

**A**  
**SOUTH ASIAN**  
**VIEW**

**BY**  
**ZULFIKAR ALI BHUUTO**

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# A SOUTH ASIAN VIEW

*A collection of speeches  
and excerpts from important addresses  
delivered in the United States  
by the Foreign Minister of Pakistan,  
Mr. Zulfikar Ali Bhutto,  
during the years 1963 and 1964*

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## Profiles

Zulfikar Ali Bhutto, the 35-year-old Foreign Minister of Pakistan, displays the informality of an American student, the assurance of a British barrister and the prosperity of a Pakistani aristocrat. He also possesses great political zeal. When Mr. Bhutto presented Pakistan's policy statement in the General Assembly today, he spoke rapidly in fluent English. He discussed East-West tensions with restraint, deplored colonialism with moderation and praised disarmament hopes with caution. On the Kashmir dispute between India and Pakistan, however, his voice was raised in vehemence. He made a vigorous presentation of his country's demand for a plebiscite in the disputed territory.

The Pakistani Foreign Minister is a trim-looking man who stands almost 6 feet tall and weighs about 168 pounds. His dark hair, turning gray at the temples, is receding above his high forehead and becoming thin in the back. This makes him appear older than he is.

He was born on January 5, 1928, near the city of Larkana, in what is now West Pakistan. His family was rich in land and influential in politics.

His father was a political leader and a minister in the Bombay cabinet. One uncle was a member of the local legislature and another served in the central legislature in New Delhi.

Mr. Bhutto attended schools in Bombay until 1947, when he went to the University of California. He was an honor student there, receiving a bachelor's degree in political science in 1950.

Recalling his student days, he recently said: "I came to like and admire the warmth of the American people, their sense of active and constructive sympathy for the problems of other people."

In 1950, Mr. Bhutto went to England to attend Oxford University. He obtained a master's degree in jurisprudence from Christ Church College in 1952. That same year he was called to the bar from Lincoln's Inn, London.

Mr. Bhutto became a barrister in London and was appointed a lecturer in international law at the University of Southampton. He returned to Pakistan in 1953 after his father became ill.

For the next few years, he practiced and taught law in Karachi. He also renewed political friendships.

In 1957, he was appointed a member of Pakistan's delegation to the United Nations General Assembly. He headed the delegation in 1959 and in 1960, as well as this year.

Mr. Bhutto was elected to Pakistan's National Assembly and later became deputy leader of the majority party in the Assembly. In 1958, at the age of 30, he was appointed Commerce Minister in the national cabinet.

After serving in several cabinet posts, Mr. Bhutto was appointed Minister for External Affairs last January [1963].

As a special envoy for President Mohammed Ayub Khan, he aided in the resumption of diplomatic relations with Afghanistan, concluded an oil agreement with the Soviet Union and negotiated a boundary accord with Communist China. Mr. Bhutto also led Pakistan's negotiators in ministerial talks with India on the Kashmir dispute, which remains unresolved.

Mr. Bhutto [says] he enjoys hunting and fishing and has "a passion for reading, history, politics and current events." He will read "any novel at hand" for relaxation, but avoids detective stories.

His wife is the former Nusrat Ispahani. They have two boys and two girls ranging in age from 5 to 10.

*(From "Man in the News" column of the New York Times, October 1, 1963)*

Foreign Minister Zulfikar Ali Bhutto is a dashing 35-year old political prodigy who wears orchid sport shirts, likes modern art and generally disconcerts the sedate patriarchs of the passing order in Pakistan.

Bhutto carries his wealth easily, observing matter-of-factly that he would find it difficult "to indulge in all of my weaknesses" if he did not have the income from his 110,000-acre family estates along the Arabian Sea and the Baluchistan border. He talks of his American years as an honor student in international law at the University of California with the uncomplicated nostalgia of one who had enough to spend and a conspicuous absence of the emotional hangover noticeable in some Asian students returning from the United States.

With his Latin look, Bhutto escaped unpleasant racial encounters, though he recalls that he once experimented with a mustache and was mistaken for a Mexican in a Berkeley restaurant.

The chemistry of the personal rapport between Bhutto and Ayub fascinates mutual friends who see little in common between voluble, breezy "Zulfi" with his literate tastes and the bluff Sandhurst General. As the story goes, the two met when former President Iskander Mirza brought Ayub along for a Partridge shoot on the Bhutto preserve one day in 1955. Ayub is said to have listened to the young lawyer discourse on the issues of the hour with a species of fatherly admiration free from the spirit of rivalry often inspired by older contemporaries.

After the military coup of 1958, Bhutto joined Ayub's cabinet as Commerce Minister. By 1961, he had negotiated Pakistan's oil exploration deal with Moscow and was known as one of the most articulate and sophisticated spokesmen of the regime. His present assignment as leader of the Pakistan delegation to the United Nations is his third. Bhutto represented Pakistan at the U.N. in 1959 and 1960 and was a logical choice for the foreign ministership when Mohammed Ali died in January.

Bhutto has presided over a tense period in Pakistan-United States relations during his first eight months as Foreign Minister, but Western diplomats here do not share the fears of some observers abroad that he is a gray eminence seeking to lead Pakistan into the arms of Peking.

The Bhutto line on China is harder in Private than in public and acknowledges the possible long term threat from Peking while stressing Pakistan's more immediate fears of Indian intimidation or aggression. He compares wartime U. S. collaboration with the Soviet Union to defeat the "lesser evil" of Hitler to Pakistan's Present India focused China policy. "One can be vigilant and on guard against its long term objectives without bringing about this emergency tempo," he argues, pleading for Western efforts to try to eliminate this paranoid mentality, this isolation. China is not going to shrink, and if peace is to be preserved, we will have to strike some *modus vivendi*."

*(From Selig S. Harrison's article in the Washington Post, September 21, 1963)*

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## THE U.N. CHALLENGE

It is my privilege to convey to you the warmest congratulations of the Delegation of Pakistan on your unanimous election to the high office of President of the eighteenth session of the General Assembly of the United Nations. Beyond the formal ties of diplomatic relations between your great country and mine lie the intangible bonds of shared attitudes and aspirations which constitute a firm basis of friendship between Pakistan and Venezuela and the vast continent to which your country belongs. I am confident that under your wise and skilful guidance this Assembly, which is meeting in a time of hope and expectation, will advance mankind toward the fulfillment of the ideals for which this Organization was established. These ideals revolve around one central purpose: the attainment and preservation of world peace.

Peace alone can ensure human survival and progress. Such peace as the world enjoys today is precarious and uncertain, maintained only by the knowledge that nuclear war will end not in victory but in mutual annihilation. Yet the great Powers hold in readiness immense stores of weapons and engines of destruction which serve only to increase tension and mutual suspicion. The first necessity, therefore, is to put an immediate end to this dangerous and self-defeating arms race in which the great Powers have been engaged for more than a decade. Ever since the end of the Second World War, the United Nations has been preoccupied with this fundamental problem.

The decision of the General Assembly adopted three years ago, setting the aim of general and complete disarmament, was an important new development in the search for an enduring peace. However, the subsequent record of the negotiations has not been encouraging. Stockpiles of nuclear weapons and the means of their delivery have not ceased to multiply. The 18-nation Disarmament Committee which has been dealing with this urgent problem has made little progress. That this should be so is no reflection on the endeavors and the good faith of its members. One has only to study the contributions made by many of them to appreciate the value of the Geneva discussions.

May I state, however, that the non-representation in this forum of certain militarily significant states in the world imparts to its deliberations a degree of unreality. If disarmament is to be general and complete it must obviously be universal. No significant military power, much less a major military power, can be excluded from the scope of its implementation. Nor can it be expected that it would accept the obligation of a disarmament treaty negotiated without its representation.

The Treaty to prohibit the testing of nuclear weapons in the atmosphere, under the water and outer space, comes as a ray of light in a dark horizon. Our children and generations yet unborn have been safeguarded against the future poisoning of the air they breathe, the water they drink and the food they eat.

In the dark ages, when unwanted children were buried alive, the Prophet Mohammad cried out in wrath: "What will you answer when the innocents that you have slain rise before God's judgment seat and ask, 'For what crime were we slain?'"

Let us hope that by this Treaty our progeny and succeeding generations will be safeguarded against the agony of a living death. But as a measure of disarmament, the test ban treaty is important more for what it promises than for what it has achieved. As has been well said, it is but the first step on a thousand-mile journey. It does not prohibit underground tests, it does not halt the nuclear arms race, much less reverse it.

At the time of adhering to the Treaty, the Government of Pakistan expressed the strong hope that the prohibition of testing would be followed soon by agreements to cease underground tests also and to prevent the further spread of nuclear weapons. Unless these and other measures of nuclear disarmament are taken, the Test Ban Treaty, although welcome in itself, may turn out to be of only illusory value in dissipating the fear of nuclear war from the minds of men. My Government attaches the highest importance and priority to the prevention of the spread of nuclear weapons as a next step in the quest for general and complete disarmament under effective international control.

In this regard, President Mohammad Ayub Khan gave expression to the concern of Pakistan in his address to the seventeenth session of the General Assembly in the following words:

"An aspect of disarmament which is of deep concern to Pakistan is the clear and present danger of the spread of nuclear weapons and the knowledge of their technology to states which do not now possess them. The General Assembly is aware of this danger. Permit me to observe that the mere adoption of resolutions against the dissemination of nuclear weapons and in favor of the establishment of a non-nuclear club, will not remove this danger. Unless the United Nations takes effective and urgent action in this direction, the race in nuclear armaments is bound to overtake other parts of the world in the immediate future."



In the reluctance of some member states to accept the safeguard system devised by the International Atomic Energy Agency, we find cause for grave concern, particularly when the aversion to agency safeguards is accompanied by the priority plans to produce elements essential to the manufacture of nuclear weapons. Time and again the Agency has drawn attention to the increase in the number of countries reaching the stage of nuclear capability and the danger of such capability being diverted to warlike purposes. We support the decision of the Governing Board of the International Atomic Energy Agency to recommend extension of its safeguards to nuclear reactors exceeding the capacity of 100 thermal megawatts and to study the question of applying safeguards to equipment. The great merit of international safeguards, as compared to bilateral safeguards, is that, being uninfluenced by political expediencies, they inspire greater worldwide confidence. The objective of an effective system of safeguards should be to insure, by inspection and verification at every stage of the process, from the designing and manufacture of the reactor equipment to the disposal of nuclear material, that atomic power intended for peaceful use will not and cannot be used for other purposes.

While basic differences of both a qualitative as well as quantitative nature continue to persist on the substantive issues of general and complete disarmament and on measures for effective international control, the negotiations in Geneva do seem to my delegation to have opened prospects of limited steps which can be taken immediately. In the past, much controversy existed between the merits of a partial approach to disarmament as against attempts to deal with the problem in a comprehensive manner. We trust that with the conclusion of the Test Ban Treaty, pragmatic good sense will prevail over doctrinaire considerations. My delegation believes that at this stage, the 18-nation Disarmament Committee could profitably devote itself to the task of reaching agreements on such limited measures as the prevention of surprise attack and the placing in orbit or stationing in outer space of weapons of mass destruction. We welcome, in this connection, the recent agreement between the United States and the Soviet Union for peaceful cooperation in outer space. The United States and the Soviet Union have also indicated their readiness to make mutual concessions in order to facilitate agreements on measures to prevent surprise attack and war by accident. In particular, my delegation welcomes the proposal to establish inspection posts at the main points of concentration and movements of military forces in the NATO and Warsaw Pact countries. We hope these limited steps in disarmament, and other measures such as the reduction of military expenditures and the release of an agreed proportion of funds thus saved for the purpose of economic and technical assistance to the developing countries, could be taken in the atmosphere created by the conclusion of the Test Ban Treaty.

As the speakers who have preceded me have pointed out, this Assembly meets in an atmosphere of good-will and hope. We are encouraged by the constructive statements addressed to the Assembly by President Kennedy and the Foreign Minister of the Soviet Union. These statements contain concrete proposals which we hope will provide a basis for serious negotiations among the interested powers and contribute to a further amelioration of the situation. We see in the Test Ban Treaty a sign and a symbol of the will of the Soviet Union and the Western Powers for peaceful coexistence. President Kennedy and Chairman Khrushchev looked into the abyss and stepped back from it. We are told that there is no possibility of coexistence in the ideological field. Nevertheless, as statesmen, they cannot want a nuclear war. Their enlightened self-interest demands that they reestablish sanity in the world because the two super-states whose destinies they guide must recognize the limits of their power.

The world is asking itself the question: Will the Test Ban Treaty be a turning point in history? We cannot see past the veil which obscures the future. Dangerous questions are still outstanding. There has been no change as yet in the position of the East and the West on Viet-Nam, Laos, Germany, Berlin and Cuba, even though their frozen positions have somewhat melted. Nevertheless, the world is breathing with relief in the new atmosphere of a limited detente which is unmistakable. We pray that in culmination of the current trend a mutually acceptable *modus vivendi* may be reached between the great Powers.

Apart from the East-West tension, serious problems persist and continue to poison relations among nations. As President Kennedy said here the other day, the cold war is not the only expression of tension in this world and the nuclear race is not the only arms race.

In Africa, the death-spasms of colonialism and the obstinate pursuit of the false doctrine of racial superiority kindle the embers of old fears and hates. In the Caribbean, which last year brought the world to the brink of catastrophe, there is yet no peace but only a precarious truce. But it is in Asia, with its stormy history, that peace is perhaps the least secure. This vast and ancient continent, inhabited by more than half of the population of our planet, continues to be the scene of great convulsions which may well change the destiny of mankind. The giant has awakened, still hardly conscious of its strength but capable, as in the past, of setting in motion forces and events that could change the course of world history. From end to end, from the Pacific to the Mediterranean, there is tumult and conflict. Neighbor is set against neighbor, peoples divided by war and diplomacy are made the pawns of forces beyond their control. In Viet-Nam and in Korea, in Laos, in Palestine and in the subcontinent of India and Pakistan, there exist bitter disputes and explosive situations which disturb the tranquility of Asia and the peace of the world. Is it not time to take a new look at the state of this largest of

all continents and to devise an approach that looks beyond the policies of maintaining the *status quo* and is in accordance with the right of self-determination of peoples? For the well being of the teeming masses of Asia and for the sake of the peace of the world, it is imperative to find just solutions to the disputes that divide Asian nations.

Among these disputes, the Kashmir question has a dimension and an importance of its own, involving as it does the future of 550 million peoples of Pakistan and India, the largest concentration of population next to that of China, and more than one-sixth of the human race. Estranged from each other, the two countries must remain the chief source of danger to the stability of the Asian continent. Reconciled, they have it in their power to assure the future of a large segment of mankind.

While this is no occasion for me to attempt a presentation of the Kashmir question in detail, I must yet remind the Assembly that the central issue in the dispute is that of self-determination. Pakistan seeks no other solution than that of the free exercise of this right by the people of Kashmir.

This principle was accepted by both parties to the dispute. Its implementation has been blocked by one party. We now hear it said that India has made no such commitment. We know, of course, that the easiest way to repudiate a commitment is to deny that it was ever made. However, the commitment the pledge the words of honor are on public record, which may sometimes be forgotten but can never be expunged. Furthermore, the commitment is not of a vague and general nature, made in some pious declaration, but is explicitly embodied in an international agreement as set forth in the two United Nations resolutions which were solemnly accepted by India and Pakistan and which constituted the basis for the cessation of hostilities in Kashmir. Could any commitment be clearer than the very first article of the resolution of January 5, 1949:

“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.”

The pledge, that the future of Kashmir shall be determined in accordance with the will of the people as freely expressed, was given not only to the United Nations but directly by India to Pakistan. Again, what could be clearer than the following declaration of the Prime Minister of India in his communication of October 31, 1947, addressed to the Prime Minister of Pakistan:

“Our assurance that we shall withdraw our troops from Kashmir as soon as peace and order are restored and 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?”

Was any international commitment ever more clearly made, so consistently repeated, and yet more willfully dishonored?

Sometimes, rather than deny the commitment, India’s representatives contend that there were conditions attached to the commitment which were not fulfilled and that Pakistan did not fulfill those conditions. We have said repeatedly that we are prepared to accept any impartial third party verdict on this issue. It is India which makes an allegation and then refuses to submit it to impartial investigation.

Against the background of the assurances that I have quoted, it will not be difficult to appreciate the concern of the Government of Pakistan, and the indignation of our people, when the Prime Minister of India, as in his statement of August 13, 1963, talks of the idea of a plebiscite as being “old and discarded.”

Pakistan seeks no concession but the right of the people of Kashmir to settle their own future. Let me state clearly and unambiguously from this rostrum that we shall not, now or ever, barter away the rights of the people of Kashmir in return for a settlement on the basis of a division of spoils.

The Kashmir dispute remains the basic cause of conflict between Pakistan and India. The other frictions and differences between the two countries are not comparable in magnitude and gravity to this essential issue which impinges on the viability and future of Pakistan itself. We are confident that all the other outstanding problems between us and our neighbor can be settled amicably if only the Kashmir quarrel is settled.

For more than a year relations between Pakistan and India have been further aggravated by the expulsion of tens of thousands of Muslim citizens of India from their homes in the states of Assam and Tripura across the border into East Pakistan. This problem is being discussed by the two Governments through diplomatic channels. It is our earnest hope that it will be resolved in accordance with law and the principles of justice.

It is a cardinal principle of the foreign policy of Pakistan to live in peace and friendship with all its neighbors, without exception. With some of them we have had differences. We have been largely successful in composing them. We have concluded boundary agreements with Burma, India, Iran and the People’s

Republic of China which have resolved border disputes on the basis of mutual accommodation and friendship.

No country regrets more deeply than mine the outbreak of the border conflict between its two giant neighbors, China and India. This conflict has been a matter of deep and direct concern to us. Its repercussions have complicated the problem of our own security. We believe that this dispute can be resolved peacefully. A solution by war is inconceivable; it carries the risk of escalating into a much wider conflict. It is, therefore, with deep apprehension that we view the radical alteration in the delicate military balance of the region by the augmentation of India's military strength. Our fears of the resulting danger to the security of Pakistan are not purely psychological; they are deeply rooted in history and flow from the evidence of India's readiness to resort to military force to settle disputes with its neighbors. Similar fears have also been voiced in other countries of the region.

Pakistan bears no ill will to the people of India. With the people of India, the people of Pakistan have shared a common history for nearly a thousand years. During this long period they have influenced each other in many ways. These facts are central in our awareness. They inform our policy towards our neighbor. We are ever ready to continue the search for a basis of peaceful and honorable coexistence through an equitable settlement of all our mutual differences, of which by far the most important is Kashmir.

If war and violence are to be banished, then ways must be found to solve international disputes peacefully. The world we live in is passing through a period of transition and conflict. There are disputes between nations; there are struggles against domination, there are problems created by racial discrimination and by the existence of economic imbalances between nations. These are the tribulations of our age. The United Nations was established not to perpetuate privilege, but to ensure that, through peaceful change, a world community might be evolved in which no nation will dominate or rise against another.

The domination by one people by another is no new phenomenon; however, the organized form which it has taken under the system of colonialism is perhaps unique in the history of the world. The most pernicious aspect of colonial rule is that economic exploitation, which is its basic purpose, was sought to be concealed under the notion of the superiority of one race over another whether as reflected in the brutal form of apartheid or in the more subtle doctrine of civilizing nations, holding empire over distant lands for the selfless purpose of training their backward peoples in the arts of life.

