
Special Political and Decolonization Committee
Chair: Vishan Nigam
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Dear delegates,

Welcome to PMUNC! My name is Vishan Nigam and I will be your chair for SPECPOL this year. A little bit about myself—I am a junior from nearby Princeton Junction, New Jersey majoring in Economics with certificates (minors) in both Spanish Language and Culture, and Statistics and Machine Learning. I’m the current Vice President of Princeton’s International Relations Council, so I’m involved in planning PMUNC, PICSim (our college conference), and our collegiate travel team. This will be my sixth PMUNC, after competing thrice as a delegate and staffing the last two years, and I’m looking forward to making it the best one yet! Outside of MUN, I am involved in a high school mentoring program called Latino Link, and enjoy playing tennis and watching Premier League soccer in my free time (COYG!).

I’m looking forward to chairing our discussions on both the Kashmir conflict and the Arctic. Both topics touch on many different international issues that the UN is actively concerned with, so I urge you to draw on policies from other parts of the world as you write your own resolutions. The Kashmir conflict is a classic example of a border dispute caused by decolonization, but is complicated by many factors. India, Pakistan and China are all nuclear states, so the implications of any escalation in the conflict are certainly global. The threat of Islamic terrorism also exists in the region, due to both ISIS/Al-Qaeda and smaller groups that focus on the Kashmir issue. As a wave of shocking attacks spread across the region (I write this in the aftermath of the Istanbul Airport and Bangladesh café attacks), it is certainly possible that a similar attack in Kashmir could cause regional tensions to escalate.

The Arctic is a similarly intriguing topic for discussion. In terms of border disputes it is slightly unconventional, since countries are claiming economic rights over what is technically open ocean. You will be tasked with mediating these conflicts and with addressing several related issues. First, there are scientific implications for Arctic exploration—should countries engaging in Arctic drilling or shipping be required to devote resources to fighting climate change? In general, do we threaten our planet by divvying up the Arctic? Second, questions emerge regarding global manufacturing—is the Northwest Passage a viable shipping path? Should the movement of ships through it be regulated by international groups or by certain member states?

Remember that MUN is about having innovative, reasonable policy ideas and presenting them well, so in preparation for the conference I encourage you to work on both your research and your speaking. Lastly, whether this is your first conference or your last, do not hesitate to reach out with any questions. I look forward to meeting you all in November!

Cheers,
Vishan
Committee Description

The United Nations Fourth Committee, otherwise known as the Special Political and Decolonization Committee, was initially formed to deal specifically with decolonization. At first, it dealt with the affairs of territories that were placed under UN trusteeship, that is, under the control of the UN until these territories became independent states. It later took on some of the duties of the Disarmament and International Security Committee (DISEC), allowing DISEC to focus on military issues such as nuclear non-proliferation. As a result, SPECPOL now concerns itself with many international political issues, particularly those resulting from a territorial dispute or a former colonized power.

In recent years SPECPOL has focused on questions of autonomy and independence for areas including Palestine, Western Sahara, the Falkland Islands, and several European colonies in the Caribbean and Oceania. It also has discussed related refugee issues (particularly with respect to Israel/Palestine), mine action (for instance in Vietnam), outer space, and the safety implications of nuclear tests.

As you can see, SPECPOL’s purview is quite broad. For our purposes, it is sufficient to note that SPECPOL is part of the UN General Assembly, and therefore that it is solely a body for discussion; it issues recommendations but has no binding power. In exploring our topics, I encourage you to focus more on the many ways in which the UN, other international bodies, member states, and the private sector have engaged actively with these issues. This will provide a solid foundation for your research, allowing you to propose solutions that demonstrate both innovative thinking and an understanding of current policy. It is perfectly within SPECPOL’s purview to recommend these policies to other actors, even if we do not have the resources or the jurisdiction to implement them directly.
One last thing to note, especially for new delegates, is that the term *national sovereignty* will come up many times in debate. National sovereignty implies that individual countries possess ultimate decision-making power in the international community. So for instance, if the UN wants to do anything from distribute leaflets to supervise nuclear weapons facilities in a country, that country must consent to it. This is why SPECPOL can solely recommend solutions—even if the committee votes to approve a certain resolution, the document is meaningless unless member states allows the policy to be implemented within their borders.
**Topic A: Arctic Conflict**

**Introduction**

In some ways, the issue of Arctic exploration is intriguing exactly because it was for a long time considered something of a non-issue by the international community. Despite the ambiguity of national borders in the region, Russian and United States military presences, and continued deterioration due to climate change, the Arctic has largely remained an example of continued international cooperation. This is in part because there is no appealing alternative—a “cold war” (no pun intended) in the Arctic would impose large monetary and personnel cost on all parties involved. In any case, through the application of existing international treaties and the establishment of permanent forums like the Arctic Council, the eight Arctic nations—the United States, Canada, Iceland, Norway, Sweden, Finland, Denmark, and Russia—have so far avoided direct conflict.

However, due to several global trends, this equilibrium becomes more uncertain by the day. As the Council on Foreign Relations puts it, “in the twenty-first century… climate change, technological advances, and rising global demand for resources may at last unlock the considerable economic potential of the Circumpolar North.”\(^1\) In other words, the valuable oil, natural gas, and minerals that lie below the ice, and the shipping routes above it, are now more valuable and more accessible than ever before.

SPECPOL will be tasked with creating a framework that facilitates safe and fair access to these resources. The stakes are high—without proper consensus, the Arctic threatens to descend into a high-speed, cold-weather version of the imperialist “Scramble for

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Africa”. Cooperation cannot be guaranteed, as countries are less likely to cooperate on matters of territory and economic resources than on relatively uncontroversial scientific and environmental policy. In addition, delegates will also discuss related issues, such as whether there should be environmental regulations placed on ships and oil rigs in the Arctic; and how the rights of indigenous peoples should be recognized within the context of any agreement.

