

# ICE Case Studies

## War in Kashmir and its Effect on the Environment

**Case Number:76**

**Case Identifier: KASHMIRI**

**Case Name: Conflict and the Environment in Kashmir**

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- [CASE BACKGROUND](#)
- [ENVIRONMENT ASPECT](#)
- [CONFLICT ASPECT](#)
- [ENVIRONMENT OVERLAP CONFLICT](#)
- [RELATED INFORMATION](#)



### **I. CASE BACKGROUND**

#### **1. Abstract**

On 15 August, 1947 when the British relinquished their control over India, the Maharaja of Kashmir, Hari Singh Fogra wanted to preserve the integrity of the state and therefore did not accede to either India or Pakistan.

With the lapse of British regional authority, all the powers reverted to Kashmir. Hence Kashmir became a sovereign state, and section 7 of the Independence Act empowered the ruler to exercise the powers previously held by the British. The Maharaja exercised his newly acquired power to conclude a standstill agreement with India and Pakistan, themselves both newly created sovereign states.

It was Pakistan who first decided to send tribal forces in to make Kashmir's accession a fait accompli. On October 22, 1947 these troops crossed over the bridge of the Jehlum river, entering into state territory.

India treated this as an invasion of Kashmir, giving her the excuse of sending its army to defend Kashmir. On October 26, 1947 the tribal armies were halted by the Indian Army outside of Srinagar. Before sending its army to Kashmir, India

claimed to have secured the instrument of accession from the Maharaja. Obviously a contentious issue for Kashmiris who were not consulted on such an accession.

### ***Indian Promises***

The Indian government, allegedly aware of the undemocratic nature of the instrument they used to justify their presence in Kashmir, quickly promised Kashmiris and the United Nations; that as soon as peace was restored in the region it would allow the people to exercise their right to pursue self-determination.

In a letter to the Maharaja of Kashmir, on October 27, 1947 the Governor Lord Mountbatten wrote: "*It is my government's wish that, as soon as law and order have been restored to Kashmir...the question of the state's accession should ! be settled by referendum.*" This was reinforced by Pandit Jawahir Lal Nehru, who in a broadcast to his nation on November 2, 1947 said: "*We made a condition that the accession would have to be considered by the people of Kashmir...We are prepared, when peace and law have been established, to have a referendum held under international auspices like the United Nations.*" Unfortunately, such a day has yet to come for Kashmir and hostility and violence continues to plague this explosive region of the world.

## **2. Brief Historical Description**

Up to 1325: Ruled by 155 Rajas independent and sovereign 1325 to 1585: Muslim Sultans independent and sovereign (1420 to 1470)"Golden period of Kashmir history"

### **Periods of Occupation and Military Confrontations**

- 1586 to 1752: Mughal Rule
- 1752 to 1819: Tyrannical Afghan Rule
- 1819 to 1846: Colonized by Sikhs
- 16 March 1846: British sold Kashmir to Dogras
- 1846 to 1947: Ignoble Dogra Rule
- 15 August 1947: Partition of British India Indo-Pak war to gain control over the territory of Kashmir
- 22 Oct.1947 : Tribal Invasion of Kashmir
- 24 Oct. 1947: Provisional Govt. of Azad Kashmir proclaimed
- 27 Oct. 1947: Indian military invasion of Kashmir
- Indo-Pak War: Cease-fire achieved 1 Jan, 1949.

### **History**

Reliable sources trace the history of Kashmir only to the seventh century, although it is known that in the second century Kashmir was annexed by Emperor Kanishka

and became a part of the Kushan Empire, later a part of China. For a period of over a thousand years the country despite its exploitation, was independent and flourishing. The long history of independence was however broken over two hundred and fifty years ago when in 1752 Afghans established their rule over Kashmir.

Afghan occupation was followed in 1819 by the brutally oppressive rule by the Sikhs of neighboring Punjab. In 1846 the Sikhs were defeated by the British and therefore had to relinquish their hold over Kashmir.