The bitter legacy of these ideas will, we hope, disappear with the final disappearance of colonialism. In the newly independent countries of Africa one sees today men of all races working together in mutual respect and to mutual advantage.

In South Africa alone, the doctrine of racial discrimination is proclaimed as the official philosophy of the state. The rulers of that unhappy country, blind to the evidence of their eyes, deaf to the appeals of the world, and ignoring the march of history, have attempted to halt its course. South Africa could become the hope of Africa; its rulers have chosen to make it the shame of the world. For many years mankind has hoped and prayed that good sense and reason would prevail in South Africa over prejudice and folly. Let us pray that the time for hope is not past, for the ordeal which the South African Government has imposed upon all its people can result only in a victory for hate and chaos.

But let us not court disaster by the fond hope that the moral pressure of appeals made year after year by this Assembly will deflect the South African Government from its fatal course. The interests of the peoples of South Africa, be they white, black or brown, and of the peace and tranquility of Africa and of the world demand that effective measures be taken to check the inhuman policies of South Africa and to avert disaster.

We welcome the decision of the Security Council calling for an embargo on the sale of any kind of arms to South Africa. We hope that, in their own true interest, all those countries whose close political and commercial links with South Africa place them in a position to put effective pressure on the racist regime will not hesitate too long before doing so. The Pakistan delegation is in full sympathy with the efforts that are being made by the General Assembly and its organs to exert pressure on South Africa to develop a multiracial community in which: “. . . the social and legal structures would be dedicated to equality of all before the law, and to the participation of all ethnic groups on an equal footing, in economic, social, cultural and political activities.”

All over the world one sees colonialism giving way to relationship between nations based on equality and mutual respect. It is our earnest hope that the Governments of the United Kingdom and the other administering authorities will continue to follow the path of wisdom in granting self-government and independence to the remaining non-self-governing territories under their administration in accordance with the aspirations of the peoples concerned.

It is a matter of the deepest regret that Portugal persists in an attitude which is contrary to the trend of history and at variance with Portugal's own great past. When the colonial systems of the other European Powers are in the process of

total dissolution, it is contrary to the laws of life to expect that Portuguese rule in Africa will not pass away. We pray that the leaders of Portugal, who have set their country against the world, will have the vision to see where lie its true interests in Africa and in the world.

In this context, the General Assembly must take note of a historic event which took place in May of this year. Heads of State of 32 African countries met in Addis Ababa and pledged themselves with remarkable unanimity to take active measures in order to liberate the remaining dependent territories in that continent. The conference adopted a Pan-African charter and established consultative machinery. The Pakistan delegation hails this event as the manifestation of Africa's urge to political unity and the consciousness of a Pan-African community. A historian of antiquity has observed that out of Africa there always comes something new. The nations of Asia, and even those of Europe, which are yet lacking in a similar kind of consciousness of their continents must applaud the peoples of Africa for setting them an example. Pakistan wishes God-speed to free Africa in its search for continental unity.

Eight years ago, in the beautiful city of Bandung, 29 independent states of Asia and Africa met together in the first intercontinental conference of the former subject races in the history of mankind. The Bandung Conference enunciated ten principles of international conduct, including the elimination of colonialism in all its forms and manifestations, to guide them in their international relations. Since 1955, more than a score of dependent peoples have emerged as independent and sovereign states. My delegation believes that, with their distinctive experience, they have a rich contribution to make to the problems which continue to face the peoples of Asia and Africa. Old disputes persist and new frictions have arisen. The time has come, therefore, to convene a second Asian-African conference to review the conclusions and recommendations adopted by the first and to revitalize and renew its pledges which still remain unfulfilled. We have no doubt that a second conference will not fail to make a valuable contribution to world peace.

The passing of colonialism is only the first step towards the establishment of rational and mutually beneficial economic relations between the nations, essential to the well being of the world as a whole and to the creation of a true international community. This Organization, which has made a significant contribution to the liberation of peoples and nations, faces a great challenge in the economic field. The peace, prosperity and political stability of the world cannot be assured if poverty, disease and ignorance continue to afflict two-thirds of mankind.

The division of the world into an affluent North and an impoverished South makes for conditions of imbalance and instability. The main problem of the poor countries is not that they are poor in resources or lacking in enterprise. Their problems arise from the fact that, during the period of colonialism, their economies were only developed to serve as adjuncts to the industry and commerce of the colonial powers. It is only in the last decade or so that, upon attaining independence, these countries have turned their attention to the fullest exploitation and development of their resources.

Industrialization is the way to the economic development of underdeveloped countries, to their ability to satisfy the demands of growing populations for a better way of life and even to the rationalization of agricultural and raw material production.

The task of economic development can be carried out more speedily if their efforts are supplemented by assistance which is demanded not as atonement for past economic wrongs but flowing from a realization of enlightened self-interest. The prosperity of the affluent countries themselves cannot, in the long run, be separated from the economic development of the poorer countries. The need for a common effort to raise the standard of living of the poorer nations is, of course, recognized, and I need not labor the point.

We do not believe that a debate on the respective merits of bilateral or international aid program would be productive. The needs of the developing countries for capital, for equipment and for skills are so great that programs of aid from different sources will supplement rather than compete with each other. For this reason my Government believes that the aid programs of the United Nations are not a substitute for aid received bilaterally and that increase in the size and scope of the former, for instance, through the establishment of a United Nations capital development fund, is to be welcomed, both because it will contribute to the total effort and because it will widen participation in that effort. From whatever sources it may come, the flow of capital and skill into the underdeveloped countries makes a vital contribution to their development efforts, as it will take many years for the presently underdeveloped countries to reach the stage of self-sustaining growth. This aid is gratefully received, but the availability of aid should not blind us to the fact that the primary purpose and desire of the underdeveloped countries is to attain viable economies.

Almost all the underdeveloped countries are producers of raw materials or agricultural commodities, on the export of which they depend for the import of goods and services to sustain and develop their economic life. The short term fluctuations for which the markets of primary products are notorious impose heavy losses on the primary producing countries and add to the difficulties of



economic planning. The problem has been made much worse by what appears to be a serious trend in the fall in the prices of raw materials and agricultural commodities in comparison with the prices of manufactures and capital goods. In simple terms, this means that the producer in a highly industrialized country is constantly charging more for what he sells to the farmer in the underdeveloped country and paying the latter less and less for what he has to offer in exchange.

The problem of stabilizing the terms of trade between the industrialized countries and the producers of agricultural commodities and raw materials, therefore, calls for urgent solution. This might take the form of stabilizing the prices of raw materials and commodities, as has been done in the case of coffee, tin, rubber and some other products; or a scheme to insure developing countries against losses from heavy falls in the prices of their export commodities. It is no less important that the manufactures of the developing countries should not be excluded from existing or potential markets by tariff walls and cartel-like arrangements.

The forthcoming Conference on International Trade and Development, which will be held in Geneva next year, will, we hope, make an important contribution towards finding solutions to these problems. Its success will depend on the attitude taken by the industrialized countries in dealing with the problems of the developing countries. We would expect that their own enlightened self-interest will prevail over monopolist tendencies and pressures from groups unable to look beyond short term advantage.

The United Nations is often criticized for its inadequacies. Pakistan has had its share of disappointment. Nevertheless, seeing the United Nations at work in the Congo and in West Irian, who would deny that this Organization is a living force and an influence in the affairs of the world? There are few problems between nations which do not, in one form or another, come under the purview of the activities or interests of the United Nations. Whenever nations have sought the assistance of the Organization and have given it their honest cooperation, it has been possible to find mutually satisfactory solutions. Indonesia and the Netherlands gave a striking demonstration last year of their faith in the principles of the United Nations Charter by agreeing to the peaceful settlement, with the assistance of the Organization, of their protracted and bitter dispute over West Irian. That is only an example of what can be achieved when governments are willing to subordinate considerations of sovereignty and narrow self-interest to the common interest of the peaceful settlement of disputes. We note with deep distress that another source of friction has now arisen in that region, affecting three states with which Pakistan has close and friendly ties. We

are confident that the statesmanship of the leaders concerned will make possible a peaceful adjustment of the situation.

There are many practical ways in which the structure of the Organization can be strengthened and its capacity to act made more effective. A more efficient conduct of the work of the General Assembly, in accordance with the suggestions made in the report of the Committee set up to examine the matter, is one of the ways in which that can be done. There is need also to strengthen the capacity of the United Nations to keep the peace, and the first essential in this connection is to find ways of avoiding the sort of difficulty that has been experienced in the financing of the peacekeeping operations in the Congo and the Middle East. We are happy that the working group on the examination of the administrative and budgetary procedures of the United Nations has been kept in being and given the mandate of bringing about the widest possible measure of agreement among all member states on the financing of the peacekeeping operations. We sincerely hope that the working group will succeed in its task.

There is need also that the composition of the main organs of the United Nations, and in particular the Security Council, the Economic and Social Council and the Secretariat, should be made more representative of the present nearly universal composition of the United Nations.

We cannot but regret that political considerations of an extraneous nature have so far made it impossible for the rightful representatives of China to take their place in the United Nations and thereby make the Organization a truly universal one. We hope that counsels of wisdom will prevail in the end and that considerations of a practical nature, if nothing else, will inspire a more realistic approach to this question than has been the case up to now.

The world has known, in the past, attempts by a single power to impose peace and order in the world. The ancient Persians under the Achaemenians established the first world state in history. Alexander the Great was inspired in pursuit of his worldwide conquests by the ideal of a universal human community. The writ of Rome ran through many parts of Europe, Africa and Asia. Surviving the Dark Ages, the ideal of a universal community was largely realized in Europe under dual supremacy of the Pope and the Holy Roman Emperor. In the Islamic world, the Caliphate held together diverse peoples and nations for many centuries in the framework of a universal state. Then came Ghengis Khan and following him Timur, who built their world empires on the ruins of great civilizations which they destroyed. They believed and acted upon the credo that, as there is but one God in Heaven, there must be only one ruler on earth. And until recently the sun never set on regions of the earth subject to Pax Britannica.

During the last few centuries, attempts of European powers to establish worldwide or continental domination have plunged mankind into wars of unparalleled suffering and destruction. In the present historical context, the political evolution of the world is oriented towards an international world order based on the consent and cooperation of equal sovereign states.

Can this experiment succeed? Historians who contemplate the contemporary world scene as spectators of all time and all existence do not seem to believe that it will. They look to the imposition of a world order by the unchallengeable power exercised in combination by the two super-states as the only alternative for mankind to self-destruction. In default of such a combination we are warned that in the foreseeable future a third power may well believe itself to be under the mandate of Heaven to rule the world.

Philosophies such as these are a challenge to our faith in the United Nations. The world organization was conceived as an alternative to world hegemony, to the domination of the one super-power or more over all others. It is inconceivable that in the era of the United Nations sovereign states will acquiesce in an order imposed by the strength of a great power or even that the shape of the world will be decided by the contest of exclusive ideologies or ways of life. We shall do well to remind ourselves, while we are preoccupied with short term prospectives, of the ultimate goal towards which the United Nations must move, if mankind is to be saved from self-destruction and permitted to realize the promise of man's high destiny implicit in his advent.

*(Statement at the Eighteenth Session of the U.N.  
General Assembly, September 30, 1963)*

## QUEST FOR PEACE

I am greatly honored to be here this afternoon. As a matter of fact, as your President, Mr. Dear, has just mentioned, we have a number of political advisers in our Embassy, in addition to the Ambassador. They have been giving me plenty of political advice as to how to confront you gentlemen. I was told that if I made a long speech, the question time would be shorter. That was tip number one [laughter]. I do not know whether to agree and accede to that advice because actually Pakistan has nothing to conceal in its foreign policy. I would welcome questions from the press, provided I am in a position to answer them. And I shall make an attempt to do so. So I shall make a brief speech, but before I do that I would like to thank you again for your very generous and kind hospitality.

As you know, we are here for the Central Treaty Organization Ministerial meeting. Pakistan is a member not only of CENTO, but of SEATO as well, and committed to the Western defensive arrangement for sound and fundamental reasons. I was a student here many years ago, and in those days I used to hear the phrase “bi-partisan foreign policy”. At present, one does not generally come across this phrase and I am told the only thing on which both parties have a bipartisan approach is their passionate commitment to golf [laughter]. We in Pakistan, as a friend and ally of the United States, too, have taken up golf in a big way. I am told the Ambassador here also now goes golfing and that our Commander-in-Chief, who was here for the CENTO meeting, also played golf during his stay here. This is one game I shall have to take up to show you how keenly and loyally we are devoted, not only to the defense alliances, but to the American way of life [laughter].

Gentlemen, Pakistan is a new state. We were born in a crisis. After many trying years, Pakistan emerged as a sovereign state. Today, our population is 100 million. Coming from Asia, we are deeply committed to the welfare of the peoples of Asia. We know the miseries and the misfortunes of backwardness, of poverty and of misery. Time is of the essence to us. Our resources are limited. We have to do everything possible to mobilize our resources in order to give a better life to our farmers, to our school children, and to the many millions of young and unfortunate Pakistanis who have not really seen a good and decent life. In order to meet the high challenge of the rising expectations, we need peace. Without peace, we really cannot overcome the tremendous tasks and challenges of poverty and want which stare us in the face. For this reason, Pakistan’s policy – its foreign policy – is committed to friendship and good will for all its neighbors, and in particular, for the peoples of Asia, because only by a combined effort can we really overcome these difficult tasks that face us today. In

pursuance of this policy, which is dear to us, we have endeavored to establish cordial relations with all our neighbors.

After the British withdrew in 1947, we were faced with a number of legacies left over from their rule. Chief among them were the questions of territorial and boundary disputes. In a spirit of accommodation and understanding, we have resolved our disputes, territorial and otherwise, with almost all our neighbors. With Burma we have concluded an agreement which would demarcate the frontiers between Pakistan and Burma. With Iran we have also concluded an important boundary agreement. With Afghanistan we have restored normal relations and live in peace and friendship with that country. And also with the People's Republic of China we have demarcated our frontier, which stretches over 400 miles.

India, in many ways, is our most important neighbor because of the length of history and the various other ties that bound us over the centuries but unfortunately so far we have not been able to come to an understanding, to a *modus vivendi* with that country. It is not that we have not tried. In the last 16 years, we have made many attempts, but unfortunately because of the Kashmir dispute – which is really the bane of all troubles and problems, not only between India and Pakistan, but in that whole region – success has eluded us. The Kashmir dispute vitiates the air to such an extent that it has its ramifications not only within the sub-continent, but even beyond the sub-continent.

At present, as I talk to you today, things are moving very fast in the state of Jammu and Kashmir. After an incarceration of about 11 years, Sheikh Mohammed Abdullah, the Kashmiri leader, has been released by India. The people of the state are in revolt, unmistakably in revolt. They have shown to the world that they are not satisfied. They are not content with the arrangements that exist in Kashmir. We have always tried to resolve this dispute by peaceful means, by appealing to the United Nations, by coming to the Security Council, and when we hear from certain Indian spokesmen and leaders that certain countries take a pro-Pakistan stand on Kashmir, this is regrettable because all that countries have to do is to take a fair and a just stand on Kashmir.

Taking a fair and a just stand on Kashmir, which is in consonance with the rule of law, with international peace and morality, cannot be regarded as a pro-Pakistan stand. It should be regarded as a stand which is in favor of justice, which is in favor of strengthening the rule of law.

So when we hear, as I said from responsible Indian spokesmen that the United States of America, for instance, takes a pro-Pakistan stand on Kashmir, that is not correct. The United States of America, enforced by its rich history and past,

cannot but take a proper and a just stand on the dispute over Kashmir. As it is, as a leader of the Western world, committed to certain values which are unalterable, no one can expect the United States to blind itself from the realities of the Kashmir dispute, from the fact that the people there are in bondage and that they seek self-determination. And if the United States Government endorses the principle of self-determination for the people of Kashmir, then it is not taking a pro-Pakistan stand. It is taking a stand which is in consonance with its historical background and its traditions as a great power.

For us, the Kashmir dispute is a simple one.

It involves two fundamental elements. One is that there is an agreement, an international agreement, between India and Pakistan, endorsed by the United Nations, and this agreement calls for the implementation of the right of self-determination. There is the sanctity of an international agreement involved and, secondly, there is an important fundamental principle of the twentieth century – the right of self-determination, in whose evolution the United States through its great statesman President Woodrow Wilson made a rich and important contribution.

These are the two fundamental principles and elements involved in the Kashmir dispute. All other considerations are irrelevant. All other considerations – that India is good and Pakistan is bad; that India has a parliamentary system and Pakistan does not have a parliamentary system but has presidential system; that India is the largest democracy in the world and that Pakistan is not a large democracy; that in India the people are philosophical and in Pakistan the people are not philosophical – all these considerations are irrelevant.

The main consideration is that an international agreement is involved, and the right of self-determination is embodied in this international agreement. We have pursued this problem. We will continue to pursue it. We find that a great deal of activity is taking place in the state today. We have always believed that sooner or later this problem can be settled. And it will be settled. It has to be settled. Once it is settled, we are willing to live in peace with our great neighbor India.

One of the reasons for the creation of Pakistan was that if the two communities could not live together in the same country, then it would be better for us to have our own separate state, get tucked away in our own small little corner, and then, perhaps, as equal sovereign states, establish a new equation and a new *modus vivendi* with India.

That was our intention, and that was one of the purposes of the origin of Pakistan. But unfortunately, the tragedy of Kashmir interposed in our effort and

in our endeavors to achieve that end. But the definitely believe in, and subscribe to the principle of good neighborly relations with India. We do not want to be in conflict with India. We do not want to pursue a policy of confrontation with India. We do not have the resources to dissipate for that negative end. We want to channel all our efforts and all our resources for bettering the lot of our own people. Why then should we unnecessarily take on a much bigger country and a much greater country, with greater resources and with greater potential? This has a demoralizing and a dissipating effect, not only on our people, but also on the people of India.

And when you hear that Pakistan is a religious state and Pakistan will find some other reasons to be on bad terms with India—even if Kashmir is settled—this is not on the books. It is absolutely incorrect. We have the most cordial relations with Nepal. Nepal is a Hindu state, and I think, to some extent our relations with Nepal are as good, if not slightly better, than those of India with Nepal.

We are not a religious state in the way Lidia tries to make us sound to be. We do admit that we are an ideological state; that we are a state with an ideology; that we have certain values which we regard to be more important than anything else—values that we want to fight for and preserve. But this gives strength to our people. It gives inspiration to our society; and we are not ashamed of being an ideological state. Our ideology is one which can make a positive contribution to the cause of world peace. That is why, for instance, Pakistan opposes apartheid. It is not because it is fashionable to oppose apartheid. It is because it is rooted in our ideology. We believe in the equality of all men. But when India, with its deep-rooted rigid caste system talks of apartheid, well it can well be said: “Physician, heal thy own wounds.”

Today, living in this fast changing world, concepts changing so rapidly, one has to be careful and vigilant all the time. We know that we are undergoing a process of change. And national interests and world interests are always subject to change. But in the last analysis, and in the final analysis, what is important is fundamental principles.

We are all conditioned by our own experiences. In the last sixteen years we have encountered experiences as individuals and as states. I do not have to say here what has been that experience in terms of Pakistani-United States relations. You are all very knowledgeable individuals. You are all aware of the last sixteen years, of the political and philosophical attitudes of Pakistan in its relations with the United States. You are also aware of India’s attitude to the United States—here, in the United Nations and otherwise. So I am not here to draw a balance sheet or try to record the past and to inform you gentlemen of our contribution to

the world peace and to strengthening and consolidating the interests of the free world.