**History**

The history of Arctic exploration begins in 325 BCE with a Greek sailor Pytheas, who is believed to be the first person to have crossed the Arctic Circle. Permanent settlement, however, did not take place until the Middle Ages, when the Vikings colonized Iceland (which, contrary to its name, was actually quite fertile) and later established a settlement under the infamous Erik the Red in Greenland (which ironically was covered in ice). At the same time, it should be noted that Russian settlers were making efforts to explore the Arctic. In the 1500s, Russian monks established settlements on the hostile Kola Peninsula near Scandinavia, and from there began to explore sea routes to the east.

It should be noted that these early settlements were either for agricultural or religious purposes—the only people with an interest in Arctic affairs were those who actually lived there. This began to change during the Renaissance Era, as explorers from several European countries set out in search of alternative sea routes to reach new lands. The two main routes were the Northwest Passage, a mythical sea route that would traverse North America, and the Northeast Passage or Northern Sea Route (NSR), which would provide a more direct

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route between Europe and Asia. After hundreds of years of effort by many explorers, the Northeast Passage was finally traversed in 1878, and in 1906 the famous Norwegian explorer Roald Amundsen—who also reached the North Pole—completed the first crossing of the Northwest Passage. Due to the modern economic importance of container shipping, and the effects of global warming, these routes have become more accessible over time.

Over the last century, as physical barriers have been overcome, geopolitical ones have been erected. In 1907, a Canadian senator suggested that Canada make “a formal declaration of possession of the lands and islands situated in the North of the dominion,” but was dismissed because the government did not see any use. When American explorer Robert Peary reached the North Pole two years later, he held no such reservations and “formally [took] possession of the entire region, and adjacent, for and in the name of the President of the United States of America.” Over the next few decades, various countries made subtle efforts to claim sovereignty in the region—Norway began mining coal on the island of Svalbard, and Canada and Russia began requiring that foreigners receive government permits before exploring Northern regions.

Eventually, some of these claims began to be codified in international law. In 1969, the UN Convention on the Continental Shelf was signed, which gave countries exclusive rights to economic resources on their continental shelf. Further consensus was reached in 1982 under the UN Convention on the Law of the Sea (which the United States has still not ratified), which established exclusive economic zones (EEZs) within 200 nautical miles of a

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5 Ibid.
6 "The Emerging Arctic." Council on Foreign Relations.
7 Ibid.
8 Ibid.
country’s coast, and allows countries to extend the EEZ further if the continental shelf extends beyond 200 miles. These rights were valid worldwide, including in the Arctic. However, due to technological and climate difficulties, the first pumping of crude oil from the Arctic—by Gazprom, the Russian state-owned energy company—did not take place until 2013. Finally, the Arctic Council, which serves as a permanent forum for discussion between the eight Arctic states and several indigenous groups, was established in 1996.

Tensions were stoked in 2007 when a Russian submarine expedition planted a Russian flag on the seafloor at the North Pole. Other countries quickly denounced the act, and the following year Canada held a series of military exercises in the region. To complicate matters further, other countries have recently joined the fray—China and several other Asian countries joined the Arctic Council as observer states. China’s growth is expected to be a driver of future activity in the Arctic, as its 2013 energy deal with Russia provides for joint exploration of gas reserves in the Pechora and Barents Seas.

Recent environmental developments also have brought attention to the region, as record-low levels of sea ice have gradually enabled ships to travel the Northern Sea Route. Climate change has also brought widespread criticism of Arctic development from environmental groups; in 2013 Russia seized Greenpeace’s Arctic Sunrise icebreaker after two activists attempted to climb onto a Russian drilling platform. This central tension between

resource extraction and environmental health is likely to dictate many countries’ policies regarding the Arctic going forward.

Current Situation

The main geopolitical conflict in the Arctic today is a result of broader tensions between Russia and NATO countries over Ukraine and Syria. Perhaps as a result of these tensions, Russian president Vladimir Putin has particularly encouraged the infrastructural and military development of the Arctic since 2014\textsuperscript{17}. In some ways, this is nothing new—much of Russia’s nuclear arsenal is stored in Murmansk, located on the Kola Peninsula and the largest city within the Arctic Circle\textsuperscript{18}. However, one implication is that the Arctic cannot be considered a peaceful demilitarized area like Antarctica. This is particularly troubling because no forum exists to address military issues regarding the Arctic—the charter of the Arctic Council specifically prevents the group from discussing security matters\textsuperscript{19}.

These geopolitical tensions have hindered cooperation on other Arctic issues. ExxonMobil, the US energy company, has a series of joint ventures for Arctic drilling with its Russian state-controlled counterpart Rosneft\textsuperscript{20}; as a result of the sanctions levied by the US on Russian companies (and vice versa), these ventures have now been suspended.


\textsuperscript{19} "The Arctic Council: A backgrounder." Arctic Council.

On the environmental front, 2016 is expected to be the hottest year on record, and be associated with record-low levels of sea ice.\(^{21}\) In light of the recent Paris climate accord, many countries have expressed resistance to the development and pollution of the Arctic.

**Geographic and Demographic Information**

The adjacent map provides an excellent overview of the overlapping territorial claims in the region. One should note how the claims are well-defined up until 200 nautical miles from the shore, but are relatively ambiguous after that due to the UNCLOS provision that allows for extensions of EEZs if the country can provide scientific evidence of a continuing continental shelf.\(^{22}\) Denmark notably claims the North Pole by arguing that the Lomonosov Ridge is part of Greenland’s continental shelf.\(^{23}\) The newly agreed Norway-Russia sea border is also a good example of bilateral negotiation over the issue.\(^{24}\)

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\(^{23}\) United Nations Office of Legal Affairs. "Submissions, through the Secretary-General of the United Nations, to the Commission on the Limits of the Continental Shelf, pursuant to article 76, paragraph 8, of the United
In terms of demographics, the Arctic is home to over 4 million people. The largest city north of the Arctic Circle is Murmansk, Russia, which has a population of about 300,000 people and is a major Russian naval base. While Murmansk maintains relatively strong connections with Moscow and the rest of Russia, the majority of Arctic settlements—including those in northern Alaska, the Canadian province of Nunavut, all of Greenland, and the Norwegian island of Svalbard—are small and self-sustaining.

