

DRAFT RESOLUTION ON THE INDIA-PAKISTAN QUESTION SUBMITTED BY THE
REPRESENTATIVE OF CHINA, AT THE TWO HUNDRED AND SIXTY-NINTH
MEETING OF THE SECURITY COUNCIL ON 18 MARCH 1948

THE SECURITY COUNCIL,

Having considered the statements of the representatives of India and Pakistan concerning the dispute over the State of Jammu and Kashmir,

Noting with satisfaction that both India and Pakistan desire that the question of the accession of Jammu and Kashmir to India and Pakistan should be decided through the democratic method of a free and impartial plebiscite,

Being strongly of the opinion that the early restoration of peace and order in Jammu and Kashmir is essential,

Resolves to recommend to the Governments of India and Pakistan the acceptance of the following Articles of Settlement.

Articles of Settlement

A. Restoration of Peace and Order

1. The Government of Pakistan undertakes to use its best endeavours:
 - (a) To secure the withdrawal from Jammu and Kashmir of intruding tribesmen and Pakistan nationals;
 - (b) To prevent any further intrusion into the State by denying transit through, and the use of any bases in, Pakistan territory, and by forbidding the furnishing of military and other supplies, to all elements engaged in hostility or violence against the State;
 - (c) To persuade all intruders that the present Articles of Settlement, accepted by India and Pakistan, provide full freedom to all inhabitants of the State, regardless of creed, caste, or party, to express their views and to vote on the question of the accession of the State and that therefore they should cease fighting and co-operate in the maintenance of peace and order.
2. The Government of India shall arrange:
 - (a) For the progressive withdrawal from Jammu and Kashmir of such of its troops as are not required for the purposes of defence and security and
 - (b) For stationing the remainder at such points as not to afford any intimidation, or appearance of intimidation, to the inhabitants of the State.

/B. Plebiscite

B. Plebiscite

3. The Government of India undertakes to establish in Jammu and Kashmir a Plebiscite Administration, with the sole and full authority to administer the plebiscite on the question of accession of the State.
4. (a) The Government of India agrees to appoint six nominees of the Secretary-General of the United Nations to be the Director and Assistant or Regional Directors of the Plebiscite Administration.
(b) The Director, acting as an officer of the State of Jammu and Kashmir, shall have authority to nominate his subordinates and draft regulations governing the plebiscite. Such nominations should be formally appointed and such draft regulations should be formally promulgated, by the State of Jammu and Kashmir.
(c) The terms of service of the Director and Assistant or Regional Directors shall form the subject of a separate negotiation between the Secretary-General of the United Nations and the Permanent Representative of India to the United Nations.
5. The Government of India undertakes to prevent any threat, coercion, or intimidation on the voters in the plebiscite and shall cause this undertaking to be known to all concerned as an international obligation binding on all public authorities in Jammu and Kashmir.
6. The Government of India shall themselves and through the Government of Jammu and Kashmir cause it to be known to all concerned that all inhabitants 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.
7. The Government of India shall use, and shall request the Government of the State to use, their best endeavours to effect the withdrawal from the State, of such Indian nationals, not normally resident therein, as have entered it for an unlawful purpose on or since 15 August 1947.
8. The Government of India shall urge upon the Government of the State to take all possible steps to insure that:
 - (a) All citizens of the State who have left it on account of disturbances are invited, and are free to return to their homes and to exercise all their rights as such citizens;
 - (b) There is no victimization;
 - (c) All political prisoners of the State are released;
 - (d) Minorities in all parts of the State are accorded adequate protection.

/9. The Commission

9. The Commission of the Security Council, as provided in its resolution of 20 January 1948, shall at the end of the plebiscite certify to the Council whether the plebiscite has been really free and impartial.

C. General Provisions

10. The Government of India undertakes to use its best endeavours to ensure that in the composition of the Interim Government of Jammu and Kashmir provision is made for adequate representation of all major political groups in the State.

11. The Government of India agrees to appoint an official of high standing to be stationed in the State during the interim period, who shall have the power to cause to be fulfilled by the State Government all international obligations arising out of the present Articles of Settlement.

12. The Security Council instructs its Commission to offer its good offices and mediation in the implementation of the present Articles of Settlement.