Today, we hear all sorts of irresponsible talk—nothing short of irresponsible talk—of Pakistan’s changing attitudes. I would beseech you impartially to examine the objective facts and to consider how difficult is our situation—how we feel that at present we are menaced, more than ever before. Not only are we menaced more than ever before, Indian statesmen have started again threatening Pakistan and calling Pakistan its “Enemy No. 1”. Mr. Chavan, the Defense Minister of India, has said that India shall be “Pakistan’s graveyard,” and other Ministers—the Minister for Rehabilitation has said that India’s Enemy No. 1 is Pakistan and “the enemy is next door.”

So we are very brazenly and terribly hemmed in.

The growing and menacing military potential of India is a factor which causes us great concern, and to our people, great restlessness, because they have been subjected to many unfortunate and tormenting experiences in the past. We have also seen that in the last sixteen years India has chosen to settle her disputes by the sword. On no less than five occasions in those years, India has chosen to settle her disputes by armed conflict. Take that into consideration. Also the fact that she regards Pakistan as her “Enemy No. 1”.

There is a movement in India—a slow but growing movement—for bringing about some sort of a negotiated settlement with China. We do not mind if they negotiate a settlement with China. India can have that negotiated settlement. As a matter of fact, we have always said and advocated that there should be a negotiated settlement between India and China, because both of them are our neighbors and this gap between the two giants is bound to have its ramifications in other parts of Southeast Asia, and particularly in countries like Pakistan, which are close to both these countries.

We do not look with equanimity on what is taking place today. So we have our problems and we have our difficulties. All I request is that you kindly consider our present difficulties and also remember the contributions we have made—not only to the cause of the world peace but to the strengthening of the defense alliances. And sometimes this contribution has taken a heavy toll from us. I do not want again to record some of the positive contributions of Pakistan in the strengthening of the defense alliances, but we have made them. And I think that if you were to tabulate them, you will find that Pakistan has some assets. We are a nation of 100 million people; we believe that we have a role to play in the future destiny of the peoples of Asia and Africa; and that is why we are so firmly



committed to promoting the second Asian-African conference, which we again feel can make a positive contribution to our peoples.

Having said this much, I think that there are a number of questions that have to be answered, so I will stop my speech.

But before I conclude, I would again like to tell you gentlemen that our paramount consideration is to give a better life to our own people. We have had enough of misery, and squalor, and poverty. It is not the law of God, it is not the law of nature that our people and the peoples of Asia and Africa should live in poverty and misery, and others should live affluently. Therefore, we want to mobilize all our resources in order to encounter this great and terrible battle against poverty.

To be a little more informal, I have four small children, and recently I sent two of them to a boarding school. The eldest is 9 and the youngest is 6. I wrote to them when I was in Jakarta a fourteen-page letter, in which I spoke to them about disarmament, about the Afro-Asian conference, about the need to avert another war. When I came back to Pakistan they told me: "Daddy, we didn't understand a word of what you said." I said to them that it is important that you people of the younger generation should be told about these problems although you may not understand these things, because the tasks and challenges that face the younger generation are much greater than those which the older generation faced. The future that we face is an exciting challenge but it also carries dreadful prospects.

The responsibilities are growing heavier by the day, and in order to discharge these responsibilities properly, they should not only read Alice in Wonderland, but about disarmament and about the horrors of a Third World War, and especially a nuclear war, which may detonate and destroy all that we hope for nobly and cherish as the greatest achievements of mankind. Thank you [applause].

*(Speech at the National Press Club, Washington, D.C., April 27, 1964)*

## A DEFENSIVE ALLIANCE

I wish to express on behalf of my delegation, and on my own behalf, our grateful thanks to our hosts for the warm and generous reception accorded to us. I also wish to place on record our deep appreciation of President Johnson's message of hope and confidence which was read out to us this morning. We have found the President's observations illuminating as well as inspiring. This augurs well for the future of the Alliance.

As we gather here today for our deliberations we are reminded of the late President John F. Kennedy whose tragic death has removed a leader and a world statesman of high courage and determination. My delegation and I wish to pay homage to his memory.

We are passing through challenging times. Momentous international developments, some of which have a significant and direct impact on the CENTO countries, have taken place since we met last, a year ago, in Karachi. These developments have brought home, more than ever before, that peace and stability are not a self-perpetuating phenomenon. Nations wishing to preserve them have to give demonstrable proof of their determination to do so. Peace in an area presupposes that the fear of domination by one country over another shall be banished; that the rights of the weak shall be protected against the strong; that peoples living in bondage shall be free – free to order their present and free to determine their future. This places special responsibilities and burdens on great Powers. The big Powers cannot stand unconcerned and let situations develop which may have within them potentialities of disturbance of international peace. In the complicated world of today, no power, however great, can stand apart or act on its own. The big Powers and the small are interdependent and must work in concert for the preservation of the ideals that they cherish.

This in sum is the thinking behind collective security arrangements such as our Alliance. CENTO is defensive in character. Its vital function is the preservation of the independence and integrity of its members whom it is pledged to protect against all aggression.

CENTO is an effort in regional cooperation, which, besides defense, extends into the field of economic welfare. Over the years CENTO has established close cooperation among the regional members for the furtherance of their economic growth. It is through technical assistance and economic development that we can build a firm foundation on which peace and security of the region can be based.

It is a matter of satisfaction that encouraging progress has been made in the economic field. Several important joint projects such as the microwave link, the high-frequency telecommunication links between London and the CENTO regional capitals, and regional railroad and port facilities, are nearing completion. Economic assistance in various other fields is underway and will bring benefits not only to individual member countries, but also to the region as a whole. It is, therefore, of the utmost importance that increased attention is paid to the economic purposes of the Treaty and their implementation. The various cultural programs launched under the aegis of CENTO will also undoubtedly bring appreciable returns. It is our hope that the economic, technical and cultural activities of CENTO will continue to gather momentum and will forge a unity of purpose and action among the peoples of the region. How well do leaders of the member countries of CENTO realize that the uplifting of living standards of the people, waging war against ignorance, hunger, poverty and disease are among the most challenging tasks facing them. They are dedicated to these ideals and the realization is ever present with them that peace and security of the region will not rest on secure foundations till their people have been enabled to overcome these social evils.

Mr. Chairman, before I conclude, I wish to associate myself with the tributes that have been paid to Dr. Khalatbary, the Secretary General of CENTO, who has carried out his responsibilities with commendable vigor and efficiency and who has been responsible, along with members of his Secretariat, in making these excellent arrangements for this meeting.

*(Speech at the Inaugural Session of CENTO Ministerial Meeting, Washington, D.C., April 28, 1964)*

## REVOLT IN KASHMIR

The Government of Pakistan has requested this meeting of the Security Council to draw attention to the serious deterioration in the relations between Pakistan and India and to the far-reaching and incalculable consequences of this situation if it is not improved. Considering that one-sixth of the human race is involved, we cannot continue in this way without, in the end, inviting an eruption which will be catastrophic to both.

We have come to this distinguished body to obtain its assistance in an impartial examination of the existing situation and to urge upon it the incontestably vital necessity of remedying it—not exclusively in the interest of the peoples of Pakistan and India, but also in the larger interest of world peace, stability and prosperity.

The situation to which I refer was brought to the attention of the Security Council in my letter of January 16. I am sure that the members of the Security Council have informed themselves of what has recently happened in Kashmir and in our two countries and the heavy toll these events have taken in human lives and property, the suffering they have caused, the bitterness they have engendered, the great scars of hate they have reopened. Accounts of the rioting and the consequent uprooting and displacement of large populations bring an ugly and shameful reminder of those unbelievably tragic events which occurred in the two countries in 1947. Nearly seventeen years have passed since then. Is there to be no end to this madness?

For my part, I must place on record my Government's deepest anguish at the occurrence of these recent tragic events, whether they happened in India or in Pakistan. In bringing these events to the attention of the Security Council, it is not my intention to present a charge sheet against anyone. No purpose would be served by that. Our endeavor should be to determine the root cause of these tides of violence and to see what it is that makes Pakistan and India such uneasy neighbors and so bedevils their relations.

It is in this spirit that Pakistan comes once again before the Security Council to plead the cause of the people of Jammu and Kashmir at the bar of the world organization.

The Government and people of Pakistan are totally committed to the liberation of their Kashmiri brethren. They will not tire; neither will they falter in the long and bitter struggle until the right of self-determination, as pledged to them in the

resolutions of the Security Council and the United Nations Commission for India and Pakistan, has been implemented.

It is our firm belief that in waging this peaceful struggle, we are striving to uphold the high purposes and principles enshrined in the Charter of the United Nations – to avert the danger to international peace in Asia and the world and to promote respect for human rights.

At this moment, both stand in peril.

As set forth in my letter of January 16, addressed to you, Mr. President, the reasons for my Government's request for an urgent meeting of the Security Council, briefly, are as follows: An extremely tense situation has arisen in Kashmir and throughout Pakistan and relations between my country and India have become strained over the Government of India's policies toward the State of Jammu and Kashmir and more specifically its recently declared intention to "integrate" the State of Jammu and Kashmir with the Indian Union. India is doing this in open violation of its own pledges to the Security Council and in disregard of the rights of the people of the state. As a reaction to Indian policies, the long suffering people have once again risen in what has been described by foreign observers as "open rebellion against the Bakhshi Government and India itself."

This rebellion continues. Despite the intensification by Indian occupation authorities in the state of measures of terror and repression, the brave people of Kashmir are determined to continue their struggle against Indian rule until liberation is won.

A wall of steel separates Indian occupied Kashmir from the outside world. India is trying desperately to conceal what is happening there under a massive blanket of censorship. But enough leaks through to show that India's colonial hold over Kashmir is disintegrating.

In my letter, I have quoted excerpts from the dispatches of impartial foreign correspondents to give some indication to the Security Council and the world of the upheaval that has taken place inside Indian-occupied Jammu and Kashmir during the last few weeks. It has paralyzed the puppet Government of Shamsuddin and the Indian occupation authorities. These dispatches show that the massive demonstrations and the paralyzing general strike in Kashmir are not only an expression of the resentment of a long-oppressed people against the outrage perpetrated in the Hazratbal shrine against their deepest religious sentiments; they are an expression also of their indignation against continued domination.

The upheaval in the state has gathered further political momentum. The target of the mass movement is the regime of India's puppets and quislings and the whole National Conference Party, which is India's political prop in the state.

The truth is that the people are no longer prepared to tolerate India's hold over the state which began when it marched into Kashmir in October 1947.

The design of the Government of India to obliterate the special status of the State of Jammu and Kashmir was foreshadowed on October 3, 1963 by Bakhshi Ghulam Mohammad, the then puppet "Premier" of Indian-occupied Jammu and Kashmir. He announced that "a directive had been issued to bring Kashmir closer to the rest of India", and that, "as a first step", it had been decided to change the designations of "Sadar-i-Riyasat" to "Governor" and "Prime Minister" of the state to "Chief Minister", to bring the state in line with the provinces of India. He added that the necessary "constitutional" formalities to give effect to this change would be carried out by the state assembly when it meets in March, 1964.

The Government of Pakistan protested at once to the Security Council through its Permanent Representative. As stated in his letter of October 9, the proposed step involved yet another breach of India's commitment to the principles of the United Nations Commission for India and Pakistan's resolutions of August 13, 1948 and January 5, 1949.

In reply to that letter the Permanent Representative of India, in his communication of November 12, made the outrageous claim that Jammu and Kashmir is a constituent state of the Indian Union and, therefore, Indian territory. Soon afterwards Bakhshi Ghulam Mohammad was replaced by his own nominee, Shamsuddin, as the new puppet "Premier" of Indian-occupied Jammu and Kashmir. One of the first acts of that hitherto obscure figure was to install in office, under orders from Delhi, a Cabinet in which as many as seven out of twelve Ministers and deputy Ministers belong to the minority community, even though the population of the state is overwhelmingly Muslim. Shamsuddin then proceeded to dismiss over 100 officers of the state government, who were to be replaced by, as he put, "persons with a more secular and nationalistic outlook." Thus, at one stroke, he purged the state administration of officers whose only shortcoming was that they were, perhaps, in some small measure, psychologically and emotionally resistant to India's policies in respect of their homeland.

Subsequently, on November 27, 1963, the Indian Minister for Home Affairs, Mr. Nanda, announced in the Indian Parliament the following measures to “integrate” the state with India:

(1) An order of the President under article 370 of the (Indian) Constitution was issued on September 25, 1963 integrating the state’s legal and medical professions with those of India;

(2) A similar proposal in respect of welfare of labor in the coal mining industry was under consideration;

(3) Representatives of Jammu and Kashmir in the Lok Sabha would be chosen by direct election as in the Indian provinces. Effect will be given to this after the termination of the present emergency;

(4) The Sadar-i-Riyasat and Prime Minister of Jammu and Kashmir would be designated as Governor and Chief Minister respectively. Legislation to give effect to the proposal would be taken up during the next session of the state legislature;

(5) Article 370 of the Constitution occurs in part XXI of the Constitution which deals with temporary and transitional procedures. Since this article was incorporated in the Constitution many changes have been made which bring the State of Jammu and Kashmir in line with the rest of India. The state is fully integrated to the Union of India Government are of opinion that they should not take any initiative now for the complete repeal of article 370. This will, no doubt, be brought about by further changes in consultation with the Government and Legislative Assembly of Jammu and Kashmir. This process has continued in the last few years and may be allowed to continue in the same way.

The Indian Prime Minister, Mr. Jawaharlal Nehru, endorsed this statement the same day. He went on to explain that article 370 of the Indian Constitution would be subject to a process of “gradual erosion”.

The Government of Pakistan protested to the Government of India against these unlawful and outrageous measures. In a Note handed to the Indian High Commissioner to Pakistan on December 14 the Government of Pakistan pointed out that the contemplated measures were deliberately aimed at destroying the basis of agreement on the State of Jammu and Kashmir as embodied in the resolutions of the United Nations Commission for India and Pakistan of August 13, 1948 and January 5, 1949; they also violated the resolutions of the Security Council of March 30, 1951 and January 24, 1957. The Government of Pakistan

made it clear to the Government of India that in view of these resolutions, whatever measures the Government of India had taken or might take, whether legislative or administrative, could have no legal effect whatsoever since such measures contravened the preexisting international legal obligations that India had accepted in respect of the State of Jammu and Kashmir. Those obligations cannot be negated unilaterally by India through any device, however camouflaged. This protest Note also made it clear that all Indian actions of this nature, already taken or contemplated, were illegal and ultra vires because of the provisions of the resolutions of the United Nations Commission for India and Pakistan, to which India is a party, that the future of the State of Jammu and Kashmir can be determined only by the people of Kashmir themselves through a free and impartial plebiscite conducted under United Nations auspices.

Furthermore, in a second letter addressed by the Pakistan Permanent Representative to the President of the Security Council on January 3 the attention of the Security Council was invited to the above-quoted statements of the Indian Home Minister and the Prime Minister of India. It was pointed out in the letter that the steps contemplated by the Government of India were patently designed to consolidate India's hold over the bulk of Jammu and Kashmir, to demoralize its people and to interpose further obstacles in the establishment of conditions for the exercise of their free choice in regard to their future, and that, therefore, they constituted a defiance of the Security Council and the principles of the United Nations Charter.

The Government of India, I regret to state, rejected the protest of the Government of Pakistan and termed it "an unwarranted interference in the internal affairs of India."

May I remind the representative of India that Pakistan has never admitted and will never recognize India's false claim to the territory of Jammu and Kashmir in disregard of the right of self-determination of the people of the state, as pledged to them in the resolutions of the Security Council and the United Nations Commission for India and Pakistan.

It is perhaps necessary here to recapitulate, briefly, the background against which the integration measures of the Government of India should be viewed. I need not now recall the story of the circumstances in which India procured the "accession" of the Maharaja of Jammu and Kashmir. The Security Council is familiar with that history.

Suffice it to say that the genesis of the dispute is that India obtained the signature of the despotic Maharaja on an instrument of accession at a time when the people of Jammu and Kashmir had risen in rebellion against the Maharaja and ousted



his authority from the state. But, apart from the fact that this “accession” lacked a legal sanction *al, initio*, how did the Government of India itself represent this accession to the Government of Pakistan or to the United Nations?

According to their statements, the so-called “accession” was, first, conditional upon the results of a plebiscite of the people of Jammu and Kashmir to be held under international auspices, which would decide whether Jammu and Kashmir should accede to India or to Pakistan; and, second, that it was limited only to the three subjects of defense, communications and foreign affairs. There are innumerable statements to this effect made by the representatives of India from time to time. I shall here quote only three. Immediately after the so-called accession by the Maharaja, the Prime Minister of India, informing Pakistan of it, said in his telegram of October 27, 1947 addressed to the Prime Minister of Pakistan:

“I should like to make it clear that the question of aiding Kashmir in this emergency is not designed in any way to influence the state to accede to India.”

He went on:

“Our view, which we have repeatedly made public, is that the question of accession in any territory or state must be decided in accordance with the wishes of the people and adhere to this view.”

When the Government of India brought the question to the Security Council in January 1948, the representative of India said, at the 227th meeting:

“We desire only to see peace restored in Kashmir and to ensure that the people of Kashmir are left free to decide, in an orderly and peaceful manner, the future of their state. We have no further interest, and we have agreed that a plebiscite in Kashmir might take place under international auspices after peace and order have been established.”

Later, the representative of India reaffirmed his Government’s position thus:

“The Indian Government was careful, even though the request came from both, to stipulate that it was accepting the accession only on the condition that later, when peace had been restored, the expression of the popular will should be ascertained in a proper manner. It was on that condition, and that condition alone, that the Indian Government accepted accession. . . .”

These statements show that India's intervention in Jammu and Kashmir, according to its own declarations, was not intended to make the accession final and that a plebiscite had to be held in Kashmir to decide its future. It might be pertinent to refer here to the summation made by President of the Security Council at its 236th meeting. He said:

“. . . the documents now at our disposal show agreement between the parties on the three following points:

“1. The question as to whether the State of Jammu and Kashmir will accede to India or to Pakistan shall be decided by a plebiscite;

“2. This plebiscite must be conducted under conditions which will ensure complete impartiality;

“3. The plebiscite will, therefore, be held under the aegis of the United Nations.”

He continued:

“The terms in which the three ideas I have just mentioned are expressed and the consequences to be deduced from them may be matters for discussion, but I think I can say that the three ideas are not themselves disputed between the parties.”

I believe that these references – and it is only to avoid undue length that I do not add the many more which are on record – are enough to indicate the position taken by the Government of India before the Security Council, according to which the principle that Jammu and Kashmir would decide its accession by a plebiscite was undisputed, as noted by the President of the Security Council. It was on the basis of this agreement between India and Pakistan, which transcended all other questions in dispute, that the two resolutions of the United Nations Commission for India and Pakistan were accepted by the parties. If they mean anything, they mean that Jammu and Kashmir cannot become part of either India or Pakistan except as a result of a plebiscite conducted under the auspices of the United Nations.