Indigenous populations make up approximately 10% of the Arctic. The main groups are the Inuit in Alaska, Canada and Greenland; the Saami in Scandinavia, and the Chukchi in Russia. While these groups now receive better healthcare and education than in previous generations, climate change and development threaten their populations and way of life.

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26. Ibid.
Issues to Consider

Territorial Claims

The most evident issue for SPECPOL to deal with is that of jurisdiction itself. While the 200-nautical mile limit for EEZs is well established, these EEZs sometimes overlap (see map). Furthermore, the process for claiming resources outside the 200-mile radius is rather ambiguous, as countries are required to submit claims to the UN Commission on the Limits of the Continental Shelf.27 The Commission then evaluates the scientific evidence submitted with the claim and determines whether the area claimed is indeed a part of the country’s continental shelf. For instance, earlier this year Russia re-submitted an application to the Commission claiming vast swaths of the seabed, including the North Pole itself; the application was earlier rejected because of insufficient scientific evidence.28 The claim is still contested—Denmark also claimed the North Pole in its 2014 application to the Commission.29

Delegates are tasked with evaluating this process and deciding whether it is the proper way to appropriate resource rights. If SPECPOL chooses to support the current process, it will be left to delegates to decide which of the many competing claims to the North Pole is valid. One alternative solution may be to facilitate bilateral agreements, perhaps with the help of regional bodies like the EU. This year’s Russia-Norway deal

29 United Nations Office of Legal Affairs. "Submissions to the Commission on the Limits of the Continental Shelf"
regarding the Barents Sea is an excellent example, but whether the model can be extended to 5-way territorial disputes is questionable.

In any case, delegates should not feel limited by these options. A more creative solution might be to designate the “donut hole” (the 1.1 million square mile region in the Arctic outside the reach of any official EEZ) as international territory in the name of environmental health. Such an agreement could mirror the Antarctic Treaty, which guarantees freedom of scientific inquiry, rejects any claims of sovereignty, and prohibits military activity on Antarctica.

Hydrocarbon and Other Economic Resources

The area north of the Arctic Circle is estimated to contain as much as 20% of the world’s undiscovered hydrocarbon (oil and natural gas) deposits. The United States (Prudhoe Bay) and Russia (Tazovskoye Field) have both been extracting oil and natural gas since the 1960s. Russia has more actively sought out new reserves—this is partly because Russia is highly dependent on oil and gas revenues for fiscal stability, and also because of political motivations. The committee will first have to decide whether or not to encourage this development (by issuing requests for better communication, transportation, technology, etc.) and, if so, in which areas. Delegates will also have to propose ways to regulate this growth in light of environmental concerns. For instance, the committee may propose limits on the time or region of drilling, recommend standardized spill-response equipment for all firms, or even spearhead an oil-spill treaty that forces energy companies to pay for

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32 Ernst and Young. Arctic oil and gas.  
environmental disasters like oil spills. Similarly sensible regulations and restrictions may be enacted for other Arctic resources, such as fish stocks and mineral deposits.\textsuperscript{34}

\textit{Security Issues and the Arctic Council}

The buildup of Russian military forces in the Arctic is likely to be a concern for many NATO countries.\textsuperscript{35} On the other hand, Canada has also begun conducting annual military exercises in the Arctic in an effort to assert its own sovereignty.\textsuperscript{36} Whether these military exercises should be allowed is a question for the committee to discuss.

As mentioned previously, the Arctic Council cannot be used as a forum to discuss these issues; the committee should evaluate whether the Council’s mandate should be expanded to include military issues, or if security should be discussed via a separate medium. SPECPOL should also consider the effectiveness of the Arctic Council as a whole; though the Council did facilitate the creation of a binding treaty—the Arctic Search and Rescue Agreement—in 2011, the organization as a whole lacks funding and enforcement abilities.\textsuperscript{37}

\textit{Shipping and Safety}

Due to the trend of melting sea ice, it is clear that the NSR and Northwest Passage will eventually be open for business; as a result, delegates must consider the measures that must be put in place to prepare for increased traffic. On the logistical front, there is a significant long-term need for proper shipping lanes, requirements for hull construction, ice


\textsuperscript{37} "The Arctic Council: A backgrounder." Arctic Council.
navigation training, and updated navigational charts. There is also a need for proper tracking of ships in remote Arctic areas using inexpensive Automatic Identification Systems. Finally, environmental regulations must be imposed to prevent excessive pollution. Delegates’ starting point for improving these regulations should be the IMO Polar Code, which is currently non-binding and has been criticized by many as excessively weak.

There is also a long-term need for proper peacetime security forces in the Arctic. Coast Guard-type forces at the national and international level assist in conditions of extreme weather, technical difficulties, and identification of illegal goods. The United States, for instance, has begun building up its cold-weather Coast Guard fleet, including more icebreakers, in order to prepare for these issues. Given the international nature of the region, there also may be an argument for an international Coast Guard force, similar to the UN-coordinated naval patrols near Somalia but more focused on disaster response.

**Humanitarian Issues**

SPECPOL must also consider the implications of these developments for the indigenous peoples of the Arctic—due to the ambiguous sovereign status of these groups, it is unclear whether they would be subject to the regulations recommended for member states. Delegates must also consider how these groups will be displaced or otherwise affected by economic development and climate change. In some cases, it may be necessary to provide long-term humanitarian aid, and facilitate the creation of new settlements in warmer areas further south.

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39 Ibid.

