

**The UN Resolution
On
Jammu & Kashmir**

PREFACE

The state of Jammu & Kashmir is a heart of Asia, with historical links to both South and Central Asia. Surrounded by Pakistan, Afghanistan, China and India its area is 86,000 square miles, more than three times the size of Belgium, the Netherlands and Luxembourg combined. Kashmir is also larger than 87 sovereign countries. The Kashmir dispute was first brought to the United Nations by India in 1948, the Security Council. The United Nation Security Council passed several resolutions for the final disposition of State of Jammu and Kashmir in accordance with the “will of the people” to be expressed through a “fair and impartial plebiscite” under the “auspices of United Nations” India continues to defy the implementation of Un resolution while Pakistan and Kashmir’s demands their implementation .

In this booklet, some resolution passed by UN Security Council on Kashmir are reproduced hereunder:

Raja Muhammad Sajjad Khan

CONTENTS

		Page
I.	Resolution 38(1948) adopted by the Security Council at its 229 th Meeting held on 17 January 1948.....	1
II.	Resolution 39(1948) adopted by the Security Council at its 230 th Meeting held on 20 January 1948.....	2
III.	Draft Resolution presented by the President of the Security Council and the Reporter on 6 February 1948.....	5
IV.	Resolution 47(1948) adopted by the Security Council at its 286 th Meeting held on 21 April 1948.....	8
V.	Resolution 51(1948) adopted by the Security Council at its 312 th Meeting held on 3 June 1948.....	16
VI.	Resolution adopted by United Nations Commission for India and Pakistan on 13 August 1948.....	17
VII.	Resolution adopted by the United Nation Commission for India and Pakistan on 5 January 1949.....	21
VIII.	Proposal in respect of Jammu and Kashmir made by General A.G.L. Mc Naught on President of the Security Council of the United Nations on 22 December 1949..... 25	
IX.	Resolution 80(1950) adopted by the Security Council at its 470 th Meeting held on 14 March 1950.....	30
X.	Resolution 91(1951) adopted by the Security Council at its 539 th Meeting held on 30 March 1951.....	34
XI.	Resolution 96(1951) adopted by the Security Council at its 566 th Meeting held on 10 November 1951.....	39
XII.	Resolution 98(1952) adopted by the Security Council at its 611 th Meeting held on 23 December 1952.....	41
XIII.	Resolution 122(1957) adopted by Security Council at its 765 th Meeting held on 24 January 1957.....	43
XIV.	Draft Resolution presented by Australia, Cuba, U.K and U.S.A on 14 February 1957.....	44
XV.	Resolution 123(1957) adopted by Security Council at its 774 th Meeting held on 21 February 1957.....	46
XVI.	Draft Resolution presented by Australia, Colombia, Philippines on 16 November 1957.....	47
XVII.	Resolution 126(1957) adopted by Security Council at its 880 th Meeting held on 2 December 1957.....	49
XVIII.	Draft Resolution submitted by Ireland to the Security Council on June22 1962.....	51
XIX.	Statement of the President of the Security Council (French Representative) made on the 18 th May 1964 at the 1117 th Meeting of the Council (Document No. S/PV.117. Dated the 18 May 1964) Summarizing the conclusion of the debate on Kashmir	53
XX.	Resolution 209(1965) adopted by Security Council at its 1237 th Meeting held on 4 September 1965.....	55
XXI.	Resolution 210(1965) adopted by Security Council at its 1238 th Meeting held on 6 September 1961.....	56

XXII.	Resolution 211(1965) adopted by Security Council at its 1242 th Meeting held on 20 September 1965.....	57
XXIII.	Resolution 214(1965) adopted by Security Council at its 1245 th Meeting held on 27 September 1965.....	59
XXIV.	Resolution 215(1965) adopted by Security Council at its 1251 th Meeting held on 5 November 1965.....	60
XXV.	Resolution 303(1971) adopted by Security Council at its 1606 th Meeting held on 6 December 1971.....	62
XXVI.	Question considered by the Security Council at its 1606 th ,1607 th and 1608 th Meeting held on 4,5 and 6 Dec.1971.....	63
XXVII.	Resolution 307(1971) adopted by Security Council at its 1616 th Meeting held on 21 December 1971.....	65

I. *RESOLUTION 38 (1948) SUBMITTED BY THE REPRESENTATIVE OF BELGIUM AND ADOPTED BY THE SECURITY COUNCIL AT ITS 229th MEETING HELD ON 17th JANUARY 1948. (DOCUMENT NO. S/65I, DATED THE 17TH JANUARY, 1948).

THE SECURITY COUNCIL,

Having heard statements on the situation in Kashmir from representatives of the Governments of India and Pakistan,

Recognizing the urgency of the situation,

Taking note of the telegram addressed on 6th January by its President to each of the parties and of their replies thereto; and in which they affirmed their intention to conform to the Charter of the United Nations.

1. *Calls upon* both the Government of India and the Government of Pakistan to take immediately all measures within their power (including public appeals to their people) calculated to improve the situation, and to refrain from making any statements and from doing or causing to be done or permitting any acts which might aggravate the situation;

2. *Further requests* each of those Governments to inform the Council immediately of any material change in the situation which occurs or appears to either of them to be about to occur while the matter is under consideration by the Council, and consult with the Council thereon.

*The Security Council voted on this Resolution on 17-1-48 with the following result:

In favour: **Argentina, **Belgium, **Canada, China, **Columbia, France, **Syria, U.K and USA.

Against: none

Abstaining: Ukrainian S.S.R. and U.S.S.R.

**Non-Permanent Members of the Security Council

II *RESOLUTION 39 (1948) SUBMITTED BY THE REPRESENTATIVE OF BELGIUM AND ADOPTED BY THE SECURITY COUNCIL AT ITS 230th MEETING HELD ON 20 JANUARY, 1948. (DOCUMENT NO. S/654, DATED THE 20TH JANUARY, 1948).

THE SECURITY COUNCIL

Considering that it may investigate any dispute or any situation which might, by its continuance, endanger the maintenance of international peace and security, and that, in the existing state of affairs between India and Pakistan, such an investigation is a matter of urgency,

Adopts the following resolution:

- A. A Commission of the Security Council is hereby established, composed of representatives of three Members of the United Nations, one to be selected by India, one to be selected by Pakistan, and the third to be designated by the two so selected. Each representative on the Commission shall be entitled to select his alternates and assistants.
- B. The Commission shall proceed to the spot as quickly as possible. It shall act under the authority of the Security Council and in accordance with the directions it may receive from it. It shall keep the Security Council currently informed of its activities and of the development of the situation. It shall report to the Security Council regularly, submitting its conclusions and proposals.

*The Security Council voted on this Resolution on 20-1-1948 with the following result:

In favour: **Argentina, **Belgium, **Canada, China, **Columbia, France, **Syria, U.K. and U.S.A

Against: None

Abstaining: Ukrainian S. S. R. and U. S. S. R.

**Non-Permanent Members of the Security Council.

C The Commission is invested with a dual function; (1) to investigate the facts pursuant to Article 34 of the Charter of the United Nations;

(2) To exercise, without interrupting the work of the Security Council, any mediatory influence likely to smooth away difficulties, to carry out the directions given to it by the Security Council; and to report how far the advice and directions, if any, of the Security Council, have been carried out.

D. The Commission shall perform the functions described in Clause C: (1) in regard to the situation in the Jammu and Kashmir State set out in the letter of the Representative of India addressed to the President of the Security Council, dated 1st January 1948, and in the letter from the Minister of Foreign Affairs of Pakistan addressed to the Secretary-General, dated 15 January 1948; and (2) in regard to other situations set in the letter from the Minister of Foreign Affairs of Pakistan addressed to the Secretary-General, dated 15 January 1948, when the Security Council so directs.

E. The Commission shall take its decision by majority vote. It shall determine its own procedure. It may allocate among its members, alternate members, their assistants, and its personal such duties as may have to be fulfilled for the realization of its mission and the reaching of its conclusions.

F. The Commission, its members, alternate members, their assistants, and its personal, shall be entitled to journey, separately or together, wherever the necessities of their task may require, and in particular within those territories which are the theater of the events of which the Security Council is seized.

G. The Secretary-General shall furnish the Commission with such personnel and assistance as it may consider necessary.

III ***DRAFT RESOLUTION PRESENTED BY THE PRESIDENT (CANADA) OF THE SECURITY COUNCIL AND THE RAPORTEUR (BELGIUM) ON 6 FEBRUARY, 1948** (DOCUMENT NO. 667, DATED THE 10TH FEBRUARY, 1948).

THE SECURITY COUNCIL

1. *Having considered the* claims and allegations of India and Pakistan expresses the conviction that a peaceful settlement of the dispute about the accession of Jammu and Kashmir will best promote the interests of the peoples of Jammu and Kashmir of India, and of Pakistan.

2. *Considers* that it is urgent and important to stop acts of violence and hostility in Jammu and Kashmir and to decide the question of whether the State of Jammu and Kashmir shall accede to Pakistan or to India by the democratic method of a plebiscite to be held, as recognized by the parties, under the auspices of the United Nations to ensure complete impartiality.