In addition to affirming the provisional and conditional nature of the so-called accession, the representatives of India were at pains, at meetings of the Security Council, to explain that Jammu and Kashmir retained its autonomy within the Indian Union and that, in fact, India had very limited jurisdiction over it. In fact, at one meeting, the representative of India conceded that the determination of the future of Kashmir was a matter over which neither India nor Pakistan had

any jurisdiction and that this point was common ground between the two countries. Even later, in 1951, Sir Benegal Rau, then India's representative, explained to the Council that the scope of Kashmir's autonomy was limited only by a few matters having been taken over by the Government of the Indian Union. This was the way in which India first represented its relationship to Jammu and Kashmir. It was supposed to be a relationship limited in scope and subject to a plebiscite. Then, in spite of these solemn declarations and agreements, on October 27, 1950 the so-called "All Jammu and Kashmir National Conference" adopted a resolution to convene a constituent assembly for the state to determine its "future shape and affiliation." The significance of this maneuver was all too plain: it meant that India was arranging, through the coterie sponsored by it in Kashmir, to bypass the United Nations, and to have the so-called accession rubber-stamped by a compliant agency. Pakistan protested and brought the situation to the attention of the Security Council.

After due deliberation, the Council adopted a resolution on March 30, 1951.

During the debate preceding the adoption of this resolution, the Indian representative gave assurances to the Council that the proposed "constituent assembly" would not prejudice the issue before the Council or come in its way. This meant that the question of the accession was to be decided by a plebiscite and India was bound to that commitment. The representative of India said at the 536th meeting of the Security Council:

"Accordingly, provision was made in the Indian Constitution for a constituent assembly for settling the details of the Kashmir constitution. Will that assembly decide the question of accession? My Government's view is that, while the constituent assembly may, if it so desires, express an opinion on this question, it can take no decision on it."

Again, he said at the 538th meeting of the Security Council:

"Some members of the Council appear to fear that in the process the Kashmir constituent assembly might express its opinion on the question of accession. The constituent assembly cannot be physically prevented from expressing its opinion on this question, if it so chooses. But this opinion will not bind my Government or prejudice the position of this Council."

Despite these assurances, the Indian-sponsored authorities in Kashmir continued to declare that the assembly would decide the future affiliation of the state. When the Council met again on May 31, 1951, the President of the Security Council addressed a cablegram to the Foreign Ministers of India and Pakistan which said:

“Members of the Security Council, at its 548th meeting held on May 29, 1951, have heard with satisfaction the assurances of the representative of India that any constituent assembly that may be established in Srinagar is not intended to prejudice the issues before the Security Council, or to come in its way.

“On the other hand, the two communications to me, as President of the Council, from the representatives of Pakistan (S/2119 and S/2145) contain reports which, if they are correct, indicate that steps are being taken by the Yuvaraja of Jammu and Kashmir to convoke a constituent assembly, one function of which, according to Sheikh Abdullah, would be a `decision on the future shape and affiliation of Kashmir.’

“It is the sense of the Security Council that these reports, if correct, would involve procedures which are in conflict with the commitments of the parties to determine the future accession of the state by a fair and impartial plebiscite conducted under United Nations auspices.

“It seems appropriate to recall the request contained in the resolution of March 30 that the parties create and maintain an atmosphere favorable to the promotion of further negotiations and to refrain from any action likely to prejudice a just and peaceful settlement.’ The Council trusts that the Governments of India and Pakistan will do everything in their power to ensure that the authorities in Kashmir do not disregard the Council or act in a manner which would prejudice the determination of the future accession of the state in accordance with the procedures provided for in the resolutions of the Council and of the United Nations Commission for India and Pakistan...”

Undeterred by the resolution of the Security Council and the admonition of its President, the so-called constituent assembly in Kashmir was convened through rigged elections as an instrument of India’s design, first, to bypass the United Nations – that is, to avoid the plebiscite – and second, to extend the terms of the so-called accession – that is, to consolidate India’s hold over Kashmir.

It was at this stage that Sheikh Abdullah proved to be an impediment in India’s path because he began to stress that the accession was provisional and, even as such, was limited to a restricted number of subjects. It became an urgent necessity for the Government of India to eliminate him as a factor in the equation. This was done by his arrest and imprisonment. Bakhshi Giliulam Mohammad, who was installed in his place, undertook to facilitate the steps which were contemplated by the Government of India for tightening its hold over Jammu and Kashmir.

By an order promulgated in 1954, as amended from time to time, the Government of India has sought to reduce, step by step, the status of Jammu and Kashmir to a province of the Indian Union. The integration of the state's services with the rest of India and the extension of the jurisdiction of the Comptroller and the Auditor-General and of the Election Commissioner and the Supreme Court to the state were some of the steps in this process. Each of these measures could be made to appear as minor and innocuous in nature, but taken together they compel the functioning of Jammu and Kashmir as a unit of the Indian Union.

These measures, all taken in violation of international agreement and in defiance of the Security Council's resolution which I have quoted, eventually led to the adoption, in November 1956, of a "constitution" by the "constituent assembly" in Kashmir. This "constitution" declared: "Kashmir is and shall be an integral part of the Union of India." Pakistan again brought the matter to the Security Council's attention, and on January 24, 1957 the Council adopted another resolution, which states:

"The Security Council . . .

"Reminding the Governments and authorities concerned of the principle embodied in its resolutions of April 21, 1948, June 3, 1948, March 14, 1950 and March 30, 1951, and the United Nations Commission for India and Pakistan resolutions of August 13, 1948 and January 5, 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.

"Reaffirms the affirmation in its resolution of March 30, 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...."

Again, undeterred by this resolution and despite Pakistan's repeated protests, the Government of India has continued to adopt measures usurping increasing power and authority over the State of Jammu and Kashmir. The taking over of responsibility for the administration of highways, telegraphs, telephones, income tax, broadcasting and customs, the subordination of the Accounts and Audit

Department of the state to the Auditor-General of India, the abolition of the customs barriers and the permit system for entry into and out of the state, the subjection of its economic plans to the authority of the Indian Planning Commission, the imposition of the authority of the Supreme Court of India over Kashmir, and the arrogation by the President of India of powers to promulgate laws in Jammu and Kashmir by executive fiat – all these, among other things, are links in the chain with which Jammu and Kashmir has been shackled.

The latest measures show that India is determined to continue to flout the Security Council by reducing the state to the level of a mere administrative unit of India.

It is manifest that the people of Indian occupied Jammu and Kashmir would have none of this so-called “integration” with India.

The people of Jammu and Kashmir demand self determination. They demand a plebiscite.

The indictment in Sheikh Abdullah’s letter [to the President of India] speaks for itself. He has stated that in his considered view the Hazratbal sacrilege

“is not an isolated incident unconnected with the happenings in the recent past in Kashmir” – a past in which tens of millions “of rupees of the Indian exchequer have largely been utilized to corrupt the people of Kashmir and almost killed their very soul so as to ‘drug them away’ from any possible resistance against the onslaught on their basic human rights.”

Sheikh Abdullah has demanded a revision of India’s policy in regard to Jammu and Kashmir, a policy which, according to him, “is the root cause of all the evils which have culminated in the present tragedy.”

What is India’s response? Has the present upheaval in Kashmir made it pause and reflect? Is the Government of India prepared to pay heed to the anguished protest of the people of Indian occupied Jammu and Kashmir against the denial of their inalienable rights?

There is no indication of any change of heart on India’s part. It is determined to continue with its plans for the forcible annexation of the state. The Indian Home Minister’s statement in the Indian Parliament on November 27 remains unretreated.

Indian newspapers are full of inspired reports that the panacea, the sovereign remedy for all the ills of Kashmir, is to complete the process of annexation at one

stroke. To this end, India's agents in Kashmir have been summoned to Delhi to take counsel with the legal sophists of the Government of India.

Officers of the Indian Government are being planted in key administrative and police posts in the state. The Indian bureaucracy is being superimposed on the Shamsuddin Government. These insidious measures, designed to tighten India's own grip on Kashmir, are presented to the world as steps to "strengthen" and "clean" the state administration.

This is the grave situation that I have to bring to the attention of the Security Council. Pakistan is directly concerned and involved in the fate of the people of Jammu and Kashmir. Pakistan is pledged to ensure that the people of Jammu and Kashmir exercise their right of self determination as spelled out in the resolutions of the Security Council and the United Nations Commission for India and Pakistan. The Security Council has twice adopted resolutions reaffirming that the final disposition of the State of Jammu and Kashmir will be made only in accordance with the will of the people exercised through the democratic method of a free and impartial plebiscite conducted under the auspices of the United Nations.

Consequently, the Government of Pakistan is honor bound, in duty and good faith, to request the Security Council to call upon India to cease and desist from any action contrary to that decision, to which India itself is a party. That decision must be urgently implemented. The situation inside Kashmir and in the India-Pakistan sub-continent demands it.

As stated in my letter of January 16, India's iniquitous policies in Jammu and Kashmir have led to upheavals in that state. The present rebellion has further aggravated relations between Pakistan and India, and led to communal riots in the two countries.

To the deep regret of my Government, the tension over the Hazratbal and Kishtwar outrages and the subsequent regime of repression in Indian occupied Kashmir found expression in some regrettable incidents on January 3 against the Hindu minority in the Khulna and Jessore districts of East Pakistan. The disorder was promptly suppressed and normal life restored in the two districts.

Exaggerated reports of these incidents in East Pakistan were published in the Indian Press. Indian political leaders made inflammatory statements from the platform of the annual session of the ruling Congress Party of India at Bhubaneshwar. Within hours of those speeches, the existence of the Muslim minority in the city of Calcutta and in a number of other districts of the Indian state of West Bengal, was placed in dire jeopardy. Widespread acts of killing,

arson and destruction of property took place. A large number of innocent men, women and children have been done to death. Over 75,000 were rendered homeless and shelter less in Calcutta alone. More than 60,000 terror stricken Muslim refugees have fled into East Pakistan for sanctuary.

The President of Pakistan sent an urgent appeal to the President of India to take immediate and effective steps to restore order and peace in Calcutta and other areas of West Bengal, such as would create a sense of security in the minds of the Muslim minority and enable the Muslim refugees to return to their homes. He emphasized that this was in the larger interests of both India and Pakistan.

The reason why I have referred to the recent communal riots in India and Pakistan is not to engage in an apportionment of praise or blame. It is axiomatic that the safety of all their peoples, regardless of faith or persuasion, is the responsibility of the Government concerned.

The Indian case on Kashtnir is always presented with a great deal of rhetoric about the secular nature of the Indian State. The reality is that the denial of the right of self determination to the people of Jammu and Kashmir is embittering the relations between India and Pakistan, a direct result of which is the poisoning of relations between Hindus and Muslims in the two countries.

The denial of this basic right to the people of Jammu and Kashmir and the persistence of communal tension and unrest are part of the same deep-seated malady – the refusal by Indian leadership to break with the unhappy past of this sub-continent, to accept the reality of Pakistan’s existence and to live with it in friendship.

We have always pleaded with our neighbor that we must finally settle the dispute over Kashmir if our peoples are to enjoy the blessings and benefits of peace. One now hears it said from the Indian side that this feeling of conflict between the two countries is due to something mysterious in the minds and hearts of our people, some primordial animus which can never be eradicated. Such statements are either counsels of despair or pretexts for evading a settlement of the major problem that has plagued the two countries since their independence. When the Kashmir dispute was first brought before the Council, the representative of India said:

“We hope to be able to convince the Security Council that once we have dealt with the Kashmir question, there will probably not be anything of substance which will divide India and Pakistan.”



We entirely agree. But what has happened, in fact, is that the Kashmir dispute has been allowed to fester for sixteen years.

The theft from Hazratbal was a spark to the powder barrel. The dispute has poisoned Pakistan-India relations, heightened tension between them to a grave pitch, and posed a serious threat to peace and security in southeast Asia. What is developing is a situation pregnant with manifold dangers which can be averted only if a just and honorable solution is urgently found. Thus alone can Pakistan-India relations be established on a good neighborly basis and a climate created in both countries wherein the minorities may live in peace and security.

When the Kashmir issue last came up before the Security Council two years ago, the Government of India's stand was that the United Nations Commission for India and Pakistan resolutions of August 13, 1948 and January 5, 1959, calling for a plebiscite in Kashmir, could not be implemented because Pakistan, according to India, had not carried out its part of the obligations under those resolutions.

Pakistan's Permanent Representative then proposed to the Council that Pakistan would be agreeable to any method that may be suggested:

(a) to determine the obligations of the parties under these resolutions; (b) to determine what was holding up progress and implementation; (c) to determine whether either of the parties was in default with regard to the fulfillment of its obligations; and (d) what was needed to be done by either side to move the matter forward towards implementation. The Permanent Representative of Pakistan further declared that if a determination of these questions disclosed that Pakistan was in default in any of these respects, the default would be rectified through the speediest method at the earliest possible moment so that the way may be opened toward full implementation of the resolutions. This was an undertaking that he submitted to the Security Council on behalf of the Government of Pakistan.

India refuses to submit its differences with Pakistan in regard to these matters either to mediation or to arbitration, limited merely to such questions of fact. In other words, India arrogates to itself the role of both the accuser and the judge.

India's contention has been that the so-called accession of the State of Jammu and Kashmir to India is final and complete. In the Indian view, therefore, there is nothing that remains to be done in regard to Kashmir.

Clearly this is not a view which Pakistan can or will ever accept. It is not a view that the Security Council can accept. Above all, this Indian attitude rules out any prospect of a settlement of this inflammable issue through peaceful means.

Indian spokesmen have claimed that since three elections have taken place to the state assembly in Kashmir, which has supported “the state’s accession” to India, it is no longer necessary to hold a plebiscite to determine whether the people of Jammu and Kashmir wish their state to accede to India or to Pakistan.

Quite apart from the fact that elections to a legislature can never be the equivalent of a plebiscite on the specific issue of accession, these elections were held to a so-called constituent assembly and its successor assemblies in Indian occupied Kashmir. I have already referred to the assurances given by India, the solemn statements made before the Security Council and in correspondence between the Governments of India and Pakistan, that this assembly would not decide the question of accession or come in the way of the Security Council. Even if these elections had been fair and free, therefore, they were not, on India’s own admission, capable of bringing about a resolution of the problem regarding the disposition of Jammu and Kashmir.

But the facts of the situation are that these elections were farcical, entirely farcical. In 1951, all of the 45 nominees of the National Conference – which is the clique in Kashmir sponsored by the Indian Government--for the 45 constituencies in the Kashmir Valley and Ladakh were declared to have been returned unopposed; and no polling took place on the date fixed for the ballot. In 1957, only 8 out of the 45 seats for the Kashmir Valley and Ladakh were contested and in these the opposition was a token opposition. The Economist of London, on April 6, 1957, described this as a “solemn farce.” The New York Times of March 8, 1957 commented:

“This is not an ‘election’ in any sense of the word. The term election means a choice. The Kashmiris have had none.

“What happened is no credit to India, no reflection of sentiment among the Kashmiris and no contribution to a solution of this thorny problem.”

In 1962, The Times of London of February 5 reported that “the field is just left clear for political supporters of India.” Even a pro-Indian group, the Democratic National Conference, as reported in the Statesman of Delhi, on March 23, 1962, said that “the whole election is false.” The Guardian (of Manchester) of February 16, 1962 reported that these elections would “once again provide no test of the popular will.” It added that the opposition was being eliminated by the permit/licence raj—meaning that those who opposed the governing party get no industrial licence or import permit and there is a peace brigade to deal with recalcitrants. The Organizer of New Delhi of March 12, 1962 described these elections as a “sordid scandal.” The Hindustan Times of Delhi commented

editorially, on February 12, 1962, that it was extraordinary that in 32 out of 42 constituencies, Bakhshi Ghulam Mohammed had left no work for the Election Commission, and asked: "Is it that the policies of his Government are so universally accepted that we might as well replace in his domain the process of election by the process of acclamation?"

This, in brief, gives us a glimpse of the so-called elections in Kashmir which are alleged to have accorded popular consent to the annexation of the state by India. It is small surprise that an article in the Hindustan Times of Delhi, of January 8, 1964, should have described the Indian sponsored regime in Kashmir as "sustained by electoral fraud" and "so thoroughly exposed as being without popular allegiance." It is pertinent to quote here the view expressed by the Guardian of December 31 1963:

"It is widely assumed—even by many Indians—that in a plebiscite more Kashmiris would opt for Pakistan than for India; that is one reason why Mr. Nehru long ago withdrew his agreement to a plebiscite, and why elections in Kashmir, unlike those in the undisturbed parts of Lidia, hardly have even the crudest appearance of being free and democratic."

This explosive issue will not be resolved by India claiming it to be a domestic affair. It will not be resolved by putting forward disingenuous arguments in support of a fictitious Indian claim to the state's territory. It will certainly not be resolved by shutting our eyes to its existence.

On the other hand, the situation could conceivably grow worse, as indeed it has been growing worse over the years and in the last few weeks.

During the last Security Council meeting on this issue two years ago, the majority view, as expressed in the statement of the Council members and in the Council's draft resolution, was that India and Pakistan should enter into bilateral negotiations to find a just and honorable settlement of this dispute.

In November 1962, through the good offices of the United States and Great Britain, the President of Pakistan and the Indian Prime Minister agreed to undertake bilateral talks to seek a solution of the Kashmir problem. I had the honor to represent the Government of Pakistan in those negotiations. They started in the last week of December 1962 and continued till May 1963. They ended in complete failure. The negotiations failed because of India's intransigent stand against any just and honorable settlement of the dispute and its refusal to move from its rigid position.

The Governments of the United States and Great Britain, which throughout the course of bilateral negotiations strove to encourage and assist both parties to reach an agreement, then offered their good offices in another form. They proposed that the two countries agree to the appointment of a mutually acceptable mediator to assist them in arriving at an early settlement of this dispute. While Pakistan was still engaged in seeking certain clarifications from the United States and British Governments on the mediation proposal, the Prime Minister of India effectively sabotaged it by a statement in the Indian Parliament on August 13, 1963.

This was followed on October 3, as I have stated, by the announcement of India's plans to proceed with the integration of the State of Jammu and Kashmir, first by the Bakhshi Ghulam Mohammed Government and later by India's spokesmen, with the disastrous consequences that are taking place in Jammu and Kashmir at present.

I would appeal to the members of the Security Council to undertake steps which would carry this dispute towards a speedy and peaceful solution.

The situation that I have described to the Security Council demonstrates beyond all doubt that the passage of time will not—and I repeat, will not—help to reconcile the people of Jammu and Kashmir to Indian occupation and domination. It must be borne in mind that unarmed as they are, muffled as their voices are by the barrier flung between them and their kith and kin in Azad Kashmir and Pakistan, unrepresented as they are, consigned tragically to oblivion as they are, they are persisting in the eternal struggle of the oppressed peoples for freedom. Their struggle is heroic. All the more so because, in terms of brute force, the odds against them are exceptionally heavy. India has one soldier in Kashmir for every ten men. I wonder how in human justice, by all the considerations that govern the morality of nations, Pakistan can be expected to remain a spectator if the people of Kashmir continue to be suppressed by force.

Though sixteen years have passed without the agreement regarding Kashmir being carried out, there has never been any time when there has been any acquiescence on the part of Pakistan or the people of Kashmir in India's occupation of the major part of Kashmir. There has never been any time when we have abated or abandoned our rightful claim. There has never been any time when a search was not pending for a peaceful solution of the problem consistent with the basic principle agreed between the parties. And there has never been a time when the strain of the dispute in the entire India-Pakistan situation has shown any sign of being eased or when the tensions that it has caused have relaxed.