Country Policy

United States

In 2013, President Obama released a “National Strategy for the Arctic Region” that laid out three main objectives for US foreign policy in the Arctic: advancement of security interests, responsible stewardship of the Arctic region, and strengthening of international cooperation.\(^{41}\) In terms of its security interests, the US aims to preserve freedom of navigation (through both the Northwest Passage and NSR) and develop infrastructure for military and civilian use. Energy security is tacitly included in this as well, meaning that the US seeks to access additional energy resources in the region. Stewardship simply refers to environmental protection, and while it is true that many US-based groups lead international efforts to limit environmentally harmful Arctic development, these efforts clash with those of energy companies. Finally, the US supports international cooperation as a way to limit Russian territorial and economic influence in the region, which has so far been somewhat unilateral. While the US has not ratified UNCLOS due to fears about national sovereignty, it follows most of its stipulations, and is likely to work with other delegates to strengthen such international legislation.

Canada

Canada has the dual goals of exercising sovereignty over its northern territories and promoting social and economic development there.\(^{42}\) Militarily, it is concerned about the

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buildup of Russian military forces in the Arctic, and will likely support both military and economic cooperation with the rest of the international community (especially other NATO members) as a way of restricting Russian influence.

**Scandinavia and Western Europe**

Scandinavian countries as a whole are likely to support international cooperation in the region. They are also the most likely to support environmental restrictions on future development. While Denmark (through Greenland) will continue to claim the North Pole and an extended section of the continental shelf, its primary interest is in a peaceful development of the region.\(^{43}\) Scandinavian countries like Norway are likely to support a military buildup of the region, if only to limit Russian influence.

Other western European countries, such as the United Kingdom and Germany, are likely to back their EU and NATO allies in security matters. They are also likely to support both environmental restrictions and shipping developments, the former for ethical reasons and the latter in the name of economic growth.

**Russia and Eastern Europe**

Russia is likely to proactively seek out additional territory and economic resources in the Arctic while still remaining within the bounds of international law.\(^{44}\) Its legal claim, submitted at the UN, to the North Pole and surrounding regions is an excellent example of this.\(^{45}\) While Russia is likely to cooperate with other countries on scientific and economic development matters, it will likely resist any proposed environmental or political restrictions.

\(^{43}\) Ibid.


on its activities. Delegates should remember that Russia’s policy on the Arctic is largely dictated by nationalism as opposed to economic interests. Eastern European countries are likely to support their close ally, especially since many rely on Russia for energy.

*East Asia*

China, Japan, and South Korea became permanent observers to the Arctic Council in 2013. Their increasing interest is driven largely by economic concerns—all have export-driven economies that will benefit from the opening of faster sea routes. In addition, many rapidly growing countries have a high demand for energy resources and will therefore support development on that front. As is consistent with the overall policy, environmental concerns may be less of issue for these countries.

*Other Countries*

Since only 8 countries have a direct Arctic territorial interest, it is sometimes difficult to determine policy for other countries. As a starting point, delegates are advised to investigate their countries’ relationships with Arctic Council members, particularly the US and Russia. Delegates should also consider their countries’ need for inexpensive energy. On the other hand, many countries will be focused on environmental concerns, especially following the Paris climate agreement. These countries will be the most interested in international solutions to the conflict (such as an international zone in the “donut hole”) and have the most flexibility to come up with creative policy proposals.

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Important Terms, Documents, and Groups

- **Exclusive Economic Zone (EEZ):** the region that extends 200 nautical miles from the shoreline, or even further if it can be shown that an area corresponds to a country’s continental shelf. 48

- **Continental shelf:** the seabed adjacent to a landmass that results in relatively shallow sea depth compared to in the open ocean.

- **UN Convention on the Law of the Sea (UNCLOS):** the main international agreement that dictates jurisdiction over the world’s oceans and the resources that they contain. Formalized the concept of exclusive economic zones, and created a common framework for countries to claim whaling, fishing, mineral, and oil/gas resources. 49 Notably, the United States of America still has not ratified the Convention.

- **Arctic Council:** The primary forum through which the eight Arctic states, as well as certain Arctic Indigenous peoples, communicate and coordinate Arctic policy. 50 Consists of a permanent Secretariat housed in Tromsø, Norway, as well as six Working Groups that meet occasionally to discuss environmental, scientific, and economic matters (but not military security issues, which are excluded from its mandate). Many other European countries are observers, as are China, South Korea, and Japan. The Council has no independent budget, and its decisions have no

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binding power, so member states are responsible for funding and executing its recommendations.

- **Polar Code**: Mooted code of safety issued by the International Maritime Organization for all ships operating in Arctic and Antarctic waters. Regulations address the design and construction of ships that traverse cold polar waters, the training of staff, the amount of garbage disposal and pollution that is allowed, and other issues. The Polar Code has been widely criticized by environmental groups as being insufficiently stringent.

- **Northern Sea Route**: sea route from Europe to Asia that follows the northern coastline of Siberia. The NSR is currently accessible for two months out of the year.

- **Northwest Passage**: sea route through Canadian waters from the Atlantic to the Pacific. The route was a historic source of motivation for European explorers. By some estimates, this route would be two weeks shorter than traversing the Panama Canal.

**Questions to Consider**

- Are EEZs a proper way to deal with territorial disputes; how should these disputes be addressed if they concern the continental shelf?

- Should rapid extraction of hydrocarbon, fishing, and mineral resources be encouraged in the Arctic? What environmental concerns might be sparked by rapid development?

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• Is the Arctic Council a proper forum to discuss military issues? What reforms can be made to it to make it more inclusive and/or effective?

• What measures need to be taken to ensure safe shipping and prevent environmental damage near the North Pole?

• How are indigenous peoples being affected by global warming, and can the UN or member states help them maintain their livelihoods and well-being?
Topic B: The Kashmir Conflict

A Quick Note

Kashmir is still in a state of conflict at the time of this writing, so the dais urges you to stay updated by reading recent news from the region. Note that Indian and Pakistani sources will reflect the policy of each country and therefore will provide very different narratives. While some may have strong personal opinions on the issue, remember that your country policy should guide your research and your statements!

