

FORUM: Historical Security Council
QUESTION OF: The situation in Kashmir
SUBMITTED BY:
CO-SUBMITTERS:

THE SECURITY COUNCIL,

Deeply disturbed by the assassination of Maulvi Muhammad Farooq,

Expressing concern regarding the exodus of the Kashmir Pandits from the region,

Further expressing concern over the violent actions of Indian Paramilitary troops of the Central Reserve Police Force,

Having devoted attention to the link of the terrorist activities in Kashmir to the Mujahideen fighters in Afghanistan,

Cognizant of the Mujahideen rebellion against the Democratic Republic of Afghanistan and the similarity between those events and the present situation in the Kashmir,

Contemplating the threat of Jihad being declared against Indian authorities in the region and the support such a cause would receive,

Bearing in mind the possibility of a fourth war between India and Pakistan,

Deploring the lack of implementation of the Security Council resolution 38, 47 and 51 by India and Pakistan and withholding of the right to self-determination which has resulted in the status quo,

Stressing the historic under-representation of the Muslim Majority in the governing of Kashmir Valley region,

Keeping in mind the principle of self-determination, stated in Article I of the UN Charter,

Fully believing in the effectiveness of plebiscites as a resolution to the conflict,

Concerned about the further development of nuclear weapons by all parties involved,

Understanding the prevalent danger of nuclear war,

Aware of the Simla Agreement of 1972, as a result of the Indo-Pakistani War of 1971 that defined the Line of Control (LoC) in Kashmir,

Acknowledging the role of the rapid increase of armaments in India and Pakistan in escalating tensions,

Urging member states to consider and respect the sovereignty of both Pakistan and India when implementing the measures described in this resolution;

Acting under Chapter VII of the United Nations charter,

1. Decides to establish the United Nations Kashmir Deescalation Mission (UNKDM) for an initial period of 12 months with the possibility to renew or extend it for further periods from the date of the adoption of the present resolution in order to accomplish the following mandate:
 - a) Security, Peacekeeping and Protection of Human Rights:
 - i. to ensure the security and safety of the civilian population in the region in the

- Kashmir Valley, without prejudice towards the national police and the government
 - ii. to ensure the safety of ethnic and religious minorities
 - iii. to ensure the human rights of refugees and the safety of their travel
 - iv. to protect the physical safety of United Nations personnel, facilities and equipment within the mission's areas of deployment
 - v. to conduct law enforcement work in the interest of the protection of human rights with the assistance of the national police and the government
 - vi. to ensure and maintain civil power, law and order in the region
 - b) de-escalation and counter-terrorism:
 - i. to employ the 'Hearts and Minds' strategy by providing humanitarian assistance to the civilian population, in order to prevent the spread of extremism and negative sentiments towards the mission
 - ii. to prevent the spread of extremism by investigating extremist religious meetings
 - c) complete and continuous communication between the peacekeeping mission and India and Pakistan, only implementing the forces with explicit permission and cooperation from both governments;
- 2. Calls upon the United Nations High Commissioner for Refugees, United Nations Development Programme and the United Nations Habitat in collaboration with UNKDM to work towards infrastructure and humanitarian assistance in neighbouring Indian and Pakistani regions for people fleeing the Kashmir Valley region, such as:
 - a) refugee camps, for the accommodation of people displaced by the crisis and assistance with assimilating in the regions, as a short-term solution for the influx of people
 - b) safe living areas for the displaced people for eventual accommodation and integration of them in neighbouring regions as a permanent solution
 - c) corridors through the Line of Control, for those fleeing to neighbouring countries
 - d) humanitarian aid for migrant caravans escaping the region as well as shelter for them to reside in, while in transit;
- 3. Instructs the civilian personnel of UNKDM to implement the following measures without prejudice on the grounds of religious, national or ethnic background, in order to build trust between the aforementioned population and those deployed, in order to prevent the spread of radicalism by:
 - a) providing medical and humanitarian aid to the civilian population of the region
 - b) conducting religious seminars and talks with the religious population in order to prevent the spread of violent ideologies;
- 4. Asks the Office for Democratic Institutions and Human Rights (ODIHR) to assist with carrying out a non-binding vote in the Kashmir Valley on what direction Kashmir should take in the future by implementing the following regulations:
 - a) the plebiscite will be led by Kashmiri officials from both sides of the conflict
 - b) an assessment by the ODIHR on whether the plebiscite is free and fair
 - c) a report to the UNSC on what decision was made and whether it was free and fair;
- 5. Further Instructs India and/or Pakistan to submit the dispute as a case to the International Court of Justice (ICJ) to seek a legal resolution to the conflict and further suggests the advocates of the case to include the result of the plebiscite as a piece of evidence, in order to incorporate the desires of the general population of Kashmir;
- 6. Requests the creation of the Honesty and Amity Committee in Kashmir (HACK) and invites the Human Rights Watch (HRW) to coordinate with the said committee to record voluntary testimonies of individuals involved in the violence and human rights abuses in Jammu and Kashmir which will be used in the aforementioned ICJ case, including but not limited to:
 - a) Kashmir Valley and Azad Kashmir civilians
 - b) Indian troops