I venture to submit here that if the doctrine of the passage of time resulting in an advantage to one party in an international dispute is upheld, then it would be just as well if we consider the Charter of the United Nations to have been abrogated. Certainly, no one must then demand the end of any colonial regime because there is no colonial regime which has not behind it the sanction of time much longer than that commanded by the Indian occupation of Kashmir. If the Security Council was exercised over Kashmir in 1948, why should it not be exercised over it in 1964? If it be said that the circumstances have changed, they have changed only in this respect that in 1948 the people of Kashmir were engaged in armed fighting against India in Kashmir, and in 1964 they have only recently risen in rebellion again, if this change is supposed to operate to the disadvantage of those who laid down their arms on the pledge given by the United Nations that their rights would be peacefully secured, is it not a virtual inducement to them to resume hostilities? Assuming that it is not the purpose of the Security Council or of any member to proffer such an inducement, how can the passage of time be considered as a ground for the continuance of India's possession of the greater part of Kashmir?

If this question is realistically faced I am confident that the members of the Security Council will perceive that the issues involved here are the issues of the rights of the smaller states against their domineering neighbors and of the sanctity of international agreements. There is no conceivable situation where the passage of time will not operate to the advantage of the party that is stronger in physical force, though it may be weaker in human right and natural justice. The world has witnessed two global wars in this century which were fought ostensibly for the preservation of the rights of smaller states. If a precedent is now established in Kashmir which allows the rights and the claims of a smaller state to be overborne by a stronger party, aided by the passage of time, and an international agreement to be disregarded, then the principles of the Charter and of all other statements, like those issued recently by Chairman Khrushchev of the USSR and President Johnson of the United States, regarding the renunciation of force in the settlement of territorial disputes, lose their meaning.

I have come before this august body earnestly to urge, in the name of my Government and, above all, in the name of humanity, that the Security Council take appropriate action to ensure that the Kashmir dispute moves rapidly toward an honorable and just solution in the interest of the well being of the people of the India-Pakistan subcontinent and in the interest of peace in Asia. The people of Kashmir have unmistakably risen in an open rebellion and, unless we refuse to hear their voice, we can no longer doubt that they are unreconciled to Indian occupation and domination, any passage of time notwithstanding. I am confident that the Council will consider it urgent to ensure that India refrain from aggravating the situation by proceeding with any measures to annex the state in

violation of the international agreement and of the right of the people of Jammu and Kashmir to decide their future for themselves.

I said at the outset that one sixth of the human race is involved. To these people, most of whom live in deep and measureless poverty, the alleviation of their condition presents a challenge, the enormity of which has, perhaps, no precedent in human history. Both our countries are confronted with urgent and compelling problems. How utterly wrong and wasteful it is that we should dissipate our national energies and engage in conflict with one another.

We, the peoples of Pakistan and India, sought and won our freedom in order to fashion our lives with dignity and self respect, free from privation and fear, to remove the sufferings that our peoples have endured since human memory can recall. After seventeen years where do we find ourselves? We find our horizons darkened by the clouds of a conflict and hate; we find ourselves facing the dark prospect of a fearful and a dreadful storm. Is it not a most dreadful prospect? Is it not a most lamentable situation? But it lies with us, with this distinguished body and with Pakistan and India, to change this course of events. It is within our power, Mr. President, to find the means to live in peace provided there is a will to live in peace.

Freedom can be delayed by oppression, but it cannot ultimately be denied. The course of history is relentlessly so set. And so I say that the people of Kashmir will one day be free. Whether this freedom will come through violence or upheaval, or whether it will come through peaceful means and civilized conduct, depends largely on the decisions this body makes and the respect we show for its decisions.

*(From the statement in the U.N. Security Council, February 3, 1964)*

## FOCUS ON RESPONSIBILITY

I have dealt, I hope sufficiently, in my statement to the Security Council on February 3 with this theory of passage of time to show how untenable it is. I shall not, therefore, dwell on the subject any further, apart from adding that to characterize the decisions of the Security Council as obsolete shows what little importance India attaches to this extremely important organ of the United Nations.

The Government of India accepted the resolutions of the United Nations Commission of August 13, 1948 and January 5, 1949 providing for a cease-fire, a truce agreement, and a plebiscite in Jammu and Kashmir to determine the question of its accession to India or to Pakistan after this question of aggression had been considered. The question of a conditional and contingent acceptance of these two resolutions, therefore, does not arise. The Security Council is fully aware that Pakistan is not required by the terms of the two resolutions to make a unilateral and unconditional withdrawal of its military forces from the state. The withdrawals have to be reciprocal and synchronized in such a manner that at the end of the process, while all the armed forces of Pakistan have left the state, the bulk of the Indian armed forces have also vacated the state. The obligation of Pakistan to withdraw comes into force and operation only after the conclusion of a truce agreement under the resolution of August 13, 1948 which provides for a synchronized withdrawal in the manner and to the extent stipulated.

Who is responsible for the deadlock with respect to the truce agreement, i.e., with respect to the demilitarization of the state?

India balked at the synchronization of the withdrawal of the forces on the two sides. India withheld its co-operation in formulating a truce agreement. India refused to help in establishing conditions which would involve the complete withdrawal of the Pakistan forces from Kashmir. India rejected the proposal for stationing a United Nations force for the purpose. After doing all these things, India began to complain that the Pakistan forces had not withdrawn. Certainly it requires no deep knowledge of law, to quote the expression of the Education Minister of India, to understand that a party cannot challenge the binding character of an agreement by pleading its own failure to perform it.

India has always charged Pakistan with the responsibility for the deadlock, but has always refused to submit its assertion to an impartial investigation of facts, mediation or limited arbitration. In my statement of February 3, I repeated the offer made by Pakistan to the Security Council in 1962, that if an impartial

determination should show that Pakistan is in fact responsible for the situation, my Government would rectify the default through the speediest method at the earliest possible moment so that the way may be opened towards full implementation of the resolution. The fact that India has rejected this offer shows that its accusation against Pakistan is only a pretext for continuing its unlawful occupation of the state and refusal to implement the right of self-determination of the people of Jammu and Kashmir.

But even if we might suppose for a moment, for the purpose of argument, that there is some strength in this allegation of non-compliance by us, what is its effect? Any infraction by Pakistan cannot be allowed, in fairness, to rob the people of Kashmir of the right to decide their future which has been assured to them by the UNCIP resolutions. Surely, the people of Kashmir cannot be penalized for the faults of Pakistan. If this consideration is pondered, it will be realized that the entire case of the Education Minister of India rests on the exclusion of the rights and interests of the people of Kashmir. He wants to convert the whole issue into a pseudo-legal one between India and Pakistan and make it void of all human and moral significance.

What is there in this allegation which can be at all relevant to the solution of the problem from a human point of view?

The question whether Pakistan did or did not commit aggression in Kashmir can be answered only by the people of Kashmir. For, if Pakistan did commit aggression in Kashmir, then evidently it was the people of Kashmir who were its victims. Surely, then India should be insistent on an unfettered plebiscite in Kashmir which would enable the victims to return an overwhelming verdict against the aggressor. That it is Pakistan which seeks this plebiscite, and India which rejects it, shows how much truth the Government of India feels there is in its contentions. It proves which of the two parties bears the burden of guilt. Pakistan has nothing to hide; it is prepared to stand the light of day, which will be a clear and open ascertainment of the will of the people of Kashmir. It is India which seeks to ensure that that light should never dawn. But the light will dawn. In regard to the measures of annexation of the State of Jammu and Kashmir, to which I drew attention in my letter to the President of the Security Council of January 16, 1964, and in my statement of February 3, the distinguished Minister of India has extolled the alleged benefits that those measures would confer upon the people of Jammu and Kashmir. The point that I have the honor to make in regard to these measures is not whether they are a blessing to the people of Kashmir but that they are being imposed by an unlawful authority, in disregard of the injunctions of the Security Council, as set forth in the resolutions of the Council of March 30, 1951, and January 24, 1957. I would request the Council to note that the Government of India remains impenitent in regard to the further



extension of such measures; and on the contrary, as declared by the Minister of India, it is set on imposing them.

This brings us to the heart of the problem with which, in our submission, the Council is faced in regard to the India-Pakistan question. On the one hand, the Minister of India says that "Pakistan has no *locus standi* whatsoever to make any complaint with regard to what India is doing in Kashmir", that "no amount of declamation from Pakistan will deter the Government of India" from proceeding to further implement its designs of annexation of the state, that the resolutions of the United Nations Commission for India and Pakistan "have become obsolete" and that the Government of India will "under no circumstances agree to the holding of a plebiscite in Kashmir".

On the other hand, he makes an offer to "discuss with Pakistan all outstanding differences." The question is: How can the offer be taken at all seriously if the position of the Government of India is as the Indian Minister describes it? How can these differences be resolved if the Government of India maintains its rigid position, as it did during the bilateral negotiations of 1962-63?

These negotiations failed, as did all other negotiations before. The Government of India says that mediation will not help. Now, the Minister of India adds that: "The passing of resolutions by the Council will not be helpful because it is likely only to aggravate feelings."

There is the further position rigidly taken by the Government of India that it will not agree to submit to limited arbitration the points of difference over questions of fact between the parties in regard to the implementation of the international agreement on Kashmir.

I would like to put the question before the Council: If negotiations have repeatedly failed and it is impossible for them to bear any fruit, if the Government of India is averse to mediation, if it rejects limited arbitration, if it warns against the Security Council's passing any resolutions, then is it not the position that all avenues of peaceful settlement are barred and closed to us?

This brings me to India's offer of a so-called "no-war declaration." We have said again and again that we have already signed a "no-war declaration" when we pledged our adherence to the United Nations Charter. The Minister of India asks if we have any mental reservations. Did India have mental reservations when it signed the Charter of the United Nations? If not, what is the necessity of a "no-war declaration." What is needed is not another declaration but to devise specific methods for the settlement of the Kashmir dispute. This would remove the sole cause of conflict between the two countries.

We have been trying to impress this point on the Government of India since 1950, when we proposed a “no-war declaration” which would contain provisions for negotiations between India and Pakistan, and, in the case of the failure of negotiations, for recourse to mediation and, in the event of the failure of mediation, for the submission of the points of dispute to either an appropriate arbitration or judicial determination. To our regret, and to the misfortune of our two peoples and, above all, to the people of Kashmir, the Government of India has persistently refused to accept our offer and to recognize that a “no-war declaration” is a mere platitude unless it is accompanied by a simultaneous commitment to the use of methods for a settlement of disputes.

While our position has been greatly misrepresented in the past, it is gratifying that the principles for which we have sought to gain acceptance are now finding expression in the dialogue between the heads of Government of the United States and the USSR. In his recent statement regarding the peaceful settlement of territorial disputes, Chairman Khrushchev said:

“Life shows that the majority of territorial disputes are fraught with the possibility of a serious armed conflict, and consequently constitute a potential threat to universal peace.”

He added:

“Is it that the Soviet Union proposes to cross out with one stroke all territorial issues between states, to abandon all attempts to settle them as if these issues do not exist at all? No, this is not the point. We realize that some countries have weighty reasons for their claims.”

He continued:

“A peaceful settlement of territorial disputes is also favored by the fact that it in the practice of international relations there already exists a store of improved methods of peaceful settlement of outstanding issues; direct negotiations between the states concerned, use of good offices, request of assistance from international organization, etc.”

On this basis, Chairman Khrushchev proposed an agreement which should include “an undertaking to settle all territorial disputes exclusively by peaceful means, such as negotiations, mediation, conciliatory procedure, and also other peaceful means at the choice of the parties concerned in accordance with the Charter of the United Nations.”

Let us take this statement of the Chairman of the Council of Ministers of the USSR and apply it to the Kashmir dispute, even though this dispute hinges on a people's right to self-determination. According to this statement, it is not at all justifiable to abandon all attempts to settle the dispute, as if it did not exist at all. But that is precisely what India seeks to have the Council do. According to this statement, there is to be an undertaking to settle the dispute by peaceful means. But after the failure of one of these means, that is, negotiation, India blocks the other means. And still India proposes a "no-war declaration."

Let us now refer to the statement of the President of the United States, made in his letter of January 20, addressed to Chairman Khrushchev of the USSR, in which President Johnson proposes the following "guideline" to implement the principle of the renunciation of the use of force for the solution of international disputes:

"The parties to any serious dispute shall seek a solution by peaceful means—resorting to negotiation, mediation, conciliation, arbitration, judicial settlement, action by a regional or appropriate United Nations agency or other means of their own choice."

How does this apply to the question before us? Since negotiation between India and Pakistan has failed, is India prepared for limited arbitration or judicial settlement of those points of difference between the parties which are either arbitrable or capable of being judicially determined? India has rejected these means again and again. India is even rejecting today the assistance of the United Nations in the settlement of this dispute. And yet India proposes a "no-war declaration."

The President of the United States adds in his statement:

"The prevention of wars over territorial and other disputes requires not only general principles but also the growth and improvement of the machinery of methods for peaceful settlement. The United States believes that the peace-keeping processes of the United Nations—and specifically its Security Council—should be more fully used and strengthened."

It is these peace-keeping processes of the United Nations which India spurns with regard to Kashmir. When it came to the question of how the forces of India and Pakistan could be withdrawn from the State of Jammu and Kashmir, and the security of the state preserved, we proposed the stationing of a United Nations force which would be impartial to both India and Pakistan. India rejected the proposal and threatened that any country which would attempt to inject a United Nations force in Indian-occupied Kashmir would be regarded as

unfriendly to India. We went further and conveyed our acceptance to the United Nations representative in 1958 of his suggestion that the possibility of stationing a United Nations force on the Pakistan side of the Jammu and Kashmir border be examined to ensure the security of the area after the withdrawal of the Pakistan forces. India said that it would “regret” the stationing of such a force in the territory of Pakistan. Thus India made it impossible to have recourse to the peacekeeping machinery of the United Nations for a solution of the Kashmir dispute. What is more, India obstructs even a resolution of this Council. And yet India proposes a “no-war declaration.”

There is another important consideration involved here with respect to this offer of India to “sit with us to resolve our `differences’.” Any impartial observer will note that the word “differences” is being advisedly used here. Its intent can be nothing but to confuse the issues. For, after all, what “differences” are there? There might be many minor differences between India and Pakistan, as there would be between any two neighboring countries, but none of them has presented a major obstacle.

The Minister of India professes not to believe the sentiments I expressed the other day regarding the peaceful settlement of international disputes. He accused Pakistan of indulging in threats of violence. The Kashmir dispute has been before the Council for sixteen long years. Numerous efforts have been made during these years to reach a peaceful solution of the problem. No less than twenty different proposals have been made at one time or another by eminent personalities, including the President of the United States and the Prime Minister of the United Kingdom, in order to bring about agreement between India and Pakistan. Each one of these proposals was accepted by Pakistan. Each one of them was rejected by India. If this does not constitute proof of Pakistan’s willingness to seek peaceful settlement of disputes, then I am at a loss how to satisfy India.

It was the Defense Minister of India who declared in the General Assembly of the United Nations that India had not abjured the use of armed force and that it reserved the right to resort to force when its interests so demanded. It was the same Defense Minister who publicly described Pakistan as India’s “enemy number one.”

We have come here not with a threat, but with an appeal—an appeal to you to remember that this Organization was established “to maintain international peace and security, ... to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace.” We appeal to you to remember that the history of mankind has been marred by

war and violence, that if this Organization in which men have placed their hopes for future peace turns a deaf ear to the pleas of the down-trodden, then what hope is there for peace in our time? For India, the situation is simple. It is in possession of the major part of the State of Jammu and Kashmir and would like nothing better than to be left alone. But we, seeing our kith and kin, our flesh and blood, suffer tyranny and oppression, shall we remain silent spectators? We who can see and feel the surge of a people determined to be free, shall we not warn of the consequences and dangers of letting the situation drift like this?

The Minister of India has sought to put the blame on Pakistan for the failure of the bilateral talks which took place between our two countries in 1962 and 1963 because of the conclusion of the Sino-Pakistan boundary agreement. He goes on to charge that the talks were finally broken off by me in spite of all efforts on the part of his Government to keep them going. Let me place the relevant facts before the Security Council.

In pursuance of the policy of the Government of Pakistan to promote friendly relations with all nations of the world, and in particular with those which are its neighbors, we concluded boundary agreements with Iran, Burma and to some extent even with India.

It was in pursuance of this policy that the Government of Pakistan formally proposed to the Government of the People's Republic of China in March 1961 that the two Governments should enter into negotiations to reach an understanding on the location and alignment of the undemarcated border of the Chinese province of Sinkiang and the contiguous areas, the defense of which is the responsibility of the Government of Pakistan.

The Government of the People's Republic of China made an affirmative response at the end of February 1962, and a few months later, in May, a joint communiqué was issued by the two Governments stating that they had decided to enter into negotiations to reach an understanding on the boundary question on the basis of mutual accommodation and in the spirit of friendly relations between neighbors. The negotiations commenced in Peking a few weeks before the outbreak of the Sino-Indian border conflict in October 1962. That was a conflict between two powerful nations of the East. That was a crisis which was not of our making. We could neither prevent it nor influence its course.

When the joint communiqué of the President of Pakistan and the Prime Minister of India was issued on November 29, 1962, agreeing to make renewed efforts to resolve the Kashmir dispute on a just and honorable basis, India knew fully well that Pakistan and China had commenced negotiations on a boundary agreement in Peking much earlier. On the eve of the commencement of the bilateral talks in

Rawalpindi on December 27, 1962, complete agreement in principle between Pakistan and China on the alignment of the boundary between Sinkiang and the contiguous areas, for the defense of which Pakistan was responsible, was announced. We took this course before the bilateral negotiations with India commenced. Had we not done so, the Government of India would have accused us of withholding this information and, thereby, acting contrary to the spirit of the joint communique of November 29, 1962. The Peking negotiations took their course. I signed the agreement in Peking on March 2, 1963.

The Minister of India calls the conclusion of this boundary agreement a "provocation" and gives credit to his Government for not breaking off the Kashmir negotiations with Pakistan. He accuses me of this action. In May 1963, during the last round of talks, I repeatedly told the Indian Minister, Sardar Swaran Singh, the leader of the Indian negotiation team, that I would be willing to stay on in Delhi if he was at all prepared to consider the Pakistan suggestions to break the complete deadlock that had been reached since the third round. I got no response. Therefore, the negotiations ended.

The Minister of India has thought it fit to accuse us of "flirtations with China" and that "Pakistan does not want India to be strong; it wants to weaken her both internationally and domestically."

Mr. President, was this remark about "flirtations with China" meant for your ears? Was it meant for the ears of everyone in this Council?

Obviously not. It was supposed to be a dialogue but I should like to state here that no one in this Council is so innocent as not to know the difference between an ally and an opportunist. We are allies, we are committed in two defense alliances with our friends, and we stand by those commitments and alliances. We take the advantages and the disadvantages of alliances. We take the benefits and non-benefits of alliances. We are willing perhaps to face nuclear annihilation for a common cause and common destiny and common values. Perhaps one of the reasons why no progress has been made in the settlement of the Kashmir dispute is because we are committed firmly to our alliances. No one then can delude anybody that Pakistan is flirting with Communist China. We have a boundary agreement with all countries, with Burma, with Iran. China happens to be our neighbor as well and, like all others, we have concluded a boundary agreement with it in the interests of peace and security and stability to remove all possible sources of friction so that peace is consolidated, so that there is not a repetition of the conflict that India is involved in with so many countries. This was in the interest not only of our alliances, this was in the interest of world peace. We have recognized reality; many countries have recognized the reality. Have they been accused of flirting with Communist China? May we remind the representative of

the Government of India of the ten years of seduction that took place between the Government of India and the People's Republic of China?