Introduction

From an international security perspective, the Kashmir conflict is intriguing for many reasons. To introduce it, it may be informative to compare it to another long-running border dispute, the Korean conflict. Much like in Korea, which is more often discussed in the foreign policy sphere, it is a border dispute that developed following the independence of a region from foreign rule in the aftermath of World War II. Just as in Korea, the United Nations has played a central role over the years as a forum for discussion and mediation of the conflict—as recently as this summer, India and Pakistan traded barbs over the Kashmiri insurgency at the UN. Finally, and similarly to how the conflict dominates political discussion in the Koreas, the Kashmir conflict has become a defining element of Indian and Pakistani military and cultural policy (less so of China’s). As a result, even though Kashmiris are an ethnic minority in the subcontinent, the Kashmir conflict is now central to the political identities of all of India and Pakistan.\(^{52}\)

For many other reasons, however, Kashmir is unique. First off, India and Pakistan both possess nuclear weapons, yet neither is a party to the Nuclear Non-Proliferation Treaty (NPT), and neither is as closely tied to an NPT member as the DPRK is to China and South Korea is to the US. Second, Kashmir’s legal status within India was (some say deliberately) left uncertain following the Partition of India and Pakistan in 1947.\textsuperscript{53} As a result, India continues to treat the Kashmir insurgency as a domestic issue. This has hindered humanitarian aid to the region and in many cases has enabled human rights violations to go unnoticed. Lastly, though Indian-administered Kashmir (where the current conflict is centered) is a Muslim-majority region within a Muslim-minority country, ISIS, the Taliban, and other well-known Islamic extremist groups do not significantly influence political dynamics in the region. There are smaller terrorist cells (including Lashkar-e-Taiba, which carried out the 2008 Mumbai attacks), but their appeal is limited.\textsuperscript{54} Compared to much of the Middle East, popular support for the Kashmir insurgency is more political and less religious.

\textbf{History}

The ambiguous political status of Kashmir dates to the time of the British colonial occupation. The British did not control all of India directly; in many cases, they chose to secure guarantees of loyalty from existing “princely states,” which were still run by kings. The Kingdom of Jammu and Kashmir, which included the Muslim-majority (and stunningly beautiful) Kashmir valley as well as the southern Hindu-majority region of Jammu (see “Geography and Demographics” section), was ruled by the Maharaja Hari Singh, a Hindu.\textsuperscript{55}


\textsuperscript{55} “A brief history of the Kashmir conflict.”
In 1947, the entire subcontinent gained independence from Britain: in a process known as Partition, it was separated into two new countries, a Muslim state known as Pakistan and a Hindu-majority India (most Sikhs, Jains, Buddhists and other minorities remained in India). Kashmir was located near the border of the two new countries, so Hari Singh was given the opportunity to choose which country to join. Unable to reconcile his personal Hindu beliefs with the fact that 75% of his citizens were Muslim, he initially chose to remain neutral.\textsuperscript{56}

However, given Kashmir’s strategic position at the crossroads of India, Pakistan and China, it was clear that this arrangement would not last. In October of 1947, Pakistan sent in militants to try and take the valley. Hari Singh fled to Delhi and signed the Instrument of Accession, which gave Jammu and Kashmir to India.\textsuperscript{57} India quickly sent in their army, and fighting continued despite UN appeals. A ceasefire was signed in early 1949, leaving India with around two-thirds of the land, including the Kashmir valley, the eastern region of Ladakh, and the southern region of Jammu. Pakistan gained a largely mountainous western region known as Azad Kashmir. The two sides established a de-facto border, known as the Line of Control (LoC), which exists to this day.\textsuperscript{58}

Jammu and Kashmir formally became a part of India in 1957, when Article 370 of the Indian constitution took effect—this essentially states in writing that the state should enjoy autonomy within India and is not bound by most other provisions of the constitution.\textsuperscript{59} This is the legal basis for most arguments by pro-independence Kashmiris. It

\textsuperscript{56} Ibid.
\textsuperscript{57} Ibid.
should be noted that, until the 1980s, most Kashmiris actually were happy to accept relatively autonomous rule within India. Pakistan was comparatively unstable and military rule had yet to become a facet of daily life in the region.

Several conflicts took place which are worth mentioning. In 1962, China and India fought the Sino-Indian War to resolve what was supposedly a border conflict; however, many believe Mao was frustrated by India’s decision in 1959 to offer the Dalai Lama shelter after the Chinese invasion of Tibet. In any case, the war ended when India ceded the sparsely populated and mountainous region of Aksai Chin to China. India and Pakistan fought again in 1965 before signing a ceasefire known as the Tashkent agreement. In 1971 yet another short war was fought, however this time the focus was on East Pakistan, which with Indian military support declared independence from Pakistan as Bangladesh. A western theatre of the war opened up as well, and so Kashmir once again became a site of conflict.

By the late 1970s, the seeds of grassroots opposition to Indian rule were emerging. Prime Minister Indira Gandhi had centralized power in Delhi during a period known as the Emergency, inciting much resentment in Kashmir, and at the local level the incumbent National Conference (NC) party was also seen as corrupt and unrepresentative. Several new groups, including the Muslim United Front (MUF) and the Jammu Kashmir Liberation Front (JKLF) gained the support of a wide range of people: Kashmiris frustrated with Indian rule, supporters of independence and/or unification with Pakistan, and militants within

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61 “A brief history of the Kashmir conflict.”

62 Human Rights Watch, "Behind the Kashmir Conflict," HRW.
Pakistan itself.\textsuperscript{63} These groups formed the basis of the insurgency that has continued to the present day.

