raiders from the rear. The offensive that lasted 12 hours was heavily supported by RIAF fighters. A delay in refueling resulted in the raiders fleeing Baramulla towards Domel and Uri on November 8th. Indian accounts report that Baramulla was destroyed by the pillaging

raiders, with persecution, rape, torture a common practice. National Conference loyalists were subject to unspeakable tortures. Since the Pakistan government claimed zero involvement, by extension they argued that the responsibility of these human rights violations fell solely on the raiders and irregulars; a stand that has been contested by India.

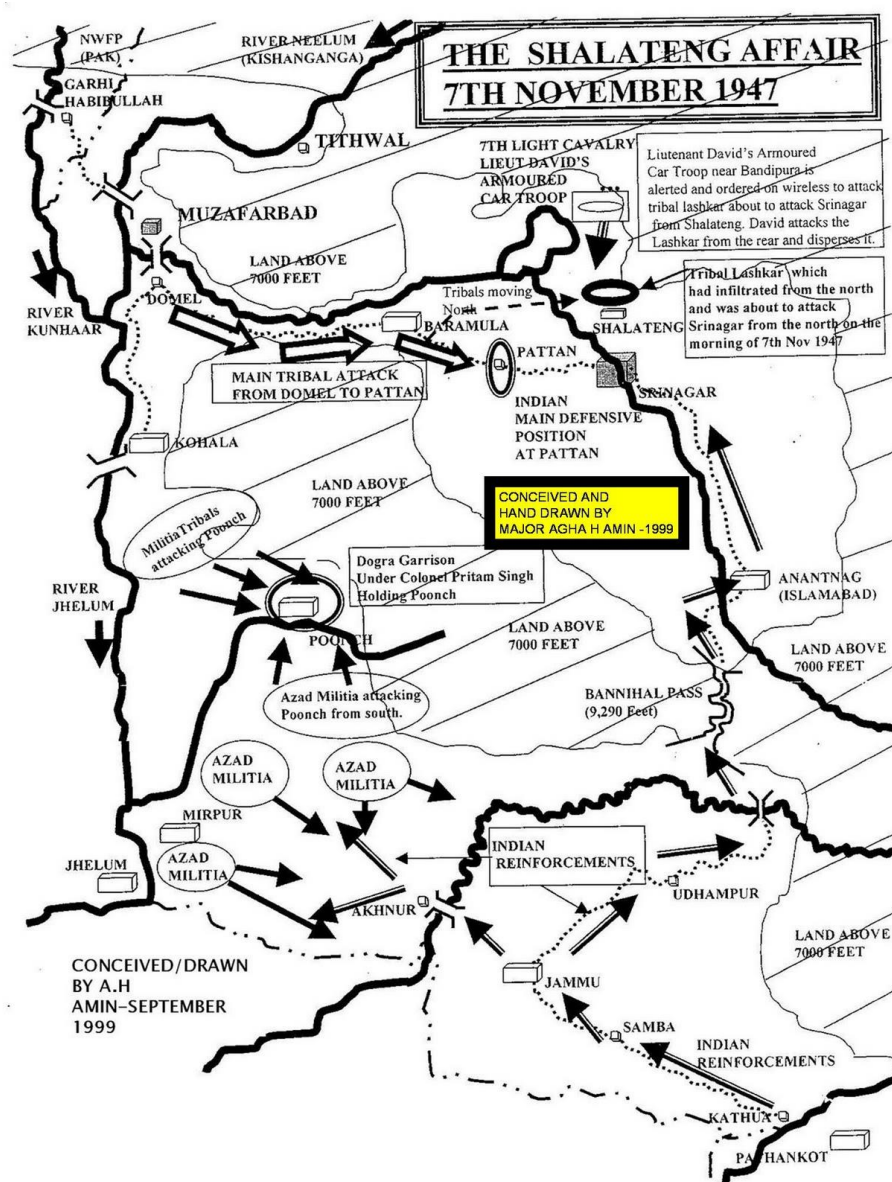


Figure 5 The Shalanteng Affair - Maj. Agha H Amin (Pakistan)

The Indian forces in the coming days had two primary tasks, protect Kashmir's towns and cities under their control, from raiders and to constantly maintain control and operational capability of 200-mile long Jammu-Srinagar road. Following this, their challenge was to wage a multi theater fight ranging from Zoji La & Gurais with its arctic conditions to the mountainous Uri Sector. The terrain ahead and short supply of fuel

meant a slow-paced offensive towards Uri and Domel. The invaders smartly maneuvered and attacked the northbound Indian forces at Jhangar. In the second offensive, the Indian forces retook Uri on November 16th with the help of RIAF spitfires, which were initially believed to be inoperable at such terrain and altitude.

In the interim, another battle raged on in Gilgit. The local military, i.e. the Gilgit Scouts Paramilitary Unit supported a revolution against the local administration with alleged support from Pakistan. The self-proclaimed leader of Gilgit province declared allegiance to the Azad Kashmir regime in Western Jammu. With Srinagar being the center of the Indian offensive, raiders surrounded Mirpur, Kotli, Punch, Jhangar, Naushera, Bhimber and Rajauri. Despite a normal terrain, the absence of all-weather roads proved a major hassle for the Indian forces. The next 15 days saw the Indian forces push northwards from Jammu were embattled with their enemies to retake Jhangar, Naushera while another column moved southwards from Uri to retake Punch. Despite Indian reinforcements not reaching on time, State Forces retook Mirpur by 25th November.

The Indian forces suffered a defeat at Punch, retreating to Uri. The raiders further attacked Jhangar and retook the town. Buoyed by their victory, they failed miserably in their attack on Naushera. With better weather conditions, RIAF crushed the raiders at Naushera. The Indian forces stayed put at Naushera strengthening their existing forces. Simultaneously, pushed forward towards Samba-Kathua and successfully repealed the forces there.

India sought the aid of the UN to resolve the dispute. However, Indian armed forces continued to defend territory under its control while trying to retake territory that was lost. On January 20th, about 3 days post the UNSC session, Lt. Gen. K. M. Cariappa took command of the Western Command. By 6th February, a Para regiment under the command of Brig. Usman aided by RIAF attacked Kot Valley and crushed the raiders. But with a massive defeat, the raiders attacked Kot, Naushera and Taindher Hill with a strength of 15000 men. By February ending, Indian forces had a strong command over Naushera and destroyed all hostile presence in the region.

The role of the UN Security Council

Following India's request for UN Security Council to intervene, the SC met during mid-January. The SC after hearing the submissions by India and Pakistan passed resolutions [S/651](#), [S/654](#) on 17th and 20th of January respectively. The first resolution urged both India and Pakistan to take steps to deescalate the situation and to report to the SC any changes or their likelihood in terms of material assets or geographical boundaries from the current situation. The second resolution setup a commission to investigate disputes and to play a mediatory role under direction from the UNSC.

The freeze date for the Historic Council shall be 29st February, 1948, i.e. the first session of the Historic Security Council shall convene as on 1st March, 1948.

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