

## Box 2.1 India-Pakistan

While the past year has seen several positive developments in the decades-long dispute between India and Pakistan over Kashmir, new and traditional sources of tension continue to plague the contested region. The UN Military Observer Group in India and Pakistan (UNMOGIP), the second oldest UN peacekeeping mission, continues to operate within its limited mandate while it awkwardly finds itself a focus of separatist activity in Indian-controlled Kashmir.

Since 1949, UNMOGIP has been monitoring the cease-fire line established by the Karachi Agreement, which separates the Pakistani- and Indian-controlled areas of Kashmir, a disputed territory over which three armed conflicts have been waged since the end of British rule in 1947. The 1972 Simla Agreement established the current line of control (LOC), which differs only slightly from the original 1949 cease-fire line. Since then, UNMOGIP has monitored the LOC and is mandated to engage in patrols, inspections, and investigations of alleged violations of the line. The mission may also perform other field tasks in the area when permitted by both countries. In 2010, Major-General Raul Gloodtdofsky Fernandez of Uruguay was appointed the new head of UNMOGIP.

Since the establishment of the current LOC, India has held that UNMOGIP has no operational role to play in Jammu-Kashmir. It restricts the activities of UN observers on the Indian side of the LOC and provides the mission limited support, though it has allowed UNMOGIP to operate out of its summer office in Indian-controlled Srinagar. Pakistan believes that the mandate still applies and has continued to file complaints with the mission regarding perceived violations of the LOC.

Frequent separatist protests have continued in India-controlled Kashmir,

### UN Military Observer Group in India and Pakistan (UNMOGIP)

• Authorization Date	21 April 1948 (UNSC Res. 47)
• Start Date	1 January 1949
• Chief Military Observer	Major-General Raul Gloodtdofsky Fernandez (Uruguay)
• Budget	\$21.2 million (1 January 2012–31 December 2013)
• Strength as of 31 October 2011	Military Observers: 39 International Civilian Staff: 25 National Civilian Staff: 51

and UNMOGIP headquarters has become a symbol for protesters seeking UN intervention in the dispute, with frequent protest marches and demonstrations taking place in front of the mission's office. Tensions between Indian authorities and rebels remain high, with frequent instances of violence leading to the deaths of both civilians and Indian troops and police. In 2010, India arrested and detained over 300 separatists and imposed a broad curfew in the area.<sup>1</sup> The UN Special Rapporteur for Human Rights visited the country in January 2011 and expressed concern about India's treatment of separatists, citing the "arbitrary application of security laws" in Jammu-Kashmir and the country's hindrance of the work of human rights defenders.<sup>2</sup>

While there have been no recent hostilities between Indian and Pakistani forces, a number of Indian soldiers and separatist rebels have lost their lives in clashes near the LOC over the past year. India says it regularly intercepts Islamist rebels sneaking into Indian-held territory, but Pakistan denies allegations that it assists insurgents in their passage across the de facto border. There is longstanding speculation in India that some segments of the Pakistani government

have been actively encouraging the rebellion against Indian authorities.

While Indian forces killed over a hundred Kashmiris in a two-month span in 2010, the summer of 2011 was much less violent, with tourists returning and protests diminishing. India's revised training for security forces, improved governance, greater communication with Kashmiri civilians, and renewed dialogue with Pakistan are seen as contributing to these positive developments.

Despite new tensions raised by bomb attacks in Mumbai in early July 2011, the Indian and Pakistani foreign ministers met later that month and agreed to a set of small but significant policy changes regarding Kashmir that ease LOC crossings as well as the permit process for tourists and religious pilgrims. Shortly thereafter, gunfights between Indian soldiers and Kashmiri rebels near the LOC added to the long list of fatalities in this conflict. Recent bilateral developments may give renewed hope that a solution can be reached, but without serious progress toward substantive negotiations, it appears that little will change in a dispute that has persisted for over sixty years.

Notes: 1. Amnesty International, "A 'Lawless Law,'" May 2011, <http://www.amnesty.org/en/library/info/ASA20/010/2011/en>.

2. "New Delhi: UN Special Rapporteur on HRDs Margaret Sekagya Expresses Serious Concerns at End of Mission to India," *Frontline*, 24 January 2011, <http://www.frontlinedefenders.org/node/14311>.