Near-constant protests and violence continued from 1987, when mass protests and assassinations took place following a contested election, throughout the 1990s. In January of 1990, the Indian government imposed military rule in Kashmir.\textsuperscript{64} This is when the narrative really shifted—the Indian Army, not the insurgents, became the most visible perpetrators of violence in the region. Reports from international human rights observers suggest that over the past 25 years, Army and security forces have killed and injured civilians, censored the press, and denied Kashmiris due process of law.\textsuperscript{65} Protests took on an additional religious dimension in 1990, and after several murders of Hindus, a mass exodus from the valley of over 100,000 Hindu residents (known as “pandits”) took place. This is a source of contention to this day, and is often cited in India as a reason for antagonism towards the Kashmiri independence movement.\textsuperscript{66,67}

The Kargil War, the last (quasi-)direct conflict between India and Pakistan over the region, took place in 1999. Pakistani army and paramilitary forces from Azad Kashmir had claimed many high-altitude posts on the Indian side of the LoC, leading to a protracted conflict as the Indian army pushed them back. After rebukes from the international

\textsuperscript{63} Ibid.
\textsuperscript{64} Ibid.
\textsuperscript{66} Human Rights Watch, "Behind the Kashmir Conflict," HRW.
community, including a direct appeal by US president Bill Clinton to Pakistani prime
minister Nawaz Sharif, both sides agreed to cease hostilities.\(^{68}\)

Since then, even as India and Pakistan have remained largely at peace, animosity in
Indian-administered Kashmir towards Indian security forces has grown. In 2010, widespread
protests erupted when Indian soldiers killed three civilians after falsely claiming that they
were Pakistani militants.\(^{69}\) In a rare instance of legal action against Indian military, 5 soldiers
were sentenced to life imprisonment as a result of the deaths.\(^{70}\)

**Current Situation**

A significant consequence of the Indian security presence in Kashmir is that over the
last 25 years, Kashmiri youths have grown up in the shadow of violence and military rule.
This deep-seated hatred of Indian rule among Kashmiri Muslim youth came to a head in the
summer of 2016 during the protests over the death of 22-year old Burhan Wani.

A Kashmiri teenager who ran away at age 15 to join the militant resistance to Indian
rule, Burhan Wani rose to prominence in Kashmir through social media.\(^{71}\) While he was not
a very active fighter himself, he was known for posting videos urging young Kashmiris to
join militant groups including Hizbul Mujahideen. Wani’s death in July at age 22 at the hands
of security forces sparked massive protests across the region; 200,000 people attended his


ordered/626105/.

http://www.thehindu.com/news/national/other-states/macchil-fake-encounter-seven-soldiers-sentenced-to-

loss.html.
funeral alone, and in the days that followed over 40 protestors were killed in violent clashes between protestors and security forces. The Indian Army has been criticized by human rights groups for its use of pellet guns to enforce order; though they are non-lethal, the ball bearings they release are capable of blinding the victim permanently.

To further complicate matters, in July Pakistani leaders spoke out on the conflict in an effort to internationalize the issue. Its diplomats raised the topic on the floor of the UN Security Council, and Pakistani PM Nawaz Sharif issued a statement that Kashmir would eventually join Pakistan. This was highly controversial for several reasons: first, because India considers the Kashmir insurgency to be an internal matter and therefore rejects any discussion of it on the world stage; and second, because many Kashmiris desire a Kashmir independent of India and Pakistan. Lastly, it should be noted that foreign terrorist groups have weighed in as well—Hafiz Saeed, the mastermind of the 2008 Mumbai bombings and leader of Lashkar-e-Taiba, said he would organize protests within Pakistan against the Indian military presence in Kashmir and the supposed American tacit support of it.
Geographic and Demographic Context

The map shows the parts of Kashmir that are administered by India, Pakistan, and China, and the de-facto Lines of Control. Nearly all of Pakistani Kashmir’s 3.5 million residents are Muslim, and Chinese-controlled Aksai Chin is essentially uninhabited. Indian-administered Kashmir can be split into three main regions. The Kashmir valley has 4 million residents, of which 95% are Muslim. However, 66% of the 3 million residents of the southern region of Jammu are actually Hindu, and in the less populated eastern region of Ladakh, 40% of the population is Muslim while 40% is Buddhist. In proposing solutions to the conflict, delegates must take into account the significant presence of non-Muslims outside the Kashmir valley. They still play a significant role since the Indian state of Jammu and Kashmir is one political entity.

Issues to Consider

The above information was necessary to frame the conflict, but since this is not a war committee, we will not be debating the details of culpability for this summers’ conflict. The following section details a few of the issues that are within the scope of the UN and other international bodies. Successful resolutions will address these issues creatively and effectively.

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79 Ibid.
The Sovereignty and Autonomy of Kashmir

As the History section shows, Kashmiri sovereignty is on questionable legal ground. Whether Kashmir belongs to India, Pakistan, China, or a combination is a question for the committee to discuss. India maintains, as a result of Hari Singh signing the Instrument of Accession and of Article 370 of the Indian Constitution, that Kashmir is clearly Indian territory—and therefore that any international discussion in it simply constitutes meddling in Indian domestic affairs. Pakistan has reiterated the need to hold a referendum on Kashmiri sovereignty under the terms of the 1948 Security Council resolution on the issue.\(^{80}\) While many Kashmiris support this, India would strongly oppose it given public sentiment in the region. There appears to be waning international support for a referendum as well, as the UN no longer considers Kashmir to be a disputed territory.\(^{81}\)

There are also many questions surrounding Kashmir’s viability as an independent state. Given its strategic location and lack of military forces, many fear that an independent Kashmir would quickly be annexed by Pakistan, even if many of those fighting for independence from India desired a separate country.

A slightly more productive discussion may take place over additional autonomy for the Indian state of Jammu and Kashmir. Depending on the interpretation of Article 370, there is scope for a broad devolution of powers from the Indian central government to the Jammu and Kashmir state authorities. In addition, many powers—for instance, of policing—remain with the army in light of the Armed Forces Special Powers Act.\(^ {82}\) There is precedent

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\(^{82}\) Amnesty International. “Denied: Failures in accountability.”
for devolution of powers to autonomous regions in other parts of the world, and delegates are urged to find inspiration there for successful solutions.