We, here in this Council, are accused of flirtations with a neighbor merely because we have normal relations, but no one in this Council is so naive as to be taken in by this propaganda of the Government of India, and those friends and allies of ours, whom we stand by firmly and resolutely, know it better than anyone else.

What is this flirtation, pray? When the Panchshila was proclaimed by India after it reached agreement with China over Tibet in 1951, as the magic formula which would ensure peace in the world in our time, that was not flirtation. If slogans of "Chin Hindi Bhai Bhai" rent the Indian skies for years, that was not flirtation. But no sooner does Pakistan conclude a boundary agreement with China in the interest of peace and tranquility in Asia, than that becomes a flirtation. It is obvious that India has a double standard of international conduct, one for India and quite another for Pakistan.

We are accused of weakening India domestically and internationally. I have dealt sufficiently with the domestic aspect. How have we weakened India internationally? Must we remain on unfriendly terms with India's neighbors because India's relations with most of them are unfriendly? It is not alone with Pakistan that India has differences. India has differences with almost all its neighbors. If it were only with Pakistan, then perhaps there may be some fault, some blame which could be apportioned or put on Pakistan. But apparently India is right in every case and the rest of the world—and in particular its neighbors—is wrong in every case.

The number and diversity of reasons put forward by the representative of India for not fulfilling the pledge given by his Government are so great that it is not easy to follow the thread of his argument.

We have always considered Kashmir to be a vitally important question because it is, above all, a human question on whose just and honorable resolution depends the fate and future of nearly 600 million peoples who inhabit the India-Pakistan sub-continent. It is the Indian pretension that Kashmir is a symbol and guarantee of their secularism. I venture to submit that Kashmir is a test of the ability of the world community to resolve disputes through peaceful means. If Kashmir is to be a symbol and guarantee, let it be the symbol of the willingness of nations to solve disputes through peaceful means and a guarantee that justice will be done to all states and peoples, big or small.

The Kashmir dispute has dragged on for many years. The complexities that surround it are the complexities of politics and power. The issue involved is simple and clear: the right of a people to self-determination and the obligation of states to honor international commitments.

In his short lesson on the history of the United States, the representative of India recalled for us the bloody Civil War fought in the United States to prevent the South from seceding. The analogy is inaccurate since Kashmir is not a part of India trying to secede, nor a slave-owning society attempting to retain slavery. Kashmir is an entity and a people, and to quote Mr. Nehru, it is a people with a soul of its own and an individuality of its own to whom the promise was made sixteen years ago that it would be free to decide its own future. The interesting and revealing feature of the analogy drawn by the Minister of India is that he obviously sees the situation in Kashmir as one in which an unwilling people have, by force of arms, to be held within the Indian Union for the fulfillment of some high and noble purpose of which India is the self-appointed instrument.

Mr. President, Pakistan has come here not to seek your support for the right of a minority to secede from the Indian Union. It comes to seek a reaffirmation of the pledge given to all the people of Kashmir that they will be enabled to decide the future of their land. The people of Kashmir are not an Indian minority. They will never be an Indian minority. Kashmir is not the property of either India or Pakistan. It belongs to the people of Kashmir, and the people of Kashmir alone will decide as to what their future affiliation and course of action will be. The words I have just spoken once again are the words of the Prime Minister of India. The Minister of India considers that the future of the world depends on the evolution of multi-racial nations and states in different parts of the world. Perhaps, that may be so; it is not a contention with which we quarrel in principle. Pakistan itself is a country in which live people professing different faiths, speaking different languages, belonging to diverse racial origins.

Our difference on this matter with India is that we believe that the evolution toward multi-racial states and societies should come about not by force, not on the basis of legal fictions but on the willing consent of the people. If this is a reactionary policy, then we plead guilty.

The Minister of India sought to enlighten us about India's crusade against imperialism and colonialism. His claims, I venture to submit, would have been far more convincing if, in the same statement, he had not built his whole case regarding Kashmir on the rights of the ruler, a feudal chief, a tyrant who had been protected from his own people only under an imperialist dispensation. It is unfortunate for the Indian Minister's claims about India's anti-imperialist



mentality that when he wants to prove Kashmir's affiliation with India, he cites the evidence that Kashmir was a part of the empire of Emperor Asoka.

Surely, not only Kashmir but the whole of Pakistan and most of Afghanistan were included in the empire of Asoka. And it is fatal for the thesis of the Minister of India that the political thought of modern India should have been articulated in different terms by her most prominent writers and authors. "The small national state is doomed" – these are not anti-colonialist words: they are the words of Mr. Jawaharlal Nehru in his book, *The Discovery of India*. And India's ambitions are well expressed by the distinguished Indian author and diplomat, the late Mr. K. M. Panikkar, who was India's ambassador and a very eminent Indian authority:

"Our vision has been obscured by an un-Indian wave of pacifism. Ahimsa (non-violence) is no doubt a great religious creed, but this is a creed which India rejected when she refused to follow Buddha. The Hindu theory at all times, especially in the period of her historic greatness, was one of active assertion of the right, if necessary through the force of arms. To the Indian Ocean, we shall have to turn, as our ancestors did, who conquered Socotra long before the Christian era, and established an empire in the Pacific."

The quotation is from his book *India and the Indian Ocean*, page 16. Surely the attitude that is projected here is one of expansionism, an attitude that would extend India's hegemony from Somalia to Indonesia, and from the Hindu Kush to the Mekong River, that is, over all countries and territories touched by the waters of the Indian Ocean. It is, I submit, hardly an anti-colonialist attitude.

Who has not heard of the epic freedom struggle of the peoples inhabiting the sub-continent? For long years, all of us fought side by side, although even while the struggle continued, the present leadership of India opposed, tooth and nail, the right of Pakistan to be a free and independent country.

It pains us, therefore, that a country so recently liberated from foreign rule should itself now employ the arguments and maneuvers associated with colonial powers to deny the priceless gift of freedom to the people of Kashmir. The representative of India stated that democracy, like charity, must begin at home. I would remind him that this is true of all virtue and that self-righteousness is no substitute for righteousness. We asserted that India has fought unceasingly in the United Nations for the cause of freedom in Asia and Africa. I do not think that it is even necessary for me to remind the members around this table of the humble contribution that Pakistan itself has tried to make to the struggles of the peoples of Asia and Africa to free themselves from foreign domination. We take no credit for this. We seek no credit for it. It is our duty. It is our responsibility to world

peace and to anti-colonialism. It is a natural thing; it is not unnatural. It is a normal thing; it is not a phenomenon. Nor do we wish to suggest that Pakistan's impact has been of a singular or decisive nature. The credit must go in every case to the peoples themselves and to their leaders who fought and struggled, even as the people of Kashmir are doing today.

How can India reconcile its record in Kashmir with the role it sees for itself as the leader, the prime mover, and the inspiration of freedom movements all over the world? Those of us, who have worked in the United Nations on these problems, know full well the equivocations and hesitations of India whenever the question has come up of self-determination in any part of the world.

We have drawn the Council's attention to the present situation in the State of Jammu and Kashmir and to the serious deterioration in the relations between India and Pakistan which is the direct consequence of that situation. In doing so, we believe we have done the duty that the Charter has imposed on us, the duty of seeking assistance of this world organization in ameliorating this situation, in arresting the deterioration, in preventing an accentuated conflict. Upon the assistance that the Council, in its wisdom and in its sense of the collective responsibility of mankind, will render us, rest the hopes for peace in our region. We pray that these hopes may not receive a setback.

*(From the statement in the U.N. Security Council, February 7, 1964)*

## A PRAGMATIC ROAD

Mr. President, I am grateful to you and to the other members of the Council for convening this meeting to resume the Council's consideration of the situation in Jammu and Kashmir and its grave repercussions on the relations between India and Pakistan. At the 1093rd meeting of the Council, I requested postponement of a few days in the Council's proceedings. My Government deeply appreciates that this request was granted by the Council.

My purpose in addressing the Council again is, first, to give a brief account of the situation in Kashmir as it has developed since our last meeting and, secondly, to clarify my Government's position in relation to the perspectives that emerged during the Council's discussion in February.

Three facts have emerged during the interval since our last meeting:

First, the movement of protest in the State of Jammu and Kashmir has continued. Secondly, India has shown no signs of relenting in its policy of repression against the people of the state.

Thirdly, the Government of India has shown itself to be bent on adopting those very measures towards the annexation of the state against which Pakistan had specifically protested to the Council.

Thus, during the interval, there has been no mitigation of the gravity of the situation between India and Pakistan.

Let me cite some important developments that have occurred since our last meeting. On February 20, India's Home Minister, Mr. Gulzari. Lal Nanda, indicated in the Indian Parliament that

“the special constitutional provisions that differentiated Jammu and Kashmir from other states of the Indian Union would soon disappear.”

He added that “conditions as they had developed called for speedier action now.”

On the same day, a correspondent of the London Times, reporting from Srinagar, said that Delhi would “cobble some arrangement” in Kashmir. The arrangement that was cobbled was the installation of a new puppet Premier in Indian-occupied Kashmir on February 28. It is significant that this was done in defiance of the warnings given by saner elements within India itself. A prominent

member of the Indian Parliament, Mr. M. R. Masani, stated on February 26 that “replacing Mr. Shamsuddin with Mr. G. M. Sadiq as Prime Minister could not stabilize the situation in the state for long.”

Indeed, the new puppet was installed even though the London Times reported on February 25 “resentment against Delhi’s insistence on imposing him had increased considerably in Kashmir.”

It is evident that Mr. Sadiq was nominated to head the Indian sponsored regime in Kashmir because he had been demanding complete integration with the rest of India and the ending of Kashmir’s special status. He fulfilled the expectations of his patrons by announcing March 1 that his Government would remove all barriers to the territory’s integration with “the rest of India.” To this end, the new Indian sponsored regime in Kashmir introduced a bill in the so-called State Assembly on March 10, which seeks to change the designation of the head of state and the head of government of Indian-occupied Kashmir, and provides for replacement of the state flag by the flag of India.

India’s new agent in Kashmir has gone even further and has called for the appointment of the Governor of Indian-occupied Kashmir by the President of India instead of his being elected by the state “legislature”. The new Cabinet includes a Minister belonging to an extremist Hindu organization, whose avowed object is to convert Kashmir into a Hindu majority area by violence and by large scale immigration from India. Furthermore, key posts in the civil and police administration of Indian-occupied Kashmir have been turned over to non-Kashmiri officials. These include the post of Chief Secretary, to which an official of the Government of India has been appointed with full powers to fill other sensitive posts by the officials of the Government of India.

It is hardly necessary to explain at length the effect which these measures are designed to have. Their meaning is unmistakable. They are designed to carry out the annexation of the State of Jammu and Kashmir to the Indian Union. They are designed to destroy the identity of the people of Jammu and Kashmir. As I said in my statements in February, the question at issue is not what provision India should retain in, or eliminate from, its constitution. The question at issue is whether India intends to facilitate the exercise of their free choice by the people of Jammu and Kashmir or work to prevent it. Inasmuch as India, at an early stage, sought to give a symbolic recognition to the identity of the people of Jammu and Kashmir in Article 370 of its constitution, the abrogation of this article can be understood in no other light than India’s intention to present the United Nations with a *fait accompli* and to try to close all avenues of escape for the people of Jammu and Kashmir.

We have protested to the Security Council against India keeping in jail the accredited leaders of the people of Jammu and Kashmir. But what we are witnessing now is the wholesale imprisonment of an entire people and an attempt at reinforcing and multiplying the bars of steel behind which they have been encaged. Permit me to say that no act of the Government of India could be more calculated to serve as a grave provocation to Pakistan and to demonstrate complete defiance of the wishes of the United Nations for an amicable settlement of the dispute. Considering the timing and the rapidity of the execution of these measures for the integration of Indian-occupied Kashmir with India, how is it possible, I ask, for us to understand them except as evidence of India's determination to bring matters to a head and stage a showdown? This is the situation that we are bringing to the Council's attention.

It will be recalled that, when we drew the Council's attention to the upsurge of popular feeling in Kashmir against India, the Indian representative emphatically replied that "the demonstrations in Kashmir were aimed at the local administration" and had no bearing upon Kashmir's relation with India or Pakistan. The question, naturally, arises: What is the truth?

The truth could be found out by an independent fact finding agency of the Security Council, if one existed, and my Government would be under no necessity to elaborate the point further. In the absence of such an agency, however, one can only turn to the reports of impartial foreign observers. Out of the many which have appeared recently, I shall quote only a few. The Times of London, of February 13, for example, reported:

"Intense feeling in the Valley against the ruling party in the State has been projected against Delhi as well, and feeling there has probably never been more strongly against integration with India than it is now."

I might recall here that in my statements before the Council in February, I had said that it was the revelations brought about by the Hazratbal incident, rather than the incident itself, to which we were seeking to draw the Council's attention. All subsequent developments in Kashmir have borne out the truth of our submission. Here, for example, is a report in the New York Times of February 29, which says:

"The riots that followed the theft from a mosque of a hair revered as a relic of the Prophet Mohammed brought to light strong anti-Government feeling in Kashmir..."

"New Delhi was alarmed by the pro-Pakistan sentiments of the people, which continued to be expressed after the relic had been restored."

Here is another report in the Evening Star of Washington of March 14, which says:

“India maintained that the popular uprising was directed against the local puppet government and did not express resentment against India itself. Weeks after tens of thousands of Kashmiris demonstrated in the streets of Kashmir’s capital, Srinagar, demanding a plebiscite, independence or to join Pakistan, Prime Minister Nehru’s new deputy, Lal Bahadur Shastri, told Parliament that the people of Kashmir welcomed full integration with India.”

The correspondent then talks of “the cloud of gloom and despair” in the Kashmir Valley because of “a combination of armed police and imported Indian administrators”, and then he adds:

“India now seeks a breathing spell to regain its shaky hold on Kashmir and wants time to absorb it gradually into India.”

This testimony about the facts of the situation in Kashmir is further strengthened by reports in the Indian press itself. According to the Times of India of February 20, most of the shops in Srinagar remained closed on February 19 in response to a call given by the Action Committee for observance of a general strike as a mark of protest against the convening of the state Assembly which “was not a true representative body.” An article entitled “Inside Kashmir” by a columnist, Nandan B. Kagal, in the same newspaper on February 26 said:

“Whether one likes it or not, the Action Committee set up by Maulana Masoodi after the Hazratbal theft has within the space of a few weeks seemingly become the voice of the people of the Kashmir Valley .... It appears to have a wider popular base than any other political group in Kashmir today .... It has called for Sheikh Abdullah’s release and also for Choudhury Ghulam Abbas’s return to Kashmir. When these demands are coupled with the allegation that the state Assembly does not truly reflect the will of the people of Jammu and Kashmir, the political objectives of Maulana Masoodi and the Action Committee become quite clear. Once the representative nature of the Kashmir Assembly is challenged, though its actions might remain legally valid, their meaningfulness in terms of democratic principles is reduced. Maulana Masoodi in effect says that Kashmir’s accession to India is neither final nor irrevocable ...”

Then the Times of India on February 21 said that: "It is now quite plain that Maulana Masoodi and his colleagues on the Action Committee want to reopen the accession issue".

What clearer refutation, I ask, could emanate from India itself of the thesis advanced by the representative of India here that "the demonstrations in Kashmir were aimed at the local administration."

As a matter of fact, the latest reports leave one in no doubt about the nature of the popular movement in Kashmir. According to The Statesman of Delhi of March 17, the Action Committee in Srinagar, which has elsewhere been described as "the voice of the people", affirmed in a resolution of March 15 that the people of the state would not accept any solution of the Kashmir issue which is not based on the freely expressed will of the people, and called for immediate implementation in full of all pledges given to the people. They demanded the resolution of the dispute once and for all on the basis of a free and fair vote. The Kashmir Political Conference issued a statement on March 16 demanding that an appropriate atmosphere be established for the meeting of the leaders of India and Pakistan to solve the Kashmir question in accordance with the wishes of the people of Jammu and Kashmir.

The truth is that India knows full well the reality of the people's movement in Kashmir and the cause of the continued crisis there. Yet, what is the response of the Government of India? It is to proceed with greater speed to integrate Kashmir into the Indian Union. It is to threaten stern action against anyone in Kashmir who stands in the way. When the Government of India threatens dire consequences for the people of Jammu and Kashmir taking the stand that they are entitled to decide their own destiny, it brings out the explosive nature of the present situation more clearly than it can be described. It shows that India, which is a member of the United Nations, a signatory to the Charter, pledged to respect the authority of the Security Council, is prepared to persecute a people for no other act than their making manifest the demand that a principle of the Charter, and the decisions of the Security Council based on it, should be implemented in their case. Even if there had been no other disquieting factors in the present situation, this attitude of the Government of India would in itself be enough justification for Pakistan to seek the Council's intervention.

Actually, there are other disquieting factors which I have already reported. They emphasize the critical, cancerous nature of the present situation between India and Pakistan. The situation on the cease-fire line, always uneasy, is today more troubled than ever before. Serious incidents have taken place in recent weeks, leading to heavy exchanges of fire, resulting in a number of deaths. The urgency of the situation is as pronounced as it is poignant. There is no international

agency but the Security Council which can meet it and thus help to avert the danger to peace which otherwise is being dangerously augmented by the day.

The danger to peace is indicated by the statements of responsible Indian spokesmen. On March 15, only a few days ago, India's Minister for Works and Rehabilitation, Mr. Khanna, said that Pakistan is "India's enemy number one" and urged Indian students to follow "the path of Shivaji and Govind Singh". These were war lords in Indian history who fought against the Muslims and who were defeated by the Muslims. These were the war lords to which the Indians referred during the Sino-Indian conflict. The Defence Minister of India has added to this statement that India will be "Pakistan's graveyard". Those are the words spoken by the Defence Minister of India the other day, that India will be "Pakistan's graveyard". While Pakistan, of course, remains unafraid of these threats, it is evident that they cannot be disregarded in an appraisal of the present situation.

The Council's consideration of the question in February helped to bring out again those aspects of the issue which, we believe, must not be obscured if a just and peaceful settlement is to be achieved. The pronouncements made by the members of the Council showed again that the United Nations is not insensitive to those principles upon which alone a structure of peace can be enduringly built. The problem, however, remains that those pronouncements have to be brought to bear concretely on the situation which confronts us. One of the trends of the Council's debate has been to emphasize the necessity of resuming negotiations between India and Pakistan. I need hardly remind the Council that this advice is not, and could never be, unwelcome to Pakistan. Throughout the existence of the dispute, the Government of Pakistan has been anxious to utilize all reasonable methods for its peaceful and equitable solution. When member states of the Council talk of negotiations between India and Pakistan, I would merely ask them to take into account our long experience of this particular method of trying to resolve the dispute.

There were conversations between the Prime Ministers of India and Pakistan even before the issue was brought to the Council in 1948. There was a long correspondence in 1950 and 1951, punctuated by personal contacts between the Prime Ministers of both countries, about formulating the principles which should govern the settlement of disputes between the two countries. There were negotiations again between the two Prime Ministers in 1953 and 1954. There were some direct talks in 1955. From 1958 to 1961 the President of Pakistan made sustained endeavors to secure a just and peaceful settlement of the dispute by direct negotiation. Then again, as the members are well aware, six rounds of talks were held between India and Pakistan from December 1962 to May 1963. It



can, therefore, hardly be said that we have failed to explore the possibilities of this method, far less spurned it.