3. *Believes* that the joint action of the Governments of India and Pakistan is required to carry out the purposes set forth below:

*This draft resolution was considered by the Security Council on 10th and 11th February, 1948, but was not put to vote. Subsequent]y, a Joint Draft Resolution was introduced by the Representatives of Belgium. Canada, China, Columbia, United Kingdom and the United States of America and its amended version (Doc. No S/726) was adopted by the Security Council on 21-4-1948, vide Resolution No 47 (1948)

4. Alternative A

Takes note with satisfaction that both Governments, in seeking a solution by negotiation under the auspices of the Council, have agreed to cooperate with each other and with the Council in developing specific proposals, and to this end, to apply the following principles which, in the opinion of the Council, should among others, constitute the basis of a just settlement;

Alternative B

Appeals, therefore, to both parties, in seeking a solution by negotiation under the auspices of the Council, to cooperate with each other and with the Council in developing specific proposals and, to this end, to apply the following principles which, in the opinion of the Council, should among others, constitute the basis of a just settlement;

- (a) Acts of violence and hostility must end.
- (b) The withdrawal and continued exclusion of all irregular forces and armed individuals who have entered Jammu and Kashmir from outside must be brought about, each party using to that end all the influence at its disposal.
- © Regular armed forces in aid of the establishment and maintenance of order must be made available. In this connection the Governments should seek to ensure cooperation between their military forces to establish order and security until the question of accession shall have been determined by the plebiscite.
- (d) Regular armed forces must be withdrawn as soon as re-establishment of law and order permits.
- (e) After acts of violence and hostility have ceased, all citizens of the Jammu and Kashmir State, who had left on account of the recent disturbances, shall be invited and be free to return to their homes and to exercise all their rights without any restrictions on legitimate political activity. There shall be no victimization. All political prisoners should be released.
- (f) The conditions necessary for a free and fair plebiscite on the question of whether the State of Jammu and Kashmir shall accede to India or to Pakistan, including an interim administration which will command confidence and respect of the people of the State of Jammu and Kashmir must be established.
- (g) Such conditions include that the plebiscite must be organized, held and supervised under the authority of the Security Council at the earliest possible date.

IV. *RESOLUTION 47 (1948) ON THE INDIA-PAKISTAN QUESTION SUBMITTED JOINTLY BY THE REPRESENTATIVE FOR BELGIUM,CANADA,CHINA,COLOMBIA,THE UNITED KINGDOM AND UNITED STATES OF AMERICA AND ADOPTED BY THE SECURITY COUNCIL AT ITS 286th MEETING HELD ON 21st APRIL, 1948 (DOCUMENT NO. S/726, DATED THE 21st APRIL, 1948).

THE SECURITY COUNCIL

Having considered the complaint of the Government of India concerning the dispute over the state of Jammu & Kashmir, having heard the representative of India in support of that complaint and the reply and counter complaints of the representative of Pakistan.

Being strongly of opinion that the early restoration of peace and order in Jammu & Kashmir essential and that India and Pakistan should do their utmost to bring about cessation of all fighting,

Nothing with satisfaction that both India and Pakistan desire that the question of the accession of Jammu and Kashmir to India or Pakistan should be decided through the democratic method of a free and impartial plebiscite,

Considering that the continuation of the dispute is likely to endanger international peace and Security,

Reaffirms its resolution 38 (1948) of 17 January 1948,

*The Security Council voted on this Resolution on 01-1948 with the following result:-

In favour ** Argentina. ** Canada, China, France **Syrria,U.K.,and U.S.A

Against: None.

Abstaining ** Belgium,**Colombia **Ukrainian S.S.R.,and U.S.SR.

**None-Permanent Members of the Security Council.

Resolves that the membership of the commission established by its resolution 39 (1948) of 20 January 1948, shall be increased to five and shall include, in addition to the membership mentioned in that Resolution, Representatives of ...and ..and ,that if the membership of the Commission has not been completed within ten days from the date of the adoption of this resolution the President of the Council may designate such other Member or Members of the United Nations as are required to complete the membership of five,

Instructs the Commission to proceed at once to the India subcontinent and there place its good offices and mediation at the disposal of the Governments of India and Pakistan with a view to facilitating the taking of the necessary measure, both with respect to the restorations, of peace and order and to the holding of a plebiscite by the two Governments acting in co-operation with one another and with the commission and further instructs the Commission to keep the Council informed of the action taken under the resolutions: and to this end,

Recommends to the Governments of India and Pakistan the following measures as those which in the opinion of the Council and appropriate to bring about a cessation of the fighting and to create proper conditions for a free and impartial plebiscite to decided whether the state of Jammu and Kashmir is to accede to India or Pakistan.

A__RESTORATION OF PEACE AND ORDER

1. The Government of Pakistan should undertake to use its best Endeavour's:
 - (a) To secure the withdrawal from the state of Jammu and Kashmir of tribesmen and Pakistan nationals not normally resident therein who have entered the state for the purposes of fighting, and to prevent any intrusion into the state of such elements and any furnishing of material aid to those fighting in the state;
 - (b) To make Known, to all concerned that the measures indicate in this and the following paragraphs provide full freedom to all subjects of the state, regardless of creed ,cast, or party to express their views and to vote on the question of the accession of the state, and that therefore they should co-operate in the maintenance of peace and order.

2. **The Government of India should:**
 - (a) When it is established to the satisfaction of the Commission set up in accordance with the Councils Resolution 39 (1948) that the tribesmen are withdrawing and that arrangement for the cessation of the fighting have become effective, put into operation in consultation with the Commission a plan for withdrawing their own forces from Jammu and Kashmir and reducing them progressively to the minimum strength required for the support of the civil power in the maintenance of law and order;

(b) Make Know that the withdrawal is taking place in stages and announce the completion of each stage;

(c) When the Indian forces shall have been reduced to the minimum strength mentioned in (a) above, arrange in consultation with the Commission for the stationing of the remaining force to be carried out in accordance with the following Principles:

(i) That the presence of troops should not afford any intimidation or appearance of intimidation to the inhabitants of the state;

(ii) That as small a number as possible should be retained in forward areas;

(iii) That any reserve of troops which may be included in the total strength should be located within their present base area.

3. The Government of India should agree that until such time as the plebiscite administration referred to below finds it necessary to exercise the powers of direction and supervision over the state force and police provided for in Paragraph 8, they will be held in areas to be agreed upon with the plebiscite Administrator.

4. After the plan referred to in paragraph 2(a) above has been put into operation, personnel recruited locally in each district should so far as possible be utilized for the re-establishment and maintenance of law and order with due regard to protection of minorities, subject to such additional requirements as may be specified by the plebiscite Administration referred to in Paragraph 7.

5. If these local forces should be found to be inadequate, the Commission, Subject to the agreement of both the Government of India and the Government of Pakistan, should arrange for the use of such forces of either Dominion as it deems effective for the Purpose of Pacification.

B__ PLEBISCITE

6. The Government of India should undertake to ensure that Government of the state in invite the major political groups to designate responsible representatives to share equitably and fully in the conduct of the administration at the ministerial level, while the plebiscite is being prepared and carried out .

7. The Government of India should undertake that there will be established in Jammu and Kashmir a Plebiscite Administrator to hold a Plebiscite as soon as possible on the question of the accession of the state to India or Pakistan.

8. The Government of India should undertake that there will be delegated by the state to the Plebiscite Administration such powers as the latter considers necessary for holding a fair

and impartial plebiscite including, for that purpose only, the direction and supervision of the state forces and police.

9. The Government of India should at the request of the plebiscite Administration, make available from the Indian force such assistance as the plebiscite Administration may require for the performance of its functions.

10. (a) The Government of India should agree that a nominee of the Secretary-General of the United Nations will be appointed to be the plebiscite Administrator.

(b) The plebiscite Administrator, acting as an officer of the state of Jammu and Kashmir, should have authority to nominate the assistants and other subordinates and to draft regulations governing the plebiscite. Such nominees should be formally appointed and such draft regulations should be formally promulgated by the state of Jammu and Kashmir.

(c) The Government of India should undertake that the Government of Jammu and Kashmir will appoint fully qualified persons nominated by the plebiscite Administrator to act as special magistrate within the state judicial system to hear cases with in the opinion of the plebiscite Administrator have a serious bearing on the preparation and the conduct of a free and impartial plebiscite.

(d) The terms of service of the Administrator should from the subject of a separate negotiation between the Secretary-General of the United Nations and the Government of India. The Administrator should fix the terms of service for his assistants and subordinates.

(e) The Administrator should have the right to communicate directly with the Government of the state and with the commission of the Security Council and, through the Commission, with the Security Council, with the government of India and Pakistan and with their representatives with the Commission. It would be his duty to bring to the notice of any or all of the foregoing (as he in his discretion may decide) any circumstance arising which may tend, in his opinion, to interfere with the freedom of the plebiscite.

11. The Government of India should undertake to prevent and to give full support to the Administrator and his staff in preventing any threat, coercion or intimidation, bribery or other undue influence on the voters in the plebiscite, and the Government of India should publicly announce and should cause the Government of the state to announce this undertaking as an international obligation binding on all public authorities and official in Jammu and Kashmir.

12. The Government of the India should themselves and through the Government of the state declare and make known that all subjects of the state of Jammu and Kashmir, regardless of creed, caste or party, will be safe and free in expressing their views and in voting on the question of the accession of the state and that there will be freedom of the Press, speech and assembly and freedom of travel in the State, including freedom of lawful entry and exit.

13. The Government of India should use and should ensure that the Government of the state also use their best Endeavour to effect the withdraw from the state of all Indian nationals other than those who are normally resident therein or who on or since 15th August 1947 have entered it for a lawful purpose.

14. The Government of India should ensure that the Government of the state releases all political prisoners and take all possible steps that:

- (a) all citizen of the state who have left it on account of disturbances are invited and are free to return to their homes and to exercise their rights and such citizens;
- (b) there is no victimization;
- (c) minorities in all parts if the state are accorded adequate protection.

15. The Commission of the Security Council should at end of the plebiscite certify to the Council whether the plebiscite has or has not been really free and impartial.

C _____ GENERAL PROVISIONS

16. The Government of India and Pakistan should each be invited to nominate a representative to be attached to the Commission for such assistance as it may require in he performance of its task.

17. The Commission should establish in Jammu and Kashmir such observers as it may require of any of the proceedings in pursuance of the measures indicated in the foregoing paragraphs.

18. The Security Council Commission should carry out the task assigned to it herein.

- V. *RESOLUTION 51 (1948) ON THE INDIA-PAKISTAN QUESTION SUBMITTED BY THE REPRESENTATIVE OF SYRIA AND ADOPTED BY THE SECURITY COUNCIL AT ITS 312th MEETING HELD ON 3 JUNE, 1948 (DOCUMENT NO.S/819, DATED THE 3rd JUNE, 1948).

