

**Proposal in respect of Jammu and Kashmir made by General A.G.L. McNaughton, 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.**

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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; 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;
- (b) 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 Nations.
- (c) To avoid unprofitable discussion of disputed issues of the past and to look forward into the future towards the good-neighbourly and constructive co-operation of the two great nations.

**DEMILITARISATION PREPARATORY TO THE PLEBISCITE**

2. There should be an agreed programme of progressive demilitarisation, 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 both 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.

The programme of demilitarisation 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.

The "Northern Area" should also be included in the above programme of demilitarisation, 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 demilitarisation 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. 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, sub-paragraphs (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 demilitarisation preparatory to the plebiscite 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 authorised 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.