Since all direct negotiations between India and Pakistan so far have failed, we believe that it is necessary to bear in mind the reason for their failure. When one party refers to the governing principles of the case and the other relies on its might, when one seeks the reality of negotiation and the other wants only to contrive its semblance, when one seeks to expedite the process and the other is determined to stall it, what is the result? The inevitable result is that the parties talk at cross purposes with each other. There is then nothing to prevent negotiations from not only being wasteful but, through their futility, from worsening a tense situation. Even mediation does not help greatly in such a case, unless the mediator is in a position to direct the negotiations and to relate them to a framework which is reasonably precise. That alone can give the negotiations some coherence and purpose. To ask a mediator to assist in achieving a solution without a defined basis is to place an unfair burden on him.

It was said in this Council in February that the negotiations required in this debate should be constructive and sincere. But the problem is, how do we make the negotiations with India constructive and sincere, if the Indian position is that which was stated in the Council? What promise of success can we discern when the Education Minister of India, reporting the Council's proceedings to his Parliament on February 24, said:

"I think we have laid the ghost once and for all for the holding of a plebiscite in Kashmir."

This kind of statement is probably an apt reminder to the Security Council that no formula for negotiations can help if it is vague and if it lends itself easily to distortion. Given the authority of the United Nations and his personal standing, the mediator's good offices will certainly be a positive element. But this element, in order to be constructive, needs a foundation and a base. It needs precise terms of reference that can be objectively commended.

What point of departure can be more objectively commended than the principles of the Charter and the international agreement which has been solemnly accepted by both parties? This agreement was not imposed by the Council. It is based on the common denominator between the declared standpoints of the parties and, in itself, embodies a compromise between their respective claims. It is an agreement to which the Security Council itself is a party and to whose clarification it has devoted the thought and effort of scores of its member states and the eminent individuals who have served as United Nations representatives in the Security Council.

That the agreement embodied the pledge given by India and Pakistan to the people of the state is a fact which has been constantly affirmed and reaffirmed by the Security Council. Thus, the agreement has had behind it the recognition of all members of the United Nations. If anything was wanting in making this recognition universal, that, too, has now been done.

I must, in this context, stress before the Council that plebiscite in Kashmir is not just a slogan of Pakistan. It is not any consideration of prestige which attaches us to the international agreement on the State of Jammu and Kashmir that is the two UNCIP resolutions. We invoke the principle of self-determination because it is the only basis – I repeat, the only basis – on which a solution of this problem can endure. Let us keep in mind the nature of this problem. It is not the problem of a border. It is not a dispute over a piece of territory. It is not a clash of economic interests. It is not a rivalry between two systems. It is the problem of the life and future of nearly five million people who inhabit a territory six times as large as Switzerland. In this day and age, how can we possibly dispose of this problem without impartially consulting the wishes of these people? Whether from an ethical or from a political point of view, there is no getting away from the fact that no solution of this question will be viable if it is arbitrary and if it is not based on, and sanctioned by, the freely expressed will of the people concerned.

Suppose, in a mood of real politic and mindful only of the changing expediencies of politics and power, we were to try to hustle through what is called a political settlement. Is it a likely proposition that this settlement will be conducive to peace if it is opposed by the people involved? It is natural that some men of good will should feel the need for a fresh approach to a problem that has persisted for sixteen years. But – and here is the cold fact of the matter – no fresh approach is likely to be anything but perverse if it does not have the support of the people of Jammu and Kashmir. That is why we remain unshaken in our conviction that any deviation from the principles of the two UNCIP resolutions will result not in an casement of the problem, but only in its aggravation.

We have grappled with this question all these years and one thought abides with us. Suppose the slate were sponged clear and you were to consider the problem as if it had arisen now, not in 1948, but today. What would happen? In your search, however pragmatic, for an equitable settlement, you would be driven to the conclusion that there is only one sure way – the way of finding out what the people of Jammu and Kashmir themselves want. You would thus be driven to write again the substance of the UNCIP resolutions.

At the Council's meetings in February, it was one of the stark statements of the Indian representative that the UNCIP resolutions are obsolete. I would like to

raise two questions. The first is general. If these resolutions are obsolete, does that mean that the people of Jammu and Kashmir are also obsolete and that their right of self-determination is also obsolete? The second question is one of even more urgent implications and it needs to be concretely answered by the Security Council, on the one side, and by India, on the other. The question is this: if we accept the position of the Government of India that it regards these resolutions as obsolete, then does it not follow that the ceasefire in Kashmir is also obsolete, because there is no other sanction behind the ceasefire than the validity of these resolutions and their acceptance by India and Pakistan? It is evident that this is not a rhetorical question and we do not ask it in order to score a point. On the contrary, consequences of an extremely practical nature will flow from the answer that will be given to us by the Government of India.

We have been gratified by the references made in the statements of the members of the Security Council to the realities of the situation. We welcome the suggestions that a solution must pay due regard to these realities. So people of Jammu and Kashmir are not any less of a reality today than they were in 1949. Will this statement be contested? The primary reality of the situation is the fact that, all passage of time notwithstanding, these people are not reconciled to Indian occupation. The primary reality is their frustration and discontent. The primary reality is their revolt. And the direct consequences of this reality is the fact that the dispute over Kashmir has brought about a threatening confrontation between India and Pakistan. The reality is that there has never been a time when the strain of the dispute in the entire India-Pakistan situation has shown any sign of being eased or when the tensions that it engenders have relapsed.

It is to these realities that the efforts towards the peaceful solution of this problem have to be oriented if they are to bear any fruit. No so-called fresh approach can discover a substitute for a people's right to self-determination. No fresh approach can improve upon the substance of the UNCIP resolutions, which is the ascertaining of the popular will in Jammu and Kashmir without coercion, corruption or interference from outside.

These are the considerations that must govern any endeavor towards a settlement, if that endeavor is really a serious one. While there is no doubt that they have been implicit in the thoughts expressed here in the Council, the situation in Jammu and Kashmir demands suitable international action based on them. When I say that this action has been lacking, it will, I hope, be understood that I am not unappreciative of the efforts made by the members of the Security Council during the series of meetings in February to bridge the gulf between the parties. It is, however, discouraging that the spokesmen of the Government of India should have lost no time in distorting the expressed views of the Council members and in questioning the very basis of a consensus. This attitude

underlines the necessity of the Council to adopt a precise and concrete formula for setting in motion a process that will result in an amicable and honorable settlement of the dispute. We do not deny the value of appeals and exhortations. But it is essential that an appeal should constitute an adequate response to the urgent demands of the present situation. A suggestion to the two parties to negotiate is nothing more than an exhortation, unless some insurance is provided for the negotiations to be meaningful. I am certain that there is no member of the Security Council who will be satisfied by the parties merely going through the motions of negotiations and, as a result, increasing a dangerous feeling of futility in Jammu and Kashmir and in India and Pakistan.

We have come here again to offer our cooperation to the Council for the betterment of the situation between India and Pakistan. While we appreciate the spirit of the agreed opinion of the members of the Security Council and endorse its contents, we beg to remind the Council that this opinion needs to be clothed in such form and conveyed in such terms as will tangibly help to move the problem towards a just, a peaceful and an honorable settlement of the dispute of Jammu and Kashmir.

*(From the statement in the U.N. Security Council, March 17, 1964)*

## UNSILENCING A DECADE

Since the present series of meetings of the Security Council began in February, I have had the occasion from time to time to apprise the Council of the situation prevailing in the State of Jammu and Kashmir. When the Council adjourned on March 20, at the request of the Indian representative, members of the Council made an appeal to both parties to refrain from any measures that might aggravate the situation.

The very fact of the question being before the Security Council has had some restraining effects on various forces that would otherwise have made the situation in Kashmir even more explosive than it is today. Yet the melancholy fact remains that the Government of India has not made any positive response to the pronouncements made here in the Security Council. Thus the situation in Kashmir remains highly disquieting and disturbed. In my statement to the Security Council on March 17, 1964, I stated that three striking facts had focused world attention during the preceding thirty days:

“First, the movement of protest in the State of Jammu and Kashmir has continued. Secondly, India has shown no signs of relenting in its policy of oppression against the people of the State. Thirdly, the Government of India has shown itself to be bent on adopting those very measures towards the integration of the state against which Pakistan had specifically protested to the Council.”

The statement of mine is as true today as it was when we met six weeks ago, notwithstanding the release since then of Sheikh Abdullah.

On April 3 Sheikh Abdullah was released from jail. The conspiracy case against him was withdrawn. It will be recalled that after some five years of incarceration without any trial whatsoever, Sheikh Abdullah and his principal lieutenant, Mirza Muhammad Afzal Beg, and twenty-four others, were brought to trial in May 1958 on trumped up charges of conspiring with Pakistan to bring about the secession of the state of Jammu and Kashmir from India. The trial dragged on drearily.

The fact that these charges had been fabricated and were totally false is now sufficiently known. The very withdrawal of the case against Sheikh Abdullah implies a clear admission that the charges were utterly baseless. Public opinion throughout the world has been outraged by this high-handed attempt to destroy the Kashmiri leadership politically. It was a part of a policy of terror and

oppression to deny to the people of Jammu and Kashmir their right of self-determination.

A prominent Indian journalist, writing in the Hindustan Times of Delhi of April 8 has this to say of the Abdullah trial:

“Sheikh Abdullah, on trial on charges which everyone recognized were bogus, had become the totem figure of the long dark night of the Bakhshi rule. . . .”

Members of the Security Council would doubtless wish to know why I maintain that the Government of India has shown no signs of relenting from its policy of oppression against the people of the state of Jammu and Kashmir.

In my statement to the Security Council on March 17, I invited the attention of the Security Council to the historic resolution of the People’s Action Committee, adopted two days earlier in Srinagar, affirming that the people of the state would not accept any solution of the Kashmir issue which is not based on the freely expressed will of the people of Jammu and Kashmir.

Let me quote from this momentous resolution of the Action Committee:

“.... the promises made to the people of Kashmir should be fulfilled by holding a free and impartial plebiscite so that the problem of Kashmir is solved once and for all. . . .”

The Kashmir Political Conference issued a similar statement the following day, urging that an appropriate atmosphere be created for the meeting of the leaders of India and Pakistan to solve the Kashmir question in accordance with the wishes of the people of Jammu and Kashmir. Maulana Masoodi and Maulana Farooq, two important leaders of the Action Committee, endorsed these demands. These caused consternation in political circles in India because they signified a categorical rejection of India’s claim that the state had finally acceded to India.

After eleven long years of imprisonment, the Government of India has released Sheikh Abdullah. Abdullah is a free man because it was the universal and uncontrollable demand of the people of Jammu and Kashmir. Abdullah is out of prison because the political organizations in the state, voicing the will of the people of Jammu and Kashmir and articulating their aspirations, forced the Government of India to open the prison gates. Abdullah has been set free because the National Conference, the corrupt and discredited ruling political party, collapsed completely.

The compulsion of events and forces drove the Indian Government to withdraw the fake case against Sheikh Abdullah and his colleagues. No, it was not out of magnanimity or out of free will that the Government of India released Sheikh Abdullah from his eleven long and tragic years of imprisonment. Since last December, two demands have resounded throughout the state: "Release Sheikh Abdullah", and "Hold plebiscite in Jammu and Kashmir."

Sheikh Abdullah's voice, silenced for more than a decade, speaks again. It echoes the demand of the people of the state for self-determination, for a plebiscite, for negotiations between India, Pakistan and the Kashmiri leaders to restore communal harmony, peace and amity between the peoples of the subcontinent by settling the dispute of Jammu and Kashmir. This voice has disturbed the recalcitrant elements in India. Within a few days of his release, threatening statements were issued by the leaders of India, both inside and outside the Government, that if Sheikh Abdullah does not desist from this demand his days of personal liberty may be numbered.

It might be recalled that when Pakistan asked for a meeting of the Security Council on Kashmir, we reported that a grave emergency had arisen in Kashmir, with the people having risen in open rebellion against Indian occupation. It was contended then on behalf of India that demonstrations in Kashmir were only the expression of a feeling of grief over the loss of the Holy Relic. But these demonstrations continued menacingly after the restoration of the Holy Relic, and so this contention became untenable. Then the Indian representative was forced to shift his ground.

He would then have us believe that the demonstrations signified only a protest against the local administration. Subsequent events, which have been abundantly reported in the Press, some of which I have cited, have exposed the hollowness of this contention also. And so the position is now being taken that the unrest in Kashmir relates to the details, the nuances of Kashmir's accession to India, and not to its very basis.

But again this position has forcefully been challenged throughout the length and breadth of Indian-occupied Kashmir. The fact is now beyond dispute that the people of Kashmir have challenged the validity of the accession to India of their homeland. They have made it plain that they demand their future to be settled by the plebiscite which has been pledged to them by India and Pakistan and the United Nations. "Our demand—plebiscite"—these words have been seen and heard all over Kashmir. There is nothing else that the people of Kashmir demand and there is nothing else that Pakistan wants the Security Council to arrange.

The developments that have taken place have clarified the situation. The people of Kashmir have joined ranks against Indian occupation. But the Government of India, according to its own spokesmen, is not prepared to change its stand that the occupation should continue to be foisted upon the people of Jammu and Kashmir.

Could there be a clearer confrontation directly posing the danger of a head-on clash? I believe that we need to ponder this question carefully. We need to visualize the situation that has arisen now in Indian-occupied Kashmir.

On the one side we see the entire population of the Indian-occupied area making manifest their demand for an early plebiscite to determine their status. On the other side we see the Government of India showing no signs whatsoever of relenting from its opposition to this democratic and popular demand of the people of Jammu and Kashmir.

What are the clear affirmations in Sheikh Abdullah's statements which have been acclaimed by the people at large? These affirmations are: (1) that the accession made by the Maharaja in 1947 was provisional and subject to a plebiscite; (2) that any solution of the problem based upon the cease-fire line or its adjustment or rectification is completely unacceptable; (3) that India, Pakistan and the United Nations are committed, wholly committed, entirely committed, to enabling the people of Kashmir to exercise their right of self-determination; (4) that the elections in the State of Jammu and Kashmir were rigged, spurious and fraudulent; and (5) that the steps taken or contemplated by India to integrate the state into the Indian Union are null and void now and for all time.

Confronted by an outright challenge to its stand, the Indian Government is trying to deal with the people of Kashmir through Sheikh Abdullah by the dual method of cajolery and threat. The threat of re-arresting Sheikh Abdullah, as I have shown, has not been too subtle; nor has any secret been made of the hope that he might be lured into accepting an arrangement falling short of a free and unfettered plebiscite. One can expect that should this maneuver succeed, we shall again hear the claim from the representatives of India that the acknowledged leader of the people of Kashmir has accepted India's occupation of Kashmir.

But the issue that we are concerned with is not whether any political maneuver by India will succeed or fail. The issue is not what resources India will deploy to sidetrack the demand of the people of Jammu and Kashmir. The issue is the demand itself. The issue is whether the opposition of the people of Kashmir to Indian domination in its demonstrated unanimity is something which can wisely



be ignored by the United Nations. It has created a situation now which cannot possibly be left to take care of itself.

Yesterday's press reports tell us of widespread demonstrations by the students in Srinagar in support of the demand for self-determination. The student demonstrators declared that nothing short of a plebiscite would satisfy their demand, and asked the Chief of the United Nations Observers' team to convey their demand to the Security Council. A curfew was imposed on several towns and many people were injured as a result of police baton charges. The ferment in Kashmir continues, replete with grave possibilities of serious trouble. And there is ferment among the people of Pakistan. I must enter the caveat here, and I should not be misunderstood as uttering a threat to India, when I say that if the Indian authorities again resort to a suppression of the people of Kashmir by force, the people of Pakistan may find it extremely difficult to stand aside and may demand of its Government whatever measures are necessary for the amelioration of the situation in Indian-occupied Kashmir.

This, I trust, will give the members of the Security Council an idea of the perils facing us if the situation is made subject to a laissez-faire attitude on the Council's part. A situation where an occupation authority is in direct confrontation with the mass of the people united in opposition to it is a situation pregnant with dangers. Should the very sharpness of the situation, with no fluidity and no outlines blurred, evoke a statesmanlike response, a just and honorable solution may yet be achieved. The peril of a direct clash, which cannot fail to disrupt the fabric of peace in the sub-continent, can still be overcome by the initiative of the Security Council. For, to put it plainly, it is a situation which has to be brought under the control of the United Nations so that it will not jeopardize international peace and security, and peace in the sub-continent.

The urgency of the situation to which I have drawn the Council's attention cannot be appreciated unless we remember that there exists at present not even a truce agreement between India and Pakistan over Kashmir. All that there exists between India and Pakistan over Kashmir is the agreement embodied in the UNCIP resolutions of August 13, 1948 and January 5, 1949. The ceasefire arrangement in Kashmir is based upon these resolutions, and in fact constitutes only a partial implementation of them. It has been authoritatively established by the Commission that the ceasefire order was meant to be linked—this was the exact expression used by the Commission—with the truce and with the establishment of the proper conditions for a plebiscite.

The agreement of July 29, 1949, which has been invoked by the representative of India in his letter of March 20, 1964 is merely an agreement for the demarcation

of the ceasefire line and explicitly affirms that it is under the provisions of part I of the UNCIP resolution of August 13, 1948.

It is obvious that it is not an independent document or an independent instrument. If the UNCIP resolutions are regarded as obsolete by India, then the ceasefire order also becomes obsolete. Actually, however, regardless of what the representative of India might say here, a declaration by either party that the agreement embodied in the UNCIP resolution is obsolete does not deserve to be given any consideration unless that party is to be understood as denouncing the ceasefire also and contemplates a resumption of hostilities. I say this because the UNCIP resolutions embody an agreement of which any unilateral denunciation is inadmissible. It is inadmissible because the agreement, first, embodies undertakings of an international character by which the parties have assumed international obligations and, secondly, it constitutes an international engagement for the benefit of the third party.

The people of Jammu and Kashmir are third-party beneficiaries of the UNCIP resolutions. The rights of these third-party beneficiaries cannot be extinguished by any unilateral denunciation of the undertaking by India. The objective of the resolutions was, and remains, that of ensuring to the people of the state the free and fair exercise of their basic right to a plebiscite. Such rights vests in them as an actual juridical right under the well-established document of stipulation for the rights of others, *stipulations pour autrui*.

It follows that these resolutions cannot be abrogated except by the agreement of India, Pakistan, the United Nations and the people of Jammu and Kashmir. I am drawing attention to this basic aspect of the case because it brings out the nature of the situation with which the Security Council is faced. Apart from defining the juridical position involved, it brings into sharp focus the explosive nature of the present situation where the inherent right of the people of Jammu and Kashmir, recognized in a formal instrument, is denied by the Indian Government which proclaims that any assertion of this right constitutes the high crime of treason. Surely, the other party to the Agreement which gave recognition to these rights and pledged their fulfillment cannot remain unconcerned or inactive in the face of such an attitude.