- c) Pakistani and Indian civilians on the border
 - d) Pakistani and Indian organizations accused of selling arms;
7. Further requests all non-UN parties of the conflict to immediately withdraw all hostilities from the Jammu and Kashmir region including:
- a) any existing military personnel from the Jammu and Kashmir region and the reduction of forces to an absolute minimum
 - b) the withdrawal of any individuals, openly or clandestinely, appointed by either party to commit acts of violence in the region;
8. Suggests the establishment of an organization called the Kashmir Investigative Organization on Civil Acts of Violence (KIOCAV) which will appoint experts to independently investigate acts of civil violence and domestic terror occurring in the Jammu and Kashmir region and any terrorist activities that relate to the issue at hand, in addition to:
- a) allow the UN and the international community to draw its own unbiased conclusions from events, attacks and possible assassinations
 - b) hold both parties accountable for possibly outsourcing domestic acts of terrorism as to absolve themselves of responsibilities
 - c) potentially provide UN recognized evidence for the ICJ if either state wishes to apply as an applicant party over the territories of Jammu and Kashmir
 - d) operate under a mandate from the UNSC, where its operational capabilities may be revoked by a vote
 - e) reserve the right of the KIOCAV investigators to enter zones of conflict for the purposes of conducting investigations, even if said areas are made inaccessible to the public for security reasons
 - f) investigate India and Pakistan on the claims of them supporting paramilitary groups, especially the allowing of these groups to recruit and train on either nation's soil, which will:
 - i. investigate areas suspected of housing radical terrorists in both countries
 - ii. inform the security council on the matter of state-sponsored terrorism in both countries once the investigation is complete
 - g) investigate the possible motivations for the assassination of Maulvi Muhammad Farooq
 - h) investigate the actions taken on the 21st of May, 1990;
9. Demands the addition of the following duties to the mandate of the United Nations Military Observer Group in India and Pakistan (UNMOGIP):
- a) working in collaboration with the International Atomic Energy Agency to ensure that both sides do not further increase or modernize their nuclear arsenals
 - b) lobbying for the adoption of the nuclear non-proliferation treaty by both Pakistan and India
 - c) publishing a bi-annual report for the Secretary General which would include detailed information on aspects such as but not limited to:
 - i. military advancements of both parties
 - ii. developments in nuclear weaponry
 - iii. new potential solutions to the issue
 - d) facilitating of peace talks between representatives of India, Pakistan and the Kashmir Region to discuss potential solutions and to find political peace in response to violent uprisings in the Kashmir region;
10. Commits to ensure the upholding of the ICJ's final verdict on the matter;
11. Decides to remain actively seized of the matter.