On 16 March, 1846 Kashmir and all the mountainous country east of the river Indus and west of the river Ravi which had been ceded to the British government by the Sikhs by the way of indemnity was handed over to the Maharaja "Gulab Singh Dogra and the male heirs of his body" in exchange for three-quarters of a million pounds sterling paid down, and an annual tribute of one horse, twelve goats and six pairs of shawls. Between 1846 - 1947 known as the Dogra period, the state of Jammu and Kashmir including Ladakh, Baltistan and Gilgit were ruled by the Maharajas of the Dogra dynasty.

Despite local resistance the Dogras ruled Kashmir -as an independent princely state - till 1947 when events in the Indian subcontinent overtook the events in Kashmir.

In 1947 the British relinquished their control over India, the newly created republics of India and Pakistan both vied for control over Kashmir. In the military conflict that followed one third (37%) of the Kashmir's territory was occupied by Pakistan and the rest (63%) by India.

India to justify her control over the territory persuaded its Dogra ruler Maharaja Hari Singh to sign a temporary instrument of accession . In doing so the Maharaja did not consult the people of Kashmir. The Indian government foresaw the trouble that would certainly arise from the undemocratic nature of the instruments used and so promised the Kashmiris and the United Nations that as soon as peace is restored in the region it will allow the people to exercise their right of self-determination. Half a century on, the people of Kashmir are still waiting for India to honor those commitments.

### **3. Duration**

The triangular war between India, Pakistan and Kashmir has been ongoing since 1947. The severity has only become worse in recent years and will continue to worry the international community as unstable countries like Kashmir are capable of acquiring nuclear, chemical and biological weapons capabilities.

### **4. Location**

Kashmir is located in the heart of south-central Asia amongst the most populated countries of the world. It shares a border with China, Afghanistan, India and Pakistan

## 5. Actors

- Security forces occupying Kashmir est. at nearly 600,000-Regular Army 6 divisions
- Para-militaries
- Border Security Forces (BSF)
- Central Reserve Police Force (CRPF)
- Kashmiri Police (50,000) disaffected and disarmed
- Rashtrya Rifles
- Government floated militant organizations



## II. ! Environment Aspects

### 6. Type of Environmental Problem

Kashmir has many problems with its environments stability but two of the most pressing issues are species survival and ecological imbalance.

#### Species Preservation

Kashmir once known as "paradise on earth," home to vast wildlife reserves including some species so rare they existed only in Kashmir, are now quickly falling victim to the desolation which has encompassed much of this piece of land. Rare species like the Snow Leopard frequently hunted by military officials and poachers for its precious skin and teeth has now almost become extinct. Similarly, the world famous Kashmiri Otter are now rarely seen in the valley.

The massive deployment of Indian armies on the borders of Kashmir in 1947, resulted in large scale poaching as the troops living in the border areas indulged in killing rare species like the Ibex, Blue Sheep, Urian, the big horned sheep, Antelope and Snow Leopard. At first, the soldiers were killing the animals for food needs but when the poorly paid soldiers realized how valuable the animal furs and skins were, in the international markets, they started to slaughter the Kashmiri animals with much greater zeal. The consequence has been that some of the rare species like the Snow Leopard, Flying Squirrel and Long Tailed Himalayan Marmot have been pushed to being on the verge of extinction.

Kashmiri stag or Hangul is now only spotted in the northern regions of Kashmir Valley and its overall population has been reduced to less than 300. According to

the state wildlife department no Hangul's have been sighted between 1991-1994 in their usual habitat, "the winter zone."

Barking Deer, Cheetal, Nilgai, Musk Deer, Himalayan Black Bear, Shapu, Ibex, Blue Sheep, Marmot and Lynz may soon become extinct if their unrestricted slaughter is not checked.

The wildlife population throughout the valley is rapidly declining because of extensive areas of deforestation resulting in the loss of natural habitat for wildlife. For the past seven years widespread use of high velocity rifles by security forces in villages and forests surrounding the Himalayan Valley in their pursuit to apprehend the Kashmiri Freedom Fighters, have further added to the total loss of species lives lost in an already precarious situation.

Over 300 species of birds which included Pheasants, Quills, Partridges, Vultures, Kites, Eagles and a large number of colorful birds, all of which use to reside in the lush forests of Kashmir have virtually disappeared. Today those forests stand naked and void of any visible sign of bird life. Along with loss of forest, Kashmir has also lost a number of wildlife sanctuaries. A rich variety of birds, Ducks, Geese, Cranes, Crows, Terns and water-fowls however still nest in the wetlands, lakes and streams in Kashmir.

At this time there is no effective legislation in force to prevent environmental and ecological damage which is being inflicted upon the natural resources of this beautiful Himalayan country by the presence of military forces and constant fighting.

### **Ecological Imbalance**

Kashmir's ecological balance has been severely disturbed as a result of unabated environmental destruction over a period of nearly five decades. Permanent snowfall on mountains has receded, average temperatures in the valley have risen and the amount of rain and snowfall has significantly diminished. The combined effect of deforestation and mismanagement of water resources has resulted in soil erosion which is responsible for frequent flash floods now seen in the state of Jammu and Kashmir.

Major lakes and rivers in Kashmir harbor serious diseases due to lack of maintenance, neglect and pollution. Dal Lake, one of the world's largest natural lakes housing hundreds of floating house boats and home for vast reserves of aquatic life is rapidly shrinking in size. Compared to 15 years ago, the changes which have taken place in the Dal Lake are shocking and drastic in proportion. According to a study done recently by a group of experts from India, a new vegetation in the form of a mysterious red weed seen on the periphery of the lake is an indicator of serious degree of pollution.

A non-existent sewage and drainage system is just one of the examples poor rule in Kashmir. As a result, raw sewage can be seen in the city centers of the valley. There is only one main road the national highway linking Delhi with Kashmir, which has remained in an urgent state of repair. Most of the valley is inter-linked with tiny poorly constructed mud roads, superficially covered with tarmac in need of constant repairs.

Srinagar, the capital of Kashmir although surrounded by lakes, streams, rivers and mountains even lacks a clean drinking water supply for its domestic use! An appallingly high infant mortality of 1 in 5 due to common infections diseases like gastroenteritis and other water born infections are directly related to unclean water supplies throughout the valley. Forty percent of all illness are related to polluted water supplies, resulting into frequent outbreaks of ineffective hepatitis, gastroenteritis, poliomyelitis, typhoid and cholera.

Telecommunication facilities have barely existent. Making local telephone calls can even be extremely difficult. Post offices have barely received or delivered any mail for the past six years. Electric capabilities are always unpredictable in winter months. Blackouts are commonly experienced for weeks at a time. It is surely a desperate situation.

## **7. Type of Habitat**

Tropical

## **8. Act and Harm Sites:**

Action Site and Harm Site are both Kashmir



## **III. Conflict Aspects**

### **9. Type of Conflict**

Intrastate

### **10. Level of Conflict**

High

### **11. Fatality Level of Dispute (military and civilian fatalities)**

#### **Kashmiris Human Rights Abuse Figures From January 1997**

- 52,000- Kashmiris killed most of them between the age of 15-35

- 26,225- Seriously injured
- 50,000- Imprisoned without trial
- 47,000- Forced to leave Kashmir
- 11,000- Women widowed
- 800- Summarily executed since 1992
- 6- Human rights activists assassinated
- 8- Journalists assassinated
- 31,000- Shops / houses / schools burnt or destroyed
- 175,000- Kashmiris (Hindus and Muslims) made homeless and destitute through systematic acts of wanton destruction and arson by Indian occupation forces in Kashmir since 1989.

*(Figures from Human Rights Organizations, Media, Hospital records and Voluntary organizations)* Official figures say more than 20,000 have been killed in Kashmir since early 1990.



### **III. Environment and Conflict Overlap**

#### **12. Environment-Conflict Link and Dynamics:**

#### **13. Level of Strategic Interest**

Global

#### **14. Outcome of Dispute:**

Stalemate

Currently, as of April 16, 1998 there are talks being organized with the intent of resolving the disputes between the three regions although it is still a very unstable agreement to re-establish a dialogue.



### **IV. Related Information and Sources**

#### **15. Related ICE Cases**

#### **16. Relevant Websites and Literature**