THE SECURITY COUNCIL

1. Reaffirms its resolutions 38 (1948) of 17 January, 39 (1948) of 20 January, and 47 (1948) of 21 April, 1948;
2. Directs the United Nations Commission for India and Pakistan to proceed without delay to the areas of dispute with a view to accomplishing in priority the duties assigned to it by the resolution 47 (1948),
3. Directs the Commission further to study and report to the Security Council when it considers appropriate on the matters raised in the letter of Foreign Minister of Pakistan, dated 15th January, 1948, in the order outlined in paragraph D of Council resolution 39 (1948).

*The Security Council voted on this Resolution on 3-6-1948 with the following result -

In favor: **Argentina **Belgium, **Canada, **Columbia, France, **Syria, U. K, and U.S.A

Against: none

Abstaining : China, Ukrainian S. S. R. and U. S . S. R.

** Non-permanent members of the Security Council.

VI. *RESOLUTION ADOPTED BY THE UNITED NATIONS COMMISSION FOR INDIA AND PAKISTAN ON 13 AUGUST 1948. (DOCUMENT NO. S/1100, PARA 75, DATED THE 9th NOVEMBER, 1948).

THE UNITED NATIONS COMMISSION FOR INDIA AND PAKISTAN

Having given careful consideration to the points of view expressed by the Representatives of India and Pakistan regarding the situation in the State of Jammu and Kashmir, and

Being of the opinion that the prompt cessation of hostilities and the correction of conditions the continuance of which is likely to endanger international peace and security are essential to implementation of its endeavors to assist the Governments of India and Pakistan in effecting a final settlement of the situation.

Resolves to submit simultaneously to the Governments of India and Pakistan the following proposal

Part I

CEASE-FIRE ORDER

A The Governments of India and Pakistan agree that their respective High Commands will issue separately and simultaneously a cease- fire order to apply to all forces under their control in the State of Jammu and Kashmir as of the earliest practicable date or dates to be mutually agreed upon within four days after these proposals have been accepted by both Governments.

*The UNCIP unanimously adopted this Resolution on 13-8-1948.

Members of the Commission: Argentina, Belgium, Columbia, Czechoslovakia and U.S.A.

B The High Commands of Indian and Pakistan forces agreed to refrain from taking any measures that might augment the military potential of the forces under their control in the State of Jammu and Kashmir. (For the purpose of these proposals "forces under their control" shall be considered to include all forces organized, and unorganized fighting or participating in hostilities on their respective sides).

- C The Commanders-in-Chief of the Forces of India and Pakistan shall promptly confer regarding any necessary local changes in present dispositions which may facilitate the cease-fire.
- D In its discretions and as the Commission may find practicable, the Commission will appoint military observers who under the authority of the Commission and with the co-operation of both Commands will supervise the observance of the cease-fire order.
- E The Government of India and the Government of Pakistan agree to appeal to their respective peoples to assist in creating and maintaining an atmosphere favorable to the promotion of further negotiations.

PART II

TRUCE AGREEMENT

Simultaneously with the acceptance of the proposal for the immediate cessation of hostilities as outlined in Part I, both Governments accept the following principles as a basis for the formulation of a truce agreement, the details of which shall be worked out in discussion between their Representatives and the Commission.

- A (1)** As the presence of troops of Pakistan in the territory of the State of Jammu and Kashmir constitutes a material change in the situation since it was represented by the Government of Pakistan before the Security Council, the Government of Pakistan agrees to withdraw its troops from that State.
 - (2) The Government of Pakistan will use its best endeavor to secure the withdrawal from the State of Jammu and Kashmir of tribesmen and Pakistan nationals not normally resident therein who have entered the State for the purpose of fighting.
 - (3) Pending a final solution the territory evacuated by the Pakistan troops will be administered by the local authorities under the surveillance of the Commission.
- B (1)** When the Commission shall have notified the Government of India that the tribesmen and Pakistan nationals referred to in Part II A 2 hereof have withdrawn, thereby terminating the situation which was represented by the Government of India to the Security Council as

having occasioned the presence of Indian forces in the State of Jammu and Kashmir, and further, that the Pakistan forces are being withdrawn from the State of Jammu and Kashmir, the Government of India agrees to begin to withdraw the bulk of their forces from the State in stages to be agreed upon with the Commission.

- (2) Pending the acceptance of the conditions for a final settlement of the situation in the State of Jammu and Kashmir, the Indian Government will maintain within the lines existing at the moment of cease-fire the minimum strength of its forces which in agreement with the Commission are considered necessary to assist local authorities in the observance of law and order. The Commission will have observers stationed where it deems necessary.
 - (3) The Government of India will undertake to ensure that the Government of the State of Jammu and Kashmir will take all measures within their power to make it publicly known that peace, law and order will be safeguarded and that all human and political rights will be guaranteed.
- C (1) upon signature, the full text of the Truce Agreement or communiqué containing the principles thereof as agreed upon between the two Governments and the Commission, will be made public.

PART III

The Government of India and the Government of Pakistan reaffirm their wish that the future status of the State of Jammu and Kashmir shall be determined in accordance with the will of the people and to that end, upon acceptance of the Truce Agreement both Governments agree to enter into consultations with the Commission to determine fair and equitable conditions whereby such free expression will be assured.

VII *RESOLUTION ADOPTED AT THE MEETING OF THE UNITED NATIONS COMMISSION FOR INDIA AND PAKISTAN ON 5th JANUARY, 1949. (DOCUMENT NO. 2/1196, PARA 15, DATED THE 10th JANUARY, 1949).

THE UNITED NATIONS COMMISSION FOR INDIA AND PAKISTAN,

Having received from the Governments of India and Pakistan in Communications, dated December 23 and December 25, 1948, respectively their acceptance of the following principles which are supplementary to the Commission's Resolution of August 13, 1948;

1. The question of the accession of the State of Jammu and Kashmir to India or Pakistan will be decided through the democratic method of a free and impartial plebiscite;
 2. A plebiscite will be held when it shall be found by the Commission that the cease-fire and truce arrangements set forth in Parts I and II of the Commission's resolution of 13 August 1948, have been carried out and arrangements for the plebiscite have been completed;
 3. (a) The Secretary-General of the United Nations will, in agreement with the Commission, nominate a Plebiscite Administrator who shall be a personality of high international standing and commanding general confidence. He will be formally appointed to office by the Government of Jammu and Kashmir.

(b) The Plebiscite Administrator shall derive from the State of Jammu and Kashmir the powers he considers necessary for organizing and conducting the plebiscite and for ensuring the freedom and impartiality of the Plebiscite.

(C) The Plebiscite Administrator shall have authority to appoint such staff or assistants and observers as he may require.
 - 4 (a) After implementation of Parts I and II of the Commission's resolution of 13 August 1948, and when the Commission is satisfied that peaceful conditions have been restored in the State, the Commission and the Plebiscite Administrator will determine, in consultation with the Government of India, the final disposal of Indian and State armed forces, such disposal to be with due regard to the security of the State and the freedom of the plebiscite.
-

(b) As regards the territory referred to in A 2 of Part II of the resolution of 13 August, final disposal of the armed forces in that territory will be determined by the Commission and the Plebiscite Administrator in consultation with the local authorities.

- 5 All civil and military authorities within the State and the principal political elements of the State will be required to co-operate with the Plebiscite Administrator in the preparation for and the holding of the plebiscite.
- 6 (a) All citizens of the State who have left it on account of the disturbances will be invited and be free to return and to exercise all their rights as such citizens. For the purpose of facilitating repatriation there shall be appointed two Commissions, one composed of nominees of India and the other of nominees of Pakistan.

The Commissions shall operate under the direction of the Plebiscite Administrator. The Governments of India and Pakistan and all authorities within the State of Jammu and Kashmir will collaborate with the Plebiscite Administrator in putting this provision to effect.

(b) All persons (other than citizens of the State) who on or since 15 August 1947, have entered it for other than lawful purpose, shall be required to leave the State.

- 7 All authorities within the State of Jammu and Kashmir will undertake to ensure in collaboration with the Plebiscite Administrator that:
 - (a) There is no threat, coercion or intimidation, bribery other undue influence on the voters in plebiscite;
 - (b) No restrictions are placed on legitimate political activity throughout the State. All subjects of the State, regardless of creed, caste or party, shall be safe and free in expressing their views and in voting on the question of the accession of the State to India or Pakistan. There shall be freedom of the Press, speech and assembly and freedom of travel in the State, including freedom of lawful entry and exit;
- (c) All political prisoners are released;
- (d) Minorities in all parts of the State are accorded adequate protection; and
- (e) There is no victimization.

- 8 The Plebiscite Administrator may refer to the United Nations Commission for India and Pakistan problems on which he may require assistance, and the Commission may in its discretion call upon the Plebiscite Administrator to carry out on its behalf any of the responsibilities with which it has been entrusted;
- 9 All the conclusion of the plebiscite the Plebiscite Administrator shall report the result thereof to the Commission and to the Government of Jammu and Kashmir. The Commission shall then certify to the Security Council whether the Plebiscite has or has not been free and impartial;
- 10 Upon the signature of the truce agreement the details of the foregoing proposals will be elaborated in the consultation envisaged in Part III of the Commission's resolution of 13 August 1948. The Plebiscite Administrator will be fully associated in these consultations;

Commends the Governments of India and Pakistan for their prompt action in ordering a cease-fire to take effect from one minute before midnight of first January 1949, pursuant to the agreement arrived at as provided for by the Commission's resolution of 13 August 1948; and

Resolves to return in the immediate future to the sub-continent to discharge the responsibilities imposed upon it by the resolution of 13 August 1948, and by the foregoing principles.

**VIII. PROPOSAL IN RESPECT OF JAMMU AND KASHIR MADE BY GENERAL A.G.L. Mc Naughton
PRESIDENT OF THE SECURITY COUNCIL OF THE UNITED NATIONS, PURSUANT TO THE DECISION
OF THE SECURITY COUNCIL TAKEN AT ITS 457th MEETING, ON 22 DECEMBER, 1949.**

1. The principal considerations underlying the following proposals of the President of the Security Council of the United Nations are:
 - (a) To determine the future of Jammu and Kashmir by the democratic method of the free and impartial plebiscite, to take place as early as possible;
 - (b) Thus to settle this issue between the Governments of India and Pakistan in accordance with the freely expressed will of the inhabitants, as is desired by both Governments:
 - (c) To preserve the substantial measure of agreement of fundamental principles which has already been reached between the two Governments under the auspices of the United Nation.
 - (d) To avoid unprofitable discussion of disputed issues of the past, and to look forward into the future towards the good-neighborly and constructive cooperation of the two great nations.

DEMILITARISAZTION PREPARATORY TO THE PLEBISCITE

2. There should be an agreed programme of progressive demilitarization, the basic principle of which should be the reduction of armed forces on either side of the Cease-Fire Line by withdrawal, disbandment and disarmament in such stages as not to cause fear at any point of time to the people on either side of the Cease-Fire Line. The aim should be to reduce the armed personnel in the State of Jammu and Kashmir on each side of the Cease-Fire Line to the minimum compatible with the maintenance of security and of local law and order, and to a level sufficiently low and with the forces so disposed that they will not constitute a restriction on the free expression of opinion for the purposes of the plebiscite.
 - (a) The programme of demilitarization should include the withdrawal from the State of Jammu and Kashmir of the regular forces of Pakistan and the withdrawal of the regular forces of India not required for purposes of security or for the maintenance of local law and order on the Indian side of the Cease-Fire Line: also the reduction, by disbanding and disarming of local forces, including on the one side the Armed Forces and Militia of the State of Kashmir and on the other, the Azad Forces.

- (b) The "Northern Area" should also be included in the above programme of demilitarization, and its administration should, subject to United Nations supervision, be continued by the existing local authorities.

SUGGESTED BASIS OF AGREEMENT

3. The Governments of India and Pakistan should reach agreement not later than 31 January 1950, in New York on the following points;
- (a) The Government of Pakistan should give unconditional assurance to the Government of India that they will deal effectively within their own borders with any possibility of tribal incursion into Jammu and Kashmir to the end that, under no circumstances, will tribesmen be able unlawfully to enter the State of Jammu and Kashmir from or through the territory of Pakistan. The Government of Pakistan should undertake to keep the senior United Nations military observer informed and to satisfy him that the arrangements to this end are and continue to be adequate.
- (b) The Governments of India and Pakistan should confirm the continued and unconditional inviolability of the "Cease-Fire Line".
- (c) Agreement should be reached on the basic principles of demilitarization outlined in paragraph 2 above.
- (d) Agreement should be reached on the minimum forces required for the maintenance of security and of local law and order, and on their general disposition.
- (e) Agreement should be reached on a date by which the reduction of forces, to the level envisaged in paragraph 2 above, is to be accomplished.
- (f) Agreement should be reached on the progressive steps to be taken in reducing and redistributing the forces to the level envisaged in paragraph 2 above.
4. In respect to the foregoing matters, the Governments of India and Pakistan should further agree that a United Nations representative, to be appointed by the Secretary-General of the United Nations in agreement with the two Governments should supervise the execution of the progressive steps in reduction and redistribution of armed forces and that it should be the responsibility of this United Nations representative to give assurance to the people on both sides of the Cease-Fire Line that they have no cause for fear at any stage throughout the process. The United Nations representative should have the duty and authority.
- (a) of interpreting the agreements reached between the parties pursuant to paragraph 3, subparagraphs (c), (d), (e) and (f) above, and

(b) of determining, in consultation with the Governments of India and Pakistan respectively, the implementation of the plan for the reduction and redistribution of armed forces referred to in paragraph 3 (f) above.

5. When the agreed programme of demilitarization preparatory to the plebiscite has been accomplished to the satisfaction of the United Nations representative, the Plebiscite Administrator should proceed forthwith to exercise the functions assigned to him under the terms of UNCIP resolution of 5 January 1949, which, together with UNCIP resolution of 13 August 1948, was accepted by the Governments of India and Pakistan and which are now reaffirmed by these Governments except in so far as the provisions therein contained as modified by the relevant provisions of this document. The functions and powers of the Plebiscite Administrator remain as set forth in UNCIP resolution of 5 January, 1949.
6. The United Nations representative should be authorized to make any suggestions to the Governments of India and Pakistan which, in his opinion are likely to contribute to the expeditious and enduring solution of the Kashmir question, and to place his good offices at their disposal.

XIII. *RESOLUTION 80 (1950) CONCERNING THE INDIA-PAKISTAN QUESTION, SUBMITTED BY THE REPRESENTATIVES OF CUBA, NORWAY, UNITED KINGDOM AND UNITED STATES AND ADOPTED BY THE SECURITY COUNCIL ON MARCH 14th, 1950. (DOCUMENT NO. S/1469), DATED THE 14TH MARCH 1950)

THE SECURITY COUNCIL,

Having received and noted the reports of the United Nations Commission for India and Pakistan establishing its resolutions 39 (1948) of 20th January and 47 (1948) of 21 April 1948,

Having also received and noted the report of General A. G. L. McNaughton on the outcome of his discussions with the representatives of India and Pakistan which were initiated in pursuance of the decision taken by the Security Council on December 17, 1949.

Commending the Governments of India and Pakistan for their statesman like action in reaching the agreements embodied in the United Nations Commissions resolutions of August 13, 1948 and January 5, 1949 for a cease-fire, for the demilitarization of the State of Jammu and Kashmir and for the determination of its final disposition in accordance with the will of the people through the democratic method of a free and impartial plebiscite, and commending the parties in particular for their action in partially implementing these Resolutions by

*The Security Council voted on this Resolution on 14-3-1950 with the following result:-

In favor: China, **Cuba, **Ecuador, **Egypt, France, **Norway, U.K., and U.S.A.

Against: None

Abstaining: India, and Yugoslavia.

Absent: U.S.S.R.

**Non-permanent Members of the Security Council.

1. The cessation of hostilities effected January 1, 1949,
2. The establishment of a cease-fire line on July 27, 1949, and
3. The agreement that Fleet Admiral Chester W. Nimitz shall be Plebiscite Administrator.

Considering that the resolution of the outstanding difficulties should be based upon the substantial measure of agreement of fundamental principles already reached, and that steps should be taken

forthwith for the demilitarization of the State and for the expeditious determination of its future in accordance with the freely expressed will of the inhabitants,

1. Calls upon the Governments of India and Pakistan to make immediate arrangements, without prejudice to their rights or claims and with due regard to the requirements of law and order, to prepare and execute within a period of five months from the date of this resolution a program of demilitarization on the basis of the principles of paragraph 2 of General McNaughton proposal or of such modifications of those principles as may be mutually agreed;
2. Decides to appoint a United Nations Representative for the following purposes who shall have authority to perform his functions in such place or places as he may deem appropriate;
 - (a) to assist in the preparation and to supervise the implementation of the program of demilitarization referred to above and to interpret the agreements reached by the parties for demilitarization;
 - (b) to place himself at the disposal of the Governments of India and Pakistan and to place before those Governments or the Security Council any suggestions which, in his opinion, are likely to contribute to the expeditious and enduring solution of the dispute which has arisen between the two Governments in regard to the State of Jammu and Kashmir;
 - (c) to exercise all of the powers and responsibilities devolving upon the United Nations Commission for India and Pakistan by reason of existing resolutions of the Security Council and by reason of the agreement of the parties embodied in the Resolutions of the United Nations Commission of August 13, 1948 and January 5, 1949;
 - (d) to arrange at the appropriate stage of demilitarization for the assumption by the Plebiscite Administrator of the functions assigned to the latter under agreements made between the parties;
 - (e) to report to the Security Council as he may consider necessary, submitting his conclusions and any recommendations which he may desire to make;
3. Requests the two Governments to take all necessary precautions to ensure that their agreements regarding the cease-fire shall continue to be faithfully observed, and calls upon them to take all possible measures to ensure the creation and maintenance of an atmosphere favorable to the promotion of further negotiations;

4. Extends its best thanks to the members of the United Nations Commission for India and Pakistan and to General A.G. L. McNaughton for their arduous and fruitful labors;
5. Agrees that the United Nations Commission for India and Pakistan shall be terminated, and decides that this shall take place one month after both parties have informed the United Nations representative of their acceptance of the transfer to him of the powers and responsibilities of the United Nations Commission referred to in paragraph 2 (c) above.

IX*RESOLUTION 91 (1951) CONCERNING THE INDIA-PAKISTAN QUESTION SUBMITTED BY THE REPRESENTATIVES OF UNITED KINGDOM AND UNITED STATES AND ADOPTED BY THE SECURITY COUNCIL ON MARCH 30, 1951. (DOCUMENT NO. S/2017/REV. I, DATED THE 30TH MARCH, 1951)

THE SECURITY COUNCIL

Having received and noted the report of Sir Owen Dixon, the United Nations Representative for India and Pakistan on his mission initiated by the Security Council resolution 80 (1950) of March 14, 1950.

Observing that the Governments of India and Pakistan have accepted the provisions of the United Nations Commission for India and Pakistan resolutions of 13 August, 1948 and 5th January, 1949 and have re-affirmed their desire that the future of the State of Jammu and Kashmir shall be decided through the democratic method of a free and impartial plebiscite conducted under the auspices of the United Nations,

Observing that on 27 October, 1950, the General Council of the "All Jammu and Kashmir National Conference" adopted a resolution recommending the convening of a Constituent Assembly for the purpose of determining the "future shape and affiliations of the State of Jammu and Kashmir";

Observing further from statements of responsible authorities that action is proposed to convene such a Constituent Assembly and that the area from which such a Constituent Assembly that the area from which a Constituent Assembly would be elected is only part of the whole territory of Jammu and Kashmir;

* The Security Council voted on this Resolution on 30-3-1951 with the following result:-

In favor: **Brazil, China, **Ecuador, France, **Netherlands, **Turkey, U.K., and U.S.A

Against: None

Abstaining: India, U.S.S.R. and Yugoslavia.

