

United Nations Military Observer Group in India and Pakistan (UNMOGIP)

December 21, 2020

In news

Recently, Pakistan Foreign ministry said that it has taken up the “attack” by India on the United Nations Military Observer Group in India and Pakistan (UNMOGIP) Observers and their vehicle along the LoC with the UN, urging it to initiate a transparent investigation into the incident.

India's response

India rejected Pakistan's allegations regarding Indian forces targeting a UN vehicle and called them “incorrect and false”, and asked Islamabad to “responsibly investigate its lapses”.

The Ministry of External Affairs spokesperson said that instead of repeating baseless and fabricated allegations against India to cover up its own failure in ensuring the safety and security of UN personnel in territory under its control, Pakistan should responsibly investigate its lapses. India has conveyed its findings and views on these misrepresentations to the Pakistani side

About United Nations Military Observer Group in India and Pakistan (UNMOGIP)

Background

The first team of unarmed military observers, who eventually formed the nucleus of the United Nations Military Observer Group in India and Pakistan (UNMOGIP), arrived in the mission area in January 1949 to supervise, in the State of Jammu and Kashmir, the ceasefire between India and Pakistan, and to

assist the Military Adviser to the United Nations Commission for India and Pakistan (UNCIP), established in 1948 by Security Council resolutions 39 and 47.

Mandate of UNMOGIP

- Following the India-Pakistan hostilities at the end of 1971 and a subsequent ceasefire agreement of 17 December of that year
- **The tasks of UNMOGIP have been to observe, to the extent possible, developments pertaining to the strict observance of the ceasefire of 17 December 1971 and to report thereon to the Secretary-General.**
- The tasks of the observers, as defined by the Military Adviser, were to accompany the local authorities in their investigations, gather as much information as possible, and report as completely, accurately and impartially as possible.
- Any direct intervention by the observers between the opposing parties or any interference in the armies' orders was to be avoided.
- To fulfill the UNMOGIP mandate, **military observers conduct field tasks (area recce, field trip, field visit and observation post) along the Line of Control.**
- As part of the 1949 Karachi Agreement, **UNMOGIP also conducts investigations into alleged ceasefire violation complaints,** which the two parties can submit to the Mission.
- The findings of the investigations are shared with the Secretary-General and a summary of investigations with the two parties.

India's policy towards UNMOGIP

- In July 1972, India and Pakistan signed an agreement defining a Line of Control in Kashmir which, with minor deviations, followed the same course as the ceasefire line established by the Karachi Agreement in 1949.

- **India took the position that the mandate of UNMOGIP had lapsed**, since it related specifically to the ceasefire line under the Karachi Agreement. Pakistan, however, did not accept this position.
- **Since the Simla Agreement of 1972, India has adopted a non-recognition policy towards third parties in their bilateral exchanges with Pakistan** over the question regarding the state of Jammu and Kashmir.
- The military authorities of Pakistan have continued to lodge alleged ceasefire violations complaints with UNMOGIP.
- The military authorities of India have lodged no complaints since January 1972 limiting the activities of the UN observers on the Indian-administered side of the Line of Control, though they continue to provide necessary security, transport and other services to UNMOGIP.
- Given the disagreement between the two parties over UNMOGIP's mandate and functions, the Secretary-General's position has been that UNMOGIP could be terminated only by a decision of the Security Council.
- In the absence of such an agreement, UNMOGIP has been maintained with the same arrangements as established following December 1971 ceasefire