Nuclear Weapons

While no nuclear weapons are physically located in Kashmir, the fact remains that both India and Pakistan possess nuclear weapons. It is crucial for delegates to consider the consequences of this for the Kashmir conflict—a quick, unchecked escalation could be catastrophic. This situation almost manifested itself in 1998-99, when both India and Pakistan separately tested nuclear weapons and delivery systems.\(^{83}\)

Neither country has signed the Nuclear Non-Proliferation Treaty (NPT), so their nuclear arsenals are technically outside the jurisdiction of most international agreements. The NPT makes a clear distinction between Nuclear Weapons States (currently the USA, UK, France, Russia, and China) and Non-nuclear Weapons States (all other signatories). The P5 nations have systematically refused to recognize India and Pakistan as nuclear weapons states, as this would constitute official recognition of their development of nuclear arsenals outside international power structures. As a result, India and Pakistan are unwilling to sign the agreement, which would require them to voluntarily give up all weapons and become non-nuclear states.\(^{84}\) Delegates must consider how to resolve this disagreement, and in the short-term how to facilitate conflict resolution outside the framework of the NPT.

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Terrorism vs. Protest

Because of insurgent groups’ ambiguous connections both with the Kashmiri people and the Pakistani government, regulating their activities becomes a highly contentious issue. Groups like the Jammu and Kashmir Liberation Front (JKLF), which enjoy popular support among Kashmiris, are still organizing protests where stone-throwing and other violence takes place. While the suppression of the JLKF by Indian forces may ensure peace and quiet, it also erodes what little support exists for the Indian government among the Kashmiri people. This issue becomes even more complicated with Kashmiri-filled militant groups like Hizbul Mujahideen, who are openly violent but are still comprised of locals.85

Finally—and this is an area where the international community can have more influence—the committee must decide whether foreign intervention in the Kashmir conflict should be allowed or suppressed. Despite being classified as a terrorist group by both India and the United States, Lashkar-e-Taiba continues to function in Pakistan (perhaps with the help of the ISI). Its leader Hafiz Saeed is free to give speeches and interviews.86 LeT is controversial as it is primarily made up of foreigners, and because its hardline Islamist views are not shared by most Kashmiris. The committee will need to consider whether groups like LeT should be checked, and if so, how to successfully limit their influence. The international community has a long history of working together to combat terrorism through information sharing and other efforts, so those may be a good starting point.

86 “Hafiz Saeed leads Kashmir Caravan.” Hindustan Times.
Violence and Accountability for Security Forces

One longtime sticking point, and one that the international community continues to be interested in, is the question of what constitutes an “acceptable” use of force by the Indian Army. India, for instance, accepts pellet guns as a necessary peacekeeping tool because they do not kill but only result in injury as a side effect of keeping the peace. However, many inside and outside Kashmir are critical of the guns because they cause permanent physical damage (particularly eye damage) and have been used repeatedly on civilians.

The Armed Forces Special Powers Act (AFSPA) has also been a longtime target of criticism because it essentially grants Indian soldiers impunity. Amnesty International released a report in 2015 that highlighted cases in which soldiers had not been prosecuted despite accusations of murder, kidnapping, or rape. The report laid out several recommendations, including that the AFSPA be repealed, that the Indian military and civilian justice systems swiftly hold trials for the accused, that information be made available to families on those who have disappeared, and that India ratify and respect relevant international treaties. Depending on country policy, delegates will likely support some combination of these and should come up with creative ways to enable collaboration on this issue with the Indian government.

89 Ibid.


Freedoms of Press, Speech and Assembly

Freedom of the press has been repeatedly curtailed during the insurgency. During the summer 2016 unrest, security forces raided the main newspapers in the valley and forced them to temporarily close.

Communication is also severely restricted in the valley from time to time—during the recent unrest the Army suspended all mobile phone services in the valley in an effort to prevent anti-government demonstrations. Both of these actions are sources of severe criticism internationally, as international law generally protects freedom of the press and assembly. In addition, most Indian citizens can and do fully exercise these rights—India has a strong tradition of a free and critical press, and mobile services are a core part of the government’s economic development efforts—so suppression of them is seen as yet another case of differential treatment for Kashmiris living in the valley.

Economic and Humanitarian Support

Because of the military presence and the treatment of Kashmir as a domestic issue, it is highly difficult to send humanitarian aid to Kashmir. This issue came to light during the 2014 floods in Jammu and Kashmir, during which the Indian army was praised for conducting extensive rescue operations but foreign aid was essentially refused. The rationale for this was that continued foreign aid might cause outside political influences to

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take root. As a result, support came only from a few Kashmiri expat groups and large international NGOs.  

While Kashmir is well-developed compared to other parts of India, the need for support is certainly there. The rural mountainous areas are still quite poor, so any long-term aid would likely be concentrated there. In addition, the recent flare-up in the conflict has been a hit to Kashmir’s tourism-dependent economy; several economic studies suggest that continued fighting has damaged growth and employment.

In any case, it should be noted that Kashmir requires other types of aid far more than economic support. Growing up in the shadow of violence has an emotional cost—research has found that the conflict is linked to near-constant elevated levels of stress and anxiety. Since childhood trauma can cause psychological issues far into adulthood, there is an urgent current and future need for mental health professionals; a 2004 report found that the entire valley only had seven psychiatrists.

**Country Policy**

**India**

In terms of the immediate border conflict with Pakistan, India declares that the entire state of Jammu and Kashmir is a part of India. In response to international calls for a plebiscite to decide the fate of the region, India maintains that the continued participation of Kashmiri people in Indian national elections amounts to recognition of Indian sovereignty.

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93 Ibid.  
As a result, any unrest in the region is considered an internal issue, so India is unlikely to accept much international intervention (military, economic, or otherwise) in the region. India also emphasizes that Chinese-controlled Aksai Chin is part of India, and has long asked for negotiations with China to establish a Line of Actual Control (de facto border) and prevent future conflict.

*Pakistan*

Pakistan is likely to reiterate calls for a plebiscite (referendum) to decide the future of Kashmir. They are likely to support foreign intervention in the area, as this internationalizes the Kashmir issue and gives their claims greater credibility. This applies to both political recommendations and humanitarian aid. Pakistan is also unlikely to support active efforts to limit the influence of grassroots political or militant groups in Kashmir—many are popular in Pakistan and some have links with Pakistani intelligence services.97

*China*

Because of its conflict with India over Aksai Chin, China has generally quietly sided with Pakistan in the border conflict—China and Pakistan signed a deal that settled their own boarder dispute long ago.98 However, China has long resisted agreeing to a Line of Actual Control (de facto border) with India, which leaves the possibility open of spontaneous conflict between the two powers there. However, China is also eager to sign trade and investment deals with India, which dampens any incentive to engage in diplomatic hostility.

97 "Who are the Kashmir militants?"
United States and Western Europe

While the US has traditionally maintained a neutral point of view in the Kashmir conflict, its allegiances have shifted over the years. During the Cold War, it was a strong backer of Pakistan; in recent years, while its relationship with Pakistan has grown in importance post-9/11, India’s economic growth has also made it a key regional partner. The US is also likely to be concerned about global terrorism, so it will be eager to stop any Islamic fundamentalists, particularly those from abroad, from causing havoc in Kashmir.

Western European countries are likely to follow the US’s lead on these issues, particularly out of an eagerness (given recent events) to limit the growth of terrorism. They are also likely to be the most concerned about potential human rights violations and the lack of prosecution of them, so the reported use of excessive force by the Indian military is likely to be of interest.

Russia and the Eastern Bloc

Russia and its allies also refrain from expressing an official policy on the issue. However, Russia is a longtime military ally of India, and many of the weapons and strategies in place on the Line of Control are originally Russian. Given that Russia and its allies are generally more protective of national sovereignty and give less legitimacy to international intervention on the basis of human rights, they are also less likely to support active intervention in Kashmir.

Middle East and North Africa

This region is primarily Muslim, and therefore is likely to support the rights of Muslim Kashmiris. Most will advocate for a political solution such as the long-awaited
referendum. Some may tacitly approve covert action—for instance, it is suspected that some of the militant groups active on the border are funded by citizens of the oil-rich Gulf States (UAE, Saudi Arabia, Qatar, etc.). While support for Kashmiri independence is not as prominent a cause across the Muslim world as, for instance, the fate of Palestine, it is likely that in the case of a larger flare-up these countries would come to the protestors’ aid.

Latin America, Asia, Sub-Saharan Africa

While most other countries do not have a direct stake in the conflict, their policy is likely to be influenced directly by the diplomatic and economic relationships they have with India and Pakistan. As Indian economic growth continues to impress, its diplomatic sway will increase as well. Given past experiences with colonialism, most of this group of countries will likely be wary of intrusive military interventions but should support peacekeeping and diplomatic efforts.

Important Terms, Documents, and Groups

- **Self-determination**: The right of people to determine their own government. This is a concept in international law and its interpretation is the fundamental philosophical difference that drives many independence debates.

- **National sovereignty**: The concept that ultimate power rests with the sovereign state, and not with any region within it or with any international body. India’s claim that the international community should not intervene in Kashmir is, assuming that Kashmir is Indian territory, an assertion of national sovereignty.

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• **Article 370**: Article in the Indian Constitution that specifies Kashmir’s autonomy within India. It reserves some rights particularly for Kashmiris, for instance the right to own property, and is the crux of the legal arguments for and against India’s hold on Kashmir.

• **Simla Agreement**: Agreement signed by India and Pakistan in 1972, in which the two sides agreed to respect the boundaries in Kashmir that were de-facto established at the end of the 1971 war. Paved the way for resumption of diplomatic relations, and of the recognition of the state of Bangladesh by (west) Pakistan.

• **Armed Forces Special Powers Act (AFSPA)**: Indian law that allows for extensive military activities in Kashmir and bypasses many of the safeguards and limitations that military forces are otherwise accountable for. Has been criticized by the UN Human Rights Commission.

• **UN Military Observer Group in India and Pakistan**: UN Mission set up in 1948 to support a ceasefire between the two parties. Essentially defunct.

• **ISI**: Pakistani intelligence services, often accused of having links to terrorism inside and outside Kashmir.

• **Hurriyat Conference**: Alliance of several Kashmiri religious, social and political groups that advocates for Kashmiri independence through political means. Is critical both of the Indian government and of intervention by the Pakistani government and/or terrorist groups.

• **Lashkar-e-Taiba**: Pakistani terrorist group that aims to influence the Kashmir conflict from outside. Perpetrators of the 2008 Mumbai attacks. Still active in Pakistan; perhaps the only group capable of attacking India directly.
- **Hizbul Mujahideen**: Pro-Pakistani militant group in Kashmir that is made up mainly of ethnic Kashmiris.

- **Jammu and Kashmir Liberation Front (JKLF)**: One of the oldest and most popular groups in Kashmir. Made up of Kashmiri Muslims, but uniquely advocates a secular solution to the conflict. Supports an independent Kashmir and opposes accession to Pakistan.

**Questions to Consider in a Resolution**

1. Given historical precedent and current events, is a plebiscite (referendum) a feasible way to resolve the conflict? Is it realistic for Kashmir to remain an independent third country, even if India were to allow a vote?

2. How should tensions between India, Pakistan and China be defused in Kashmir so that direct conflict, presumably with nuclear weapons, does not occur?

3. Are members of the Indian Army committing human rights violation in Kashmir, and if so, how should the brought to justice?

4. How can the UN effectively facilitate the delivery of economic and medical aid to the region?

5. Is there scope for greater Kashmiri autonomy within India, and if so, what powers would be devolved to the state level?