**Non-Permanent Members of the Security Council.

Reminding the Governments and authorities concerned of the principle embodied in its resolutions 47 (1948) of 21 April 1948, 51 (1948) of 3 June 1948 and 80 (1950) of 14 March 1950 and the United Nations Commission for India and Pakistan resolutions of 13 August, 1948, and 5 January, 1949, that the final disposition of the State of Jammu and Kashmir will be made in accordance with the will of the people expressed through the democratic method of a free and impartial plebiscite conducted under the auspices of the United Nations,

Affirming that the convening of a Constituent Assembly as recommended by the General Council of the "All Jammu and Kashmir National Conference" and any action that Assembly might attempt to take to determine the future shape and affiliation of the entire State or any part thereof would not constitute a disposition of the State in accordance with the above principle

Declaring its belief that it is the duty of the Security Council in carrying out its primary responsibility for the maintenance of international peace and security to aid the parties to reach an amicable solution of the Kashmir dispute and that a prompt settlement of this dispute is of vital importance to the maintenance of international peace and security,

Observing from Sir Owen Dixon's report that the main points of difference preventing agreement between the parties were:

- a. The procedure for and the extent of demilitarization of the State preparatory to the holding of a plebiscite, and
 - b. The degree of control over the exercise of the functions of Government in the State necessary to ensure a free and fair plebiscite.
1. Accepts in compliance with his request, Sir Owen Dixon's resignation and expresses its gratitude to Sir Owen for the great ability and devotion with which he carried out his mission;
 2. Decides to appoint a United Nations Representative for India and Pakistan in succession to Sir Owen Dixon;
 3. Instructs the United Nations Representative to proceed to the sub-continent and after consultation with the Governments of India and Pakistan, to effect the demilitarization of the State of Jammu and Kashmir on the basis of the United Nations Commission for India and Pakistan resolutions of 13 August, 1948, and 5 January, 1949.

4. Calls upon the parties to co-operate with the United Nations Representative to the fullest degree in effecting the demilitarization of the State of Jammu and Kashmir;
5. Instructs the United Nations Representatives to report to the Security Council within three months from the date of his arrival on the sub-continent; if at the time of this report, he has not effected demilitarization in accordance with paragraph three above, or obtained the agreement of the parties to a plan for effecting such demilitarization, the United Nations Representative shall report to the Security Council those points of difference between the parties in regard to the interpretation and execution of the agreed resolutions of 13 August, 1948, and 5th January, 1949, which he considers must be resolved to enable such demilitarization to be carried out;
6. Calls upon the parties in the event of their discussions with the United Nations Representative failing in his opinion to result in full agreement, to accept arbitration upon all outstanding points of difference reported by the United Nations Representative in accordance with paragraph five above. Such arbitration to be carried out by an arbitrator, or a panel of arbitrators, to be appointed by the President of the International Court of Justice after consultation with the parties;
7. Decides that the Military Observer Group shall continue to supervise the cease-fire in the State;
8. Requests the Governments of India and Pakistan to ensure that their agreement regarding the cease-fire shall continue to be faithfully observed and calls upon them to take all possible measures to ensure the creation and maintenance of an atmosphere favorable to the promotion of further negotiations and to refrain from any action likely to prejudice a just and peaceful settlement.
9. Requests the Secretary-General to provide the United Nations Representative for India and Pakistan with such services and facilities as may be necessary in carrying out the terms of this resolution.

XI *RESOLUTION 96 (1951) CONCERNING THE INDIA-PAKISTAN QUESTION ADOPTED BY THE SECURITY COUNCIL ON 10th NOVEMBER, 1951. (DOCUMENT NO. S/2392, DATED THE 10th NOVEMBER, 1951).

THE SECURITY COUNCIL,

Having received and noted the report of Dr. Frank Graham, the United Nations Representative for India and Pakistan, on his mission initiated by the Security Council resolution 91 (1951) of 30th March 1951, and having heard Dr. Graham's address to the Council of 18th October 1951.

Noting with approval the basis for a program of demilitarization which could be carried out in conformity with the previous undertakings of the parties, put forward by the United Nations Representative in his communication of 7 September, 1951, to the Prime Ministers of India and Pakistan,

1. Notes with gratification the declared agreement of the two parties to those parts of Dr. Graham's proposals which reaffirm their determination to work for a peaceful settlement, their will to observe the cease-fire agreement and their acceptance of the principle that the accession of the State of Jammu and Kashmir should be determined by a free and impartial plebiscite under the auspices of the United Nations;
2. Instructs the United Nations Representative to continue his efforts to obtain agreement of the parties on a plan for effecting the demilitarization of the State of Jammu and Kashmir;
3. Calls upon the parties to co-operate with the United Nations Representative to the fullest degree in his efforts to resolve the outstanding points of difference between them;
4. Instructs the United Nations Representative to report to the Security Council on his efforts, together with his views concerning the problems confided to him, not later than six weeks after this resolution comes into effect.

*The Security Council voted on this Resolution on 10-11-1951 with the following result:-

In favor: **Brazil, China, **Ecuador, France, **Netherlands, **Turkey, U.K., U.S.A., and **Yugoslavia.

Against: None.

Abstaining: India, and U.S.S.R.

**Non-Permanent Members of the Security Council.

XII *RESOLUTION 98 (1952) ADOPTED BY THE SECURITY COUNCIL AT ITS 611th MEETING ON 23 DECEMBER, 1952. (DOCUMENT NO. S/2883, DATED THE 24TH DECEMBER, 1952).

THE SECURITY COUNCIL,

Recalling its resolutions, 96(1951) of 30 March 1951, its decision of 30th April 1951 and its resolution 92 (1951) of 10 November 1951,

Further Recalling the provisions of the United Nations Commission for India and Pakistan resolutions of 13th August 1948, and 5th January 1949, which were accepted by the Governments of India and Pakistan and which provided that the question of the accession of the State of Jammu and Kashmir to India or Pakistan would be decided through the democratic method of a free and impartial plebiscite conducted under the auspices of the United Nations,

Having received the third report, dated 22 April 1952, and the fourth report, dated 16 September 1952, of the United Nations Representative for India and Pakistan;

Endorses the general principles on which the United Nations Representative has sought to bring about agreement between the Governments of India and Pakistan;

2. Notes with gratification that the United Nations Representative has reported that the Governments of India and Pakistan have accepted all but two of the paragraphs of his twelve-point proposals;

*The Security Council voted on this resolution on 23-12-1952 with the following result:-

In favor: **Brazil, **Chile, China, France, **Greece, **Netherlands, **Turkey, U.K. and U.S.A. Against: None.

Abstaining: U.S.S.R.

** Non-Permanent Members of the Security Council,

One Member (Pakistan) did not participate in the voting

3. Notes that agreement on a plan of demilitarization of the State of Jammu and Kashmir has not been reached because the Governments of India and Pakistan have not agreed on the whole of paragraph 7 of the twelve-point proposals;

4. Urges the Governments of India and Pakistan to enter into immediate negotiations under the auspices of the United Nations Representative for India and Pakistan in order to reach agreement on the specific number of forces to remain on each side of the cease-fire line at the end of the period of demilitarization, this number to be between 3,000 and 6,000 armed forces remaining on the Pakistan side of the cease-fire line and between 12,000 and 18,000 armed forces remaining on the India side of the cease-fire line, as suggested by the United Nations Representative in his proposals of 16 July 1952, such specific numbers to be arrived at bearing in mind the principles or criteria contained in paragraph 7 of the United Nations Representative's proposal of 4 September 1952;

5. Records its gratitude to the United Nations Representative for India and Pakistan for the great efforts which he has made to achieve a settlement and requests him to continue to make his services available to the Governments of India and Pakistan to this end;

6. Requests the Governments of India and Pakistan to report to the Security Council not later than thirty days from the date of the adoption of this resolution;

7. Requests the United Nations Representative for India and Pakistan to keep the Security Council informed of any progress.

XIII*RESOLUTION 122 (1957) ADOPTED BY THE SECURITY COUNCIL AT ITS MEETING ON 24 JANUARY, 1957.

THE SECURITY COUNCIL,

Having heard statements from representatives of the Governments of India and Pakistan concerning the dispute over the State of Jammu and Kashmir,

Reminding the Governments authorities concerned of the principle embodied in its resolutions 47 (1948) of 21 April 1948, 51 (1948) of 3rd June, 1948, 80 (1950) of 14th March 1950 and 91 (1951) of 30th March 1951, and the United Nations Commission for India and Pakistan resolutions of 13 August 1948 and 5th January 1949, that the final disposition of the State of Jammu and Kashmir will be made in accordance with the will of the people expressed through the democratic method of a free and impartial plebiscite conducted under the auspices of the United Nations,

1. Reaffirms the affirmation in its resolution 91 (1951) and declares that the convening of a Constituent Assembly as recommended by the General Council of the "All Jammu and Kashmir National Conference" and any action that Assembly may have taken or might attempt to take to determine the future shape and affiliation of the entire State or any part thereof, or action by the parties concerned in support of any such action by the Assembly, would not constitute a disposition of the State in accordance with the above principle;

Decides to continue its consideration of the dispute.

*The Security Council voted on this Resolution on 24-1-1957 with the following results:-

In favour: ** China, **Columbia, **Cuba, France, **Iraq, **Philippines, **Sweden, U.K. and U.S.A .

Against: None

Abstaining: U.S.S.R. **Non-Permanent Members of the Security Council.

THE INDIA-PAKISTAN QUESTION

XIV. *AUSTRALIA, CUBA, UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND UNITED STATES OF AMERICA: *JOINT DRAFT RESOLUTION.

THE SECURITY COUNCIL

Recalling its resolution of 24 January 1957, its previous resolutions and the resolutions of the United Nations Commission for India and Pakistan on the India-Pakistan question;

Having taken into consideration the statements of the representatives of the Governments of India and Pakistan;

Concerned at the lack of progress in settling the dispute;

Considering the importance which it has attached to the demilitarization of the State of Jammu and Kashmir as a step towards the settlement of the dispute;

Noting that demilitarization preparatory to the holding of a free and impartial plebiscite under United Nations auspices has not been achieved in accordance with the resolutions of the United Nations Commission for India and Pakistan;

Noting the proposal of the representative of Pakistan for the use of a temporary United Nations force in connection with demilitarization.

*The Security Council vote on this resolution (513787) on February 20, 1957 with the following result;

In favor: Australia, China, Columbia, Cuba, France, Iraq, Philippines, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against : Union of Soviet Socialist Republics.

Abstaining : Sweden.

The President (Mr. Jarring, the Representative of Sweden) announced the result in the following words: There were 9 votes in favor, one against and one abstention. Since the negative vote was cast by a permanent member of the council the joint draft resolution has not been adopted.

Believing that, insofar as it might contribute towards the achievement of demilitarization as envisaged in the resolutions of the United Nations Commission for India and Pakistan and towards the pacific settlement of the dispute, the use of such a force would deserve consideration;

1. Requests the President of the Security Council, the representative of Sweden, to examine with the Governments of India and Pakistan proposals which, in his opinion, are likely to contribute to the achievement of demilitarization or to the establishment of other conditions for progress towards the settlement of the dispute, having regard to the previous resolutions of the Security Council and of the United Nations Commission for India and Pakistan, and bearing in mind the statements of the representatives of the Governments of India and Pakistan and the proposal for the use of a temporary United Nations force;
2. Authorizes him to visit the sub-continent for this purpose;
3. Requests him to report to the Security Council as soon as possible but not later than 15 April 1957;
4. Invites the Governments of India and Pakistan to co-operate with him in the performance of these functions;
5. Requests the Secretary-General and the United Nations representative for India and Pakistan to render such assistance to him as he may request.

XV. *RESOLUTION 123 (1957) ADOPTED BY THE SECURITY COUNCIL AT ITS 774TH MEETING ON 21 FEBRUARY, 1957. (DOCUMENT NO. S/3793, DATED THE 21ST FEBRUARY 1957).

THE SECURITY COUNCIL,

Recalling its resolution 122 (1957) of 24 January 1957, its previous resolutions of the United Nations Commission for India and Pakistan on the India-Pakistan question,

1. Requests the President of the Security Council, the representative of Sweden, to examine with the Governments of India and Pakistan any proposals which, in his opinion, are likely to contribute towards the settlement of the dispute, having regard to the previous resolutions of the Security Council and of the United Nations Commission for India and Pakistan; to visit the sub-continent for this purpose; and to report to the Security Council not later than 15 April 1957;
2. Invites the Governments of India and Pakistan to cooperate with him in the performance of these functions;
3. Requests the Secretary-General and the United Nations Representative for India and Pakistan to render such assistance as he may request.

*The Security Council voted on this Resolution on 21-2-1957 with the following result:-

In favor **Australia, China, **Columbia, **Cuba, France, **Iraq, **Philippines, **Sweden, U.K., U.S.A.

Against: None

Abstaining: U.S.S.R.

**Non-Permanent Members of the Security Council.

THE INDIA-PAKISTAN QUESTION

XVI. AUSTRALIA, COLUMBIA, PHILIPPINES, U.K., U.S.A. JOINT DRAFT RESOLUTION.*

THE SECURITY COUNCIL,

Having received and noted with appreciation the report of Mr. Gunnar V. Jarring, the Representative of Sweden, on the mission undertaken by him pursuant to the Security Council resolution of 21st February 1957;

Expressing its thanks to Mr. Jarring for the care and ability with which he has carried out his mission;

Observing with appreciation the expressions made by both parties of sincere willingness to co-operate with the United Nations in finding peaceful solution;

Observing further that the Governments of India and Pakistan recognize and accept the commitments undertaken by them in the resolutions of the United Nations Commission for India and Pakistan dated 13 August 1948 and 5th January 1949, which envisage the determination of the future status of the State of Jammu and Kashmir in accordance with the will of the people through the democratic method of a free and impartial plebiscite, and that Mr. Jarring felt in appropriate to explore what was impeding their full implementation;

Concerned over the lack of progress towards a settlement of the dispute which his report manifests;

Considering the importance which it has attached to demilitarization of the State of Jammu and Kashmir as one of the steps towards a settlement;

*The Representative of the U.S.S.R. said in the Security Council on 21 November, 1957 that he would oppose this Joint Draft Resolution (S/3911). The President deferred the consideration of the question without putting the draft resolution to vote. Subsequently, certain amendments were introduced by the Representative of Sweden to the Joint Draft Resolution and this Draft Resolution as amended (S/3920) was adopted by the Security Council on 2-12-1957, vide Resolution No. 126 (1957).

Recalling its previous resolutions and the resolutions of U.N.C.I.P. on the India-Pakistan question;

1. Requests the Government of India and the Government of Pakistan to refrain from making any statements and from doing or causing to be done or permitting any acts which might aggravate the situation and to appeal to their respective peoples to assist in creating and maintaining an atmosphere favorable to the promotion of further negotiations;
2. Requests the United Nations Representative for India and Pakistan to make any recommendations to the parties for further action which he considers desirable in connection with Part I of the U.N.C.I.P. resolution of 13 August 1948, having regard to his third and fifth reports and the report of Mr. Jarring, and to enter into negotiations with the Governments of India and Pakistan in order to implement Part II of the U.N.C.I.P. resolution of 13 August 1948, and in particular to reach agreement on a reduction of forces on each side of the cease-fire line to a specific number, arrived at on the basis of the relevant Security Council resolutions and having regard to the fifth report of the United Nations Representative for India and Pakistan;
3. Calls upon the Governments of India and Pakistan to co-operate with the United Nations Representative in order to formulate an early agreement on demilitarization procedures, which should be implemented within three month of such an agreement being reached;
4. Authorizes the United Nations Representative to visit the sub-continent for these purposes and!
5. Instructs the United Nations Representative to report to the Security Council on his efforts as soon as possible.

XVII *RESOLUTION 126 (1957) ADOPTED BY THE SECURITY COUNCIL AT ITS 808th MEETING ON
2 DECEMBER, 1957

THE SECURITY COUNCIL,

Having received and noted with appreciation the report of Mr. Gunner V. Jarring, the Representative of Sweden, on the mission undertaken by him pursuant to its resolution 123 (1957) of 21 February 1957,

Expressing its thanks to Mr. Jarring for the care and ability with which he has carried out his mission;

Observing with appreciation the expressions made by both parties of sincere willingness to co-operate with the United Nations in finding peaceful solution;

Observing further that the Governments of India and Pakistan recognize and accept the provisions of its resolution 38(1948) of 17th January 1948 of the resolutions of the United Nations Commission for India and Pakistan dated 13th August 1948 and 5th January 1949, which envisage in accordance with their terms the determination of the future status of the State of Jammu and Kashmir in accordance with the will of the people through the democratic method of a free and impartial plebiscite, and that Mr. Jarring felt it appropriate to explore what was impeding their full implementation;

Concerned over the lack of progress towards a settlement of the dispute which his report manifests;

Considering the importance which it has attached to demilitarization of the State of Jammu and Kashmir as one of the steps towards a settlement;

*The Security Council voted on this Resolution on 2-12-1957 with the following result:-

In favour: **Australia, China, **Columbia. **Cuba, France, **Iraq, **Philippines, **Sweden, U.K. and U.S.A.

Against: None.

Abstaining: U.S.S.R.

**Non-Permanent Members of the Security Council.

Recalling its previous resolutions and the resolutions of united Nations Commission for India-Pakistan question;

1. Requests the Government of India and the Government of Pakistan to refrain from making any statements and from doing or causing to be done or permitting any acts which might aggravate the situation and to appeal to their respective peoples to assist in creating and maintaining an atmosphere favorable to the promotion of further negotiations;
2. Requests the United Nations Representative for India and Pakistan to make any recommendations to the parties for further appropriate action with a view to making progress towards the implementation of the resolutions of the U.N.C.I.P for 13 August 1948 and 5th January and towards a peaceful settlement ;
3. Authorizes the United Nations Representative to visit the sub-continent for these purposes;
- 4 . Instructs the United Nations Representative to report to the Security Council on his efforts as soon as possible.

*DRAFT RESOLUTION SUBMITTED BY IRELAND TO THE SECURITY COUNCIL ON JUNE 22, 1962.

THE SECURITY COUNCIL:

Having heard the statements from the representatives of the Governments of India and Pakistan concerning the India-Pakistan question;

Having considered the report of the United Nations representative, Dr. F. Graham;

Expressing its best thanks to Dr. Graham for his efforts;

Noting with satisfaction the pledges made by the two parties to the effect that their Governments will not resort to force in settling this question;

Conscious of the responsibility of Security Council under the Charter for helping the parties to reach a peaceful solution of the question.

1. Reminds both parties of the principles contained in its resolution of 17 January 1948, and in the resolutions of the United Nations Commission for India and Pakistan dated 13 August 1948 and 5th January 1949.
2. Urges the Governments of India and Pakistan to enter into negotiations on the question at the earliest convenient time with a view to its ultimate settlement in accordance with Article 33 and other relevant provisions of the Charter of the United Nations.
3. -----

*The Security Council voted on this Resolution on June 22, 1962 with the following result:-

In favor: Chile, China, France, Ireland, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

Against: Rumania, Union of Soviet Socialist Republic.

Abstaining: Ghana, United Arab Republic

One Permanent Member of the Security Council having cast a negative vote, the draft Resolution was not adopted.

4. Appeals to the two Governments to take all possible measures to ensure the creation and maintenance of an atmosphere favorable to the promotion of negotiations.
4. Urges the Government of India and the Government of Pakistan to refrain from making any statements, or taking any action, which may aggravate the situation.
5. Requests the acting Secretary-General to provide the two Governments with such services as they may request for the purpose of carrying out the terms of the resolution.

STATEMENT OF THE PRESIDENT OF THE SECURITY COUNCIL (FRENCH REPRESENTATIVE) MADE ON THE 18TH MAY, 1964, AT THE ELEVENTH HUNDRED AND SEVENTEENTH MEETING OF THE SECURITY COUNCIL. (DOCUMENT NO. S/PV. 1117, DATED THE 18TH MAY, 1964) SUMMARISING THE CONCLUSION OF THE DEBATE ON KASHMIR.

I

"(a) the members of the Council noted that this week's debate was a continuation of our discussions of February and March on the question of Jammu and Kashmir. They recalled that they had already, particularly during the debate in February, stated the views of their Governments on the basic facts of the problem, including the relevant United Nations resolutions, the question as to the juridical status of Jammu and Kashmir, and the principles of the Charter applicable to the case. They confirmed that the statements which they had made at that time were still valid;

"(b) The members of the Council expressed their concern with respect to two great countries which have everything to gain from re-establishing good relations with each other and whose present disputes, particularly that centering upon Jammu and Kashmir, should be settled amicable in the interest of world peace;

"(c) The members of the Council expressed their feeling that recent developments were such as might lead to the adoption of more flexible positions to better mutual understanding, and therefore to a situation in which conversations between the parties concerned would have better prospects of leading to a settlement;

"(d) The members of the Council expressed their conviction that everything should be done to consolidate those favorable factors and to avoid jeopardizing those prospects and that this required an attitude of conciliatory moderation on the part of the both parties and an attitude of caution, but also of vigilant attention, on the part of the United Nations;

"(e) The members of the Council expressed the hope that both Parties would remain from any act which might aggravate the situation and that they would take steps calculated to reestablish an atmosphere of moderation between the two countries and peace and harmony between the communities;

"(f) The members of the Council expressed the hope that, in the light of our recent debates, the two countries concerned would resume their contacts in the near future with a view to settling their disputes, Particularly that centering upon Jammu and Kashmir, by negotiation;

"II

"Several members of the Council expressed the view that the Secretary-General of the United Nations might possibly give useful assistance to the parties in order to facilitate the resumption of negotiations in the question of Jammu and Kashmir, are might help then to continue such negotiations in the event of the latter encountering difficulties. Other members of the Council, however, expressed the view that the negotiations between India and Pakistan might be complicated by any outside intervention, and that even the principle of having recourse to the Secretary-General should be a matter for agreement between the parties.

"III

The India-Pakistan question remains on the agenda of the Security Council."

* RESOLUTION 209 (1965) ADOPTED BY THE SECURITY COUNCIL AT ITS 1237TH MEETING ON 4 SEPTEMBER, 1965.

THE SECURITY COUNCIL,

Noting the report of the Secretary-General (S/6651) dated 3 September 1965,

Having heard the statements of the representatives of India and Pakistan,

Concerned at the deteriorating situation along with Cease-fire Line in Kashmir,

1. Calls upon the Governments of India and Pakistan to take forthwith all steps for an immediate cease-fire;
2. Calls upon the two Governments to respect the Cease-fire Line and have all armed personnel of each party withdrawn to its own side of the line;
3. Calls upon the two Governments to co-operate fully with the UNMOGIP in its task of supervising the observance of the cease-fire;
4. Requests the Secretary-General to report to the Council within three days on the implementation of the resolution.

*The Security Council unanimously adopted this Resolution on 4-9-1965.

Members of the Council: **Bolivia, China, France, *Ivory Coast, **Jordan, **Malaysia, **Netherlands, U.S.S.R., U.K., U.S.A. and **Uruguay.

**Non-Permanent Members of the Security Council.

* RESOLUTION 210 (1965) ADOPTED BY THE SECURITY COUNCIL AT ITS 1238TH MEETING ON 6 SEPTEMBER, 1965.

THE SECURITY COUNCIL,

Noting the report by the Secretary-General on developments in the situation in Kashmir since the adoption of the Security Council cease-fire resolution on 4 September 1965 [S/RES/209 (1965)] being document S/6661 dated 6 September 1965,

Noting with deep concern the extension of the fighting which adds immeasurably to the seriousness of the situation,

1. Calls upon the parties to cease hostilities in the entire area of conflict immediately, and promptly withdraw all armed personnel back to the positions held by them before 5 August 1965;
2. Requests the Secretary-General to exert every possible effort to give effect to this resolution and the resolution of 4 September 1965, to take all measures possible to strengthen the UNMOGIP, and to keep the Council promptly and currently informed on the implementation of the resolutions and on the situation in the area;
3. . Decides to keep this issue under urgent and continuous review so that the Council may determine what further steps may be necessary to secure peace and security in the area.

*The Security Council unanimously adopted this Resolution on 6-9-1965.

Members of the Council: **Bolivia, China, France, **Ivory Coast, **Jordan, **Malaysia, **Netherlands, U.S.S.R., U.K., U.S.A. and **Uruguay.

**Non Permanent Members of the Security Council.

*RESOLUTION 211 (1965) ADOPTED BY THE SECURITY COUNCIL AT ITS 1242ND MEETING ON SEPTEMBER, 20, 1965.

“The Security Council having considered the reports of the Secretary-General on his consultations with the Governments of India and Pakistan.

Commending the Secretary-General for his unrelenting efforts in furtherance of the objectives of the Security Council's Resolutions of 4 and 6 September, having heard the statements of the Representatives of India and Pakistan, noting the differing replies by the Parties to an appeal for a Cease-Fire as set out in the report of Secretary-General (5/6683), but noting further with concern that no Cease-fire has yet come into being. Convinced that an early cessation of hostilities is essential as a first step towards a peaceful settlement of the outstanding differences between the two countries on Kashmir and other related matters.

1. Demands that Cease-Fire should take effect on Wednesday, 22 September 1965, at 0700 hours GMT and Calls upon both Governments to issue orders for a Cease-Fire at that moment and a subsequent withdrawal of all armed personnel back to the positions held by them before 5 August, 1965.
2. Requests the Secretary-General to provide the necessary assistance to ensure supervision of the Cease-Fire and withdrawal of all armed personnel.
3. Calls on all States to refrain from any action which might aggravate the situation in the Area.

*The Security Council voted on this Resolution on 20-9-1965 with the following result:-

In favor: **Bolivia, China, France, **Ivory Coast, **Malaysia, **Netherlands, U.S.S.R., U.K., U.S.A. and Uruguay.

Against: None.

Abstaining: ** Jordan.

**Non-Permanent Members of the Security Council.

4. Decides to consider as soon as operative Paragraph 1 of the Council's Resolution 210 of 6 September has been implemented, what steps could be taken to assist towards a settlement of the

political problem underlying the present conflict, and in the meantime calls on the two Governments to utilize all peaceful means including those listed in article 33 of the Charter, to this end.

5. Requests the Secretary-General to exert every possible effort to give effect to this resolution, to seek a peaceful solution, and to report to the Security Council thereon."

* RESOLUTION 214 (1965) ADOPTED BY THE SECURITY COUNCIL AT ITS 1245TH MEETING, ON 27TH SEPTEMBER 1965.

THE SECURITY COUNCIL,

Noting the reports of the Secretary-General (S/6710, Add. 1 and 2),

Reaffirmed its resolutions of 4, 6 and 20 September 1965 (S/RES/209, S/RES/210, S/RES/211),

Expressing the grave concern of the Council that the cease-fire agreed to unconditionally by the Governments of India and Pakistan is not holding,

Recalling that the cease-fire demand in the Council's resolutions was unanimously endorsed by the Council and agreed to by the Governments of both India and Pakistan,

Demands that the parties urgently honor their commitments to the Council to observe the cease-fire; and further calls upon the parties to promptly withdraw all armed personnel as necessary steps in the full implementation of the resolution of 20 September.

*The Security Council voted on this Resolution on 27-9-1965 with the following result:

In favor: **Bolivia, China, France, **Ivory Coast, **Malaysia, **Netherlands, U.S.S.R., U.K., U.S.A. and **Uruguay.

Against: None.

Abstaining: **Jordan.

**Non-Permanent Members of the Security Council.

* RESOLUTION 215 (1965) ADOPTED BY THE SECURITY COUNCIL AT ITS 1251ST MEETING ON 5 NOVEMBER 1965.

THE SECURITY COUNCIL,

Regretting the delay in the full achievement of a complete and effective cease-fire and a prompt withdrawal of armed personnel to the positions held by them before 5 August 1965, as called for in its resolution 209 (1965) of 4 September, 210 (1965) of 6 September, 211 (1965) of 20 September and 214 (1965) of 27 September 1965,

1. Reaffirms its resolution 211 (1965) of 20 September 1965 in all its parts;
2. Requests the Governments of India and Pakistan to co-operate towards a full implementation of paragraph 1 of resolution 211 (1965); calls upon them to instruct their armed personnel to co-operate with the United Nations and cease all military activity; and insists that there be an end to violations of the Cease-Fire,
3. Demands the prompt and unconditional execution of the proposal already agreed to in principle by the Governments of India and Pakistan that their representatives meet with a suitable representative of the Secretary-General, to be appointed without delay after consultation with both parties, for the purpose of formulating and agreed plan and schedule for the withdrawals by both parties; urges that such a meeting shall take place as soon as possible and that such a plan contain a time-limit on its implementation; and requests the Secretary-General to report on the progress achieved in this respect within three weeks of the adoption of the present resolution;
4. Requests the Secretary-General to submit for its consideration as soon as possible a report on compliance with the present resolution.

*The Security Council voted on this Resolution on 5-11-1965 with the following result:-

In favor: Bolivia, China, France, **Ivory Coast, **Malaysia, **Netherlands, U.K., U.S.A., and **Uruguay

Against: None.

Abstaining: **Jordan, and U.S.S.R.

**Non-Permanent Members of the Security Council.

* RESOLUTION 303 (1971) ADOPTED BY THE SECURITY COUNCIL AT ITS 1606TH MEETING, ON
6 DECEMBER 1971.

THE SECURITY COUNCIL,

Having considered the item on the agenda of its 1606th meeting as contained in document.
5 Agenda/1606.

Taking into account that the lack of unanimity of its permanent members at the 1606th and
1607th meetings of the Security Council has prevented it from exercising its primary responsibility
for the maintenance of international peace and security,

Decides to refer the question contained in documents S/Agenda/1606 to the General
Assembly at its twenty-sixth session, as provided for in Assembly resolution 377 A (V) of 3 November
1950.

* The Security Council voted on this Resolution on 6-12-1971 with the following result:-

In favor: 11 vote.

Against: None.

Abstaining: 4 (France, Poland, U.S.S.R. and Britain).

2793 (XXVI) QUESTION CONSIDERED BY THE SECURITY COUNCIL AT ITS 1606TH, 1607TH AND 1608TH MEETINGS ON 4, 5 AND 6 DECEMBER, 1971,

THE SECURITY COUNCIL,

Noting the reports of the Secretary-General of 3 and 4 December 1971 and the letter from the President of the Security Council transmitting the text of Council Resolution 303 (1971) of 6 December 1971,

Gravely concerned that hostility have broken out between India and Pakistan which constitute an immediate threat to international peace and security,

Recognizing the need to deal appropriately at a subsequent stage, within the framework of the Charter of the United Nations, with the issues which have given rise to the hostilities,

Convinced that an early political solution would be necessary for the restoration of conditions of normalcy in the area of conflict and for the return of the refugees to their homes,

Mindful of the provisions of the Charter, in particular of Article 2, paragraph 4,

Recalling the Declaration on the Strengthening of International Security, particularly paragraphs 4, 5 and 6.

Recognizing further the need to take immediate measures to bring about an immediate cessation of hostilities between India and Pakistan and effect a withdrawal of their armed forces to their own side of the India-Pakistan borders,

Mindful of the purposes and principles of the Charter and of the General Assembly's responsibilities under the relevant provisions of the Charter and of Assembly resolution 377 A (V) of 3 November 1950,

1. Calls upon the Governments of India and Pakistan to take forthwith all measures for an immediate cease-fire and withdrawal of their armed forces on the territory of the other to their own side of the India-Pakistan borders;
2. Urges that efforts be intensified in order to bring about, speedily and in accordance with the purposes and principles of the Charter of the United Nations, conditions necessary for the voluntary return of the East Pakistan refugees to their homes;

3. Calls for the full co-operation of all States with Secretary-General for rendering assistance to and relieving the distress of those refugees;
4. Urges that every effort be made to safeguard the lives and well-being of the civilian population in the area of conflict;
5. Requests the Secretary-General to keep the General Assembly and the Security Council promptly and currently informed on the implementation of the present resolution;
6. Decides to follow the question closely and to meet again should the situation so demand;
7. Calls upon the Security Council to take appropriate action in the light of the present resolution.

* RESOLUTION 307 (1971) ADOPTED BY THE SECURITY COUNCIL AT ITS 1616TH MEETING, ON 21 DECEMBER 1971.

THE SECURITY COUNCIL,

Having discussed the grave situation in the sub-continent, which remains a threat to international peace and security.

Noting General Assembly Resolution 2793 (XXVI) of 7 December 1971,

Noting the reply of the Government of Pakistan on 9 December, 1971,

Noting the reply of the Government of India on 12 December 1971,

Having heard the statements of the Deputy Prime Minister of Pakistan and the Foreign Minister of India,

Noting further the statement made at the 1616th meeting of the Security Council by the Foreign Minister of India containing a unilateral declaration of a cease-fire in the western theatre,

Noting Pakistan's agreement to the cease-fire in the western theater with effect from 17 December 1971,

Noting that consequently a cease-fire and a cessation of hostilities prevail,

1. Demands that a durable cease-fire and cessation of all hostilities in all areas of conflict be strictly observed and remain in effect until withdrawals take place, as soon as practicable, of all armed forces to their respective territories and to positions which fully respect the cease-fire line in Jammu and Kashmir supervised by the United Nations Military Observer Group in India and Pakistan;
2. Calls upon all Member States to refrain from any action which may aggravate the situation in the sub-continent or endanger international peace;
3. Calls upon all those concerned to take all measures necessary to preserve human life and for the observance of the Geneva conventions of 1949 and to apply in full their provisions as regards the protection of the wounded and sick, prisoners of war and civilian population;

4. Calls for international assistance in the relief of suffering and the rehabilitation of refugees and their return in safety and dignity to their homes, and for full co-operation with the Secretary-General to that effect;
5. Authorizes the Secretary-General to appoint if necessary a special representative to lend his good offices for the solution of humanitarian problems;
6. Requests the Secretary-General to keep the Council informed without delay on developments relating to the implementation of the present resolution;
7. Decides to remain seized of the matter and to keep it under active consideration.

* The Security Council voted on this Resolution on 21-12-1971 with the following result:-

In favor: 13 votes.

Against: None.

Abstaining: 2 (Poland and USSR).

INDIA'S COMMITMENT OF PLEBISCITE FOR THE PEOPLE OF KASHMIR

1. "Our view which we have repeatedly made public is that the question of accession in any disputed territory or State must be decided in accordance with wishes of people and we adhere to this view. "

__JAWAHLAL NEHRU

(In telegram No. 402-Primin -2227,
Dated 27 October 1947 to Prime Minister
of Pakistan repeating telegram addressed
to Prime Minister of United Kingdom).

2. "In regard to accession also, it has been made clear that this is subject to reference to people of state and their decision".

_JAWAHLAL NEHRU

(In telegram No.413 dated 28 October 1947
address to Prime Minister of Pakistan).

3. "In regard to accession also it has been made clear that this is subject to reference to people of state and their decision."

_JAWAHLAL NEHRU

(In telegram No. 413 dated 28
October 1947 addressed to Prime
Minister of Pakistan).

4. "Leave the decision regarding the future of this State to the people of the State is not merely a promise to your Government but also to the people of Kashmir and to the world."

_JAWAHLAL NEHRU

(In telegram No. 25 dated 31
October 1947 addressed to Prime of
Pakistan).

5. ".....the people of Kashmir would decide the question of accession. It is open to them to accede to either Dominion then".

_JAWAHLAL NEHRU

(In telegram No.255 dated 31 October 1947
Address to Prime Minister of Pakistan).

1. "we are any anxious not to finalize anything in a moment of crisis and without the fullest opportunity to be given to the people of Kashmir to have their say. It is for them ultimately to decide".

"And let me make it clear that it has been our policy all along that where there is a dispute about the accession of a state to either Dominion, the accession must be made by the people of that state".

_JAWAHLRAL NEHRU

(Broadcast to the Nation:

'All India Radio ; 2 November 1947).

2. "Kashmiri should decided question of accession by plebiscite or referendum under international auspices such as those of the United Nations".

_JAWAHLRAL NEHRU

(Letter No. 368-Primin dated 21 November 1947 to Prime Minster of Pakistan).

3. "That Government of India and Pakistan should make a joint request to U.N.O. to undertake a plebiscite in Kashmir at the earliest possible date".

__JAWAHLRAL NEHRU

(In telegram No. Primin-304 dated November 1947 address to Prime Minster of Pakistan).

4. "The issue in Kashmir is whether violence and naked force should decided the future or the will of the people".

_JAWAHLRAL NEHRU

(Statement in Indian Constituent Assembly: 25 , November 1947).

5. "we have not opposed at any time an over-all plebiscite for the state as a whole.

_JAWAHLRAL NEHRU

(In telegram dated 16 August 1950 Addressed to the U.N. Representative for India and Pakistan: S/1791: Anne 1(B).

6. “we have always right from the beginning accepted the idea of the Kashmir People deciding their fate by referendum or plebiscite

“Ultimately ,the final decision of settlement ,which must com, has first of all to be made basically by the people of Kashmir”

__JAWAHARLAL NEHRU

(Statement at Press Conference

London,16 January 1951 ,The Statesman

7. “we had given our pledge to the people of Kashmir, and subsequently to the United Nations; we stood by it and we stand by it today. Let the People of Kashmir decide”.

_JAWAHARLAL NEHIRU

(Statement in the Indian Parliament, 12 February 1951).

8. “People seem to forget that Kashmir is not a commodity for sale or to be bartered. It has an individual existence and its people must be the final arbiters of their future”.

_JAWAHLAL NEHRU

(Report to the All-India Congress

Committee, 6 July 1951; The statesman,

New Delhi, 9 July 1951).

9. “we have taken the issue to the United Nations and given our word of honor for a peaceful solution. As a great nation, we cannot go back on it. We have left the question for final solution to the people of Kashmir and we are determined to abide by their decision”.

_JAWAHLAL NEHRU

(Amrita Bazar Partrike, Calcutta,2

January 1952).

10. “If , after a proper plebiscite , the people of Kashmir said, ‘we do not to be with India,’ we are committed to accept that . we will accept it though it might pain us. We will not send any army against them. We will accept that, however hurt we might feel about it , we will change the Constitution, if necessary”.

_JAWAHARLAL NEHRU

(Statement in the Indian Parliament,

7 August 1952.

11. "I want to stress that it is only the people of Kashmir who can decided the future of Kashmir. It is not that we have merely said that the United Nations and to the people of Kashmir; It is our conviction and one that is borne out by the policy that we have pursued, not only in Kashmir but everywhere".

"I started with the presumption that it is for the people of Kashmir to decide their own future. We will not compel them. In that sense, the people of Kashmir are sovereign".

_JAWAHARLAL NEHRU

(Statement in the Indian Parliament,

7 August 1952).

12. "The most feasible method of ascertaining the wishes of the people was by fair and impartial plebiscite".

_JAWAHLRAL NEHRU

(Joint press communiqué of the Prime Ministers of India and Pakistan issued in Delhi after their meeting on 20 August 1953).

13. "The whole dispute about Kashmir is still before the United Nations. We cannot just decide things concerning Kashmir. We cannot pass a bill or issue an order concerning Kashmir or do whatever we want".

_JAWAHARLAL NEHRU

(The Statesmen,1 May 1953).

14. "But so far as the Government of India are concerned, every assurance and international commitment in regard to Kashmir stands".

__JAWAHARLAL NEHRU

(Statement in Indian Council of

States; 18 May 1954).

15. "Kashmir is not a thing to be bandied about between India and Pakistan but it has a soul of its own and an individuality of its own. Nothing can be done without the goodwill and consent of the people of Kashmir".

_JAWAHLRAL NEHRU

(Statement in the India Parliament,31

March 1955).