I am aware of the impression which exists at present in some quarters that perhaps a loosening of thoughts is in process in India so that we should set aside and let matters develop by themselves. I have no wish to ignore a salutary though rather intangible development. It is true that there are indications that the people of India, by and large, would wish to see a solution of the Kashmir dispute which has remained frozen for over a decade and constantly strained India's relations with my country. There have been statements from well-known

Indian leaders, organizations and publicists, which have stressed the need for the Government of India to do some re-thinking on the Kashmir issue and to realize that their attitude so far on this question has not done any good to India. Prominent among these are Mr. C. Rajagopalachari, the first Indian Governor-General of independent India and General Cariappa, the first Indian Commander-in-Chief.

This trend, which is encouraging for peace, has found an apt expression in an article written by Mr. Jaya Prakash Narayan, a prominent Indian leader. Writing in the *Hindustan Times* of April 20, Mr. Jaya Prakash Narayan observes:

“Both, to my mind, are baseless slogans. The elections in Kashmir after Sheikh Abdullah’s arrest were neither fair nor free. If that has to be disproved, it can be done by an impartial inquiry and not just by official assertions. Delhi seems to believe that by auto-suggestion it can establish any fact it pleases.”

“I may be lacking in patriotism or other virtues, but it has always seemed to me to be a lie to say that the people of Kashmir had decided to integrate themselves with India. They might do so, but have not done so yet. Apart from the quality of the elections, the future of the State of Jammu and Kashmir was never made an electoral issue at any of them. If further proof were needed, it has come in the form of Sheikh Abdullah’s emphatic views, who, to put it at the least, is a representative of the people as any other Kashmiri leader.”

These developments are no doubt encouraging to all those who want to establish a climate of friendship between India and Pakistan. It is, however, important to appreciate that it is not something which can be left to grow by itself. A concrete improvement in the present state of affairs cannot thus be achieved. On the contrary, it is a trend which will develop only if it is nourished by the influence and activity of the United Nations and by the good will and earnestness that we believe is reflected here in the Security Council.

Perhaps this consideration needs to be put in plainer words. A voice like that of Mr. Narayan, whom I have quoted at length, in India is the voice of reason and of conscience. It is the voice that beckons India to the paths of peace. But if the Security Council, which in this matter represents the reason and conscience of the world, remains silent, this voice becomes a voice in the wilderness. It becomes lost in the din of the overweening and obdurate policies of the Indian Government. One has only to consider the history of the Kashmir dispute to realize this truth. The elements in India which seek a just and honorable settlement of the Kashmir dispute have existed all along, but they have received

scant encouragement from elsewhere. Impartial public opinion throughout the world has condemned the Kashmir policy of the Indian Government, both from the ethical and the political points of view, but no effort has been made so far, no initiative taken at the international level which would bring about the required revision of the policy of the Government of India, a revision which is desired by the world at large.

During the recent weeks, the struggle of the people of Kashmir has gathered momentum within the state. In ever increasing numbers, nations throughout the world are showing visible manifestation of their support to the people of Kashmir in their quest for self-determination. At the last session I informed the Council of the support of the 700 million people of China, who are the immediate neighbors of the Kashmiri people, to a Kashmir solution based on the wishes of the people of Kashmir as pledged to them by India and Pakistan. Since then the President of Iraq has extended his support to the implementation of the United Nations resolutions on Kashmir. Earlier, in December, the Government of Ceylon publicly called for an early solution of the dispute in accordance with the wishes of the people of the state, as envisaged in the resolutions of the Security Council which were accepted by both Pakistan and India.

More recently on April 15 and April 18, the Governments of Indonesia and the Philippines called for a settlement of the Kashmir dispute in accordance with the wishes of the people of Jammu and Kashmir.

Among the other nations of the two continents which in recent weeks have similarly emphasized to delegations composed of Kashmiri leaders which visited them the necessity for an early settlement of the Kashmir dispute in accordance with the principles of self-determination, as pledged to the people of Kashmir by India, Pakistan and the United Nations, are Morocco, the Ivory Coast, Nigeria, Sierra Leone, Guinea, Senegal, Sudan, Somalia, Algeria, and Tunisia in the continent of Africa, and Ceylon, Iraq, Turkey, Syria, Jordan, Lebanon and Saudi Arabia in the continent of Asia.

Needless to say, the people of Pakistan and the people of Kashmir shall remain ever grateful for these important and heroic statements of Africans who have pronounced so nobly and so boldly and in such an impartial way on a just and a righteous cause. Assurances of support by all these countries and by others also have been extended to their bitter struggle against Indian chauvinism and neo-colonialism the sympathy and support of all anti-colonial peoples of Asia and Africa, and indeed also of Latin America.

And yet the Prime Minister of India persuaded himself to declare in the Indian Parliament on April 13 that the Kashmir problem would have been solved long

ago had it not been for Western support for Pakistan. Such myopia is truly tragic. May I remind the Prime Minister that the Kashmir problem would have been solved long ago had it not been for the infidelity of his Government to the principles of international justice, and its repudiation of its own solemn pledges and international commitments. If the Kashmir problem has remained alive in spite of all the repression, the terror and domination to which the Kashmiri people have been subjected for seventeen years, it is because the spirit of the Kashmiri people is indestructible and their resolve to secure their rights remains unshaken.

Members of the Security Council have supported the principle of self-determination as set forth in the two UNCIP resolutions. India and Pakistan are also parties to those resolutions. Having committed itself to the implementation of these resolutions of its own free will, India has sought to repudiate that obligation and even to deny the existence of the Kashmir dispute. And now the Prime Minister of India, with an air of injured innocence, bewails in effect that the Security Council, and particularly its Western members, have failed to execute a similar *volte-face*.

Let me also remind the Prime Minister of India that it is not only the West which has refused to betray the people of Kashmir. Since 1948, when the Security Council first became seized of the Kashmir dispute, some thirty countries of Latin America, Africa, Asia, Europe and North America which have at one time or another been nonpermanent members of the Security Council have also called for the implementation of the UNCIP resolutions.

Let not the Prime Minister of India nurse the illusion that the Kashmir dispute would have been solved according to his own wishes long ago, but for Western support to Pakistan. Let him remember that not only the West, but the countries of Asia, Africa and Latin America as well have clearly espoused the cause of the people of Kashmir and called for the implementation of the United Nations Commission's resolutions to resolve this dispute in a peaceful and just manner.

I have dealt so far in my statement with the new elements in the Kashmir dispute, the people's revolt against Indian domination, and the rapidly increasing international sympathy and support from Western Europe, from Latin America and particularly from the peoples and the Governments of Asia and Africa, for their struggle to achieve a peaceful and just settlement of the dispute through the exercise of their right of self-determination as pledged to them by India and Pakistan and by the United Nations.

I have set forth the declarations of Sheikh Abdullah and Mirza Afzal Beg on the questions of self-determination, accession, plebiscite and integration, and on the

procedures that should be adopted to bring about an amicable settlement of the dispute between India and Pakistan in accordance with the wishes of the Kashmiri people. I have also set forth the views of the men of peace and goodwill in India in regard to these basic issues.

But what is the response of the Government of India to the imperatives of the situation? Has there been any attempt on its part to reassess it and to revise its policies with a view to finding an amicable settlement of this dispute? Regrettably, this does not seem to be the case.

At this particular juncture the interests of the people of Kashmir, the interests of the people of the sub-continent, indeed of all Asia, demand that the Security Council take whatever steps may be necessary to move this dispute rapidly towards a peaceful and honorable settlement.

India claims that the people of Kashmir have already expressed their wishes on the question of accession. We maintain that the people of Kashmir have not so far been allowed to exercise their right of self-determination. We assert that they have yet to take a decision on the question of accession to India or to Pakistan. We therefore suggest that Sheikh Abdullah may be invited to appear before the Security Council as he should be able to give the Security Council information which will be of assistance in examining the question. I request that steps may be taken immediately to this end and that under rule 39 of the provisional rules of procedure this should be done. The precedent has been established by the Council of inviting persons under this rule, without concerning itself with legal and constitutional questions. This, I believe, should assure a sympathetic consideration of my suggestion.

If I might use this occasion to transmit a message from the people of Pakistan to the people of India, it is this: For sixteen years, we have been in a quagmire of controversies and conflict. Perhaps such dismal phases are bound to occur in the long history of nations everywhere. But an end to them is also bound to come. The truth has been uttered by wise men on countless occasions that there is a time for acrimony and there is a time for reconciliation. There is a time to wound and there is a time to heal. There is a time for assertion and a time for acceptance. For sixteen years, India has stalled and prevaricated; for sixteen years Kashmir has been denied its inherent right to share in the freedom that came to India and Pakistan. The time to continue this state of affairs is now past. The time is over for India to be swayed by pique and to be dominated by narrow considerations of prestige. The time is over for violating the spirit of the age, which is that of freedom and self-determination. Now the time has arrived for atonement. The moment has come for removing the shackles which have bound the people of Kashmir. The moment has come when, with statesmanship and vision, a wrong

will be redressed, a burden eased, a pledge fulfilled and a word of honor kept. The time is now for placing the relationship of India and Pakistan on a footing of justice and tolerance and peace.

It might be that, through the mysterious workings of Providence and the will of Allah, a stage has been reached in the affairs of India and Pakistan which offers an unparalleled opportunity to both countries to open a new era of good neighborliness and constructive endeavors. Kashmir is the crux of our relationship. If we settle this issue with due regard to the principles which we have both solemnly accepted and on which we have based our pledge to the people of Kashmir, we will move together to the uplands of sanity and peace. On the other hand, if we remain entangled in the cogs of bitterness, we will consign ourselves to the abyss of conflict and hate. A tide has come in our affairs which, caught at the flood, will lead us both to fortune. Omitted, it will bind our voyage to shallows and miseries. The moment has arrived which will decide whether India and Pakistan will justly settle their dispute and fulfil their destinies or whether they will remain estranged from each other and thus lose their ventures in a challenging and expanding world.

*(From the statement in the U.N. Security Council, May 5, 1964)*

## CHEMISTRY OF KASHMIR

There was a good deal of invective and vituperation in the statement of the representative of India. As my countrymen have read the statement, it is natural that many of them would want me to reply in kind. An eye for an eye and a tooth for a tooth is a primal human impulse and the resultant temptation is not always to resist. But my position is different from that of the representative of India. His concern is to avoid a solution of the problem before us; my duty is to urge that a just solution be effected speedily. Considering the human poignancy of the problem, considering the travail and suffering of the people of Kashmir, I cannot allow myself to be deflected from the path of seeking an end to the tragedy which has overtaken that unhappy land since 1947. The Indian representative enjoys abundant freedom to vilify us and to try to confuse the Security Council. My freedom, on the other hand, is greatly circumscribed by the duty to clear away the undergrowth, if I can, and again and again to emphasize to the Security Council, at the risk, perhaps, of wearying members, that the problem will not take care of itself unless the Council takes it effectively in hand. That is my primary aim, but while I have to keep it steadily in view, I am also confronted with the necessity of setting the record straight. It is not an agreeable task. But it is mandatory. For, where the life and future of millions are involved, where the honour and reputation of a country are concerned, it is not something from which one can, in conscience, abstain.

Beneath a rather transparent mask of righteous indignation, there was a note of desperation in the speech of the Education Minister of India. The desperation is understandable. It is caused by the fact that the overwhelming force of public opinion in Kashmir has removed every moral and political prop from under India's occupation of the state. Perhaps the Indian representative feels bound to voice this desperation. But the extraordinary thing about his statement was not so much its poverty of facts and arguments as a plethora of irrelevancies.

Members of the Security Council have doubtless noted that, in his statement, the Indian representative dwelt on the situation between India and China, on SEATO and CENTO, on the happenings in Djakarta, on the Christian minority in Bengal, on the culture and cosmology of Pakistan, on the menace of military alliances, on Bourbons and brothels, and on a variety of other topics. Indeed, he opened his speech by talking of the Chinese conflict with India, which has nothing to do with the present situation in Indian-occupied Kashmir. Assuming that it is not against Indian policy to maintain a sense of proportion and rational discourse, this injection of irrelevancies is not an accident. It is deliberate. Its



design is obvious. It is nothing other than to make a debate on Kashmir in the Security Council so utterly confused as to choke off every constructive proposal. In my earlier statement, I had deliberately refrained from referring to the communal situation in the region because the Home Ministers of India and Pakistan have met to find a solution of the problem of evictions of Indian Muslim nationals and to bring about the restoration of a sense of security and safety to the minorities in both the countries. I do not in any way wish to prejudice those efforts or to inflame communal passions.

The single mindedness with which the representative of India set about maligning my country led him to make the charge that Pakistan was founded on the principle of religious apartheid. This attempt to establish guilt by association is not only a calumny against my country but an insult to the struggle of the people of South Africa for equality, justice and freedom.

The Education Minister of India ought to know that the ideology of Pakistan is truly founded on Islam which admits of no apartheid, racial or religious. In history Islam has been a liberating force, upholding the equality and dignity of man as an individual human person regardless of race, creed or color. This revolutionary role of Islam is universally acknowledged and I can only deplore that Mr. Chagla should consider the ideology of Islam to be medieval and reactionary. Islam acknowledges no established church nor does it recognize priesthood. We, the people of Pakistan, for that matter, those of Asia and Africa who are the followers of Islam, recognize that all modern concepts of human equality in political, social and economic spheres are implicit in its teachings.

The predominantly Muslim countries which are members of the United Nations recognize Islam in their constitutions as the official religion of the State. Does that make them medieval and reactionary? Does the Education Minister of India consider them, by virtue of such a provision in their constitutions, as practitioners of religious apartheid?

I would have thought that a representative of India would take particular care to avoid using such expressions as religious apartheid, a unique form of intolerance, the only example of which is provided by the Indian caste system. Indian society for more than 2,000 years, notwithstanding the constitution of India, lives, moves and has its being in the caste system which is the negation of equality of man, the dignity and worth of the human person.

If therefore, "religious apartheid" was involved in the creation of Pakistan, then the Muslims of the sub-continent were its victims and not its perpetrators.

The trouble with many Indian leaders is that they insist that Pakistan and its people should renounce the spiritual values of their faith which nurture the institutions and guide their way of life, before India can accept Pakistan's existence as an independent and sovereign state and as a fact of life. Such attempts at ideological aggression are contrary to the principles of peaceful coexistence between different political, social and economic systems in which alone rests the hope for world peace and the survival of human dignity.

I come now to the other charges leveled against Pakistan by the representative of India. He began his speech by saying:

“We have been witnessing with amusement, and also with a certain amount of disgust, the greatest tightrope act ever seen in international affairs. Pakistan has achieved this act with extraordinary skill by keeping one foot in SEATO and CENTO and the other in the Chinese camp.”

Apparently, India's amusement and disgust are reserved for Pakistan alone and not for the other members of Western alliances, who recognize China and desire to promote normal relations with that country in the interests of world peace.

May I ask the representative of India what his own country is doing? It has one foot in the Communist camp and the other in the Western camp. It is dancing to both tunes. While it proclaims nonalignment with both, it exploits both, and each against the interests of the other. India accepts arms aid from both the Communist and non-Communist camps. India's arms are very long: it takes both from the West and from the East. Today, reports in The New York Times show that it is asking for massive military assistance from the United States. Can India, then, still claim to be a nonaligned country? And yet it has persistently denounced Pakistan for being a member of SEATO and CENTO, both of which are defensive alliances.

Whatever the changing world situation, India claims the change in its favor. Whatever the change, India interprets it as another reason to reinforce its hold on Kashmir. When Pakistan accepted United States military assistance, the situation in Kashmir underwent a change, according to India, in favor of India, so as to justify refusal to implement the right of self-determination of the people of Jammu and Kashmir. When Pakistan joined SEATO and CENTO, the situation in Kashmir changed, according to India, in favor of India, to reinforce its stand against the self-determination of the people of Jammu and Kashmir. When the world was divided into two cohesive camps, the situation in Kashmir, according to India, underwent a change in favor of India, to force the people of Jammu and Kashmir to remain bound to India against their wishes. Now, when India accepts military aid and has become aligned de facto, the situation, according to India,

has changed in favor of India, foreclosing the right of the people of Jammu and Kashmir to determine their future freely and in accordance with their wishes. And today, when the patterns of alignment and nonalignment have altered radically, the situation, according to India, has changed in favor of India, permitting it to absorb and devour Kashmir as an integral part of India. Thus, whatever the change, one fact stands out changeless, and that is that the situation can never change except to the detriment of the people of Jammu and Kashmir.

The representative of India has again accused Pakistan of handing over 2,000 square miles of territory “at other people’s expense” to the People’s Republic of China. Pakistan has not surrendered a single inch of territory to the People’s Republic of China. The boundary negotiations, which took place in a spirit of mutual accommodation and compromise, resulted in the relinquishment of 750 square miles of territory by China in favor of Pakistan—territory which lies beyond the main axis of the Karakorum mountains which constitutes the principal watershed between the Indus and the Tarim River basins. This 750 square miles of territory was in the effective possession of China prior to the boundary agreement and had always been under Chinese jurisdiction and control. From the end of the nineteenth century, when the British rulers of India acquired control of the northern areas of the State of Jammu and Kashmir, never did they once exercise control or jurisdiction over the 2,000 square miles that Pakistan is accused of having surrendered to China or even over the 750 square miles of territory relinquished by the People’s Republic of China to Pakistan. On the contrary, notes sent by the former British Government of India to the Chinese authorities acknowledge the latter’s title and sovereignty over this area, and these notes exist in the archives of the British and Pakistan Governments.

The representative of India ought to know that where frontiers are defined, and territories have for centuries remained in the possession of the other side, it is fantastic to talk of “surrender” of the territory which has never been in one’s possession and to which it is not possible to put forward claims under the rules and customs known to international law. There has been a net acquisition of territory. What the representative of India has said about the surrender of 2,000 square miles of Pakistan is another example of autosuggestion to which his Government is so susceptible.

The Sino-Pakistan Boundary Agreement has been hailed throughout the world by the Governments and the Press as a statesmanlike settlement.

Let me reiterate that the Sino-Pakistan Boundary Agreement does not affect the status of the territory of Jammu and Kashmir. It does not derogate from the imperative of demilitarization of the state as required by the UNCIP resolutions. It does not detract one jot or tittle from the right of self-determination of the

people of Jammu and Kashmir. Article 6 of the Boundary Agreement specifically safeguards all these matters. Let me quote from this article:

“The two parties have agreed that after the settlement of the Kashmir dispute between Pakistan and India, the sovereign authority concerned will reopen negotiations with the Government of the People’s Republic of China on the boundary, as described in article 2 of the present Agreement, so as to sign a formal Boundary Treaty to replace the present Agreement; provided that in the event of that sovereign authority being Pakistan, the provisions of the present Agreement and of the aforesaid Protocol shall be maintained in the formal Boundary Treaty to be signed between the People’s Republic of China and Pakistan.”

It was not necessary for us to introduce this proviso, but we did it only because we know that this dispute was in the Security Council and it had to be determined by this World Organization. We left the proviso there that if the plebiscite were to go in favor of India, India would have an opportunity and a legal right and legal claim to renegotiate the boundary agreement with the People’s Republic of China.

The representative of India has again repeated the thesis which he put forward in the Security Council last February that:

“In the context of what has recently happened in Kashmir, it is vital to India not only for recovering the territory which China has unlawfully occupied, but also for resisting future aggression by China. The defense of Ladakh, which is northeast Kashmir, against the continuing menace of China is impossible except through Kashmir.

Here we have yet another argument, conjured up by India as to why Kashmir must be held in bondage regardless of the right of self-determination and the solemn international agreement to respect that right to which India is pledged. The representative of India maintains that Kashmir has now assumed vital importance for India’s defense against China. Here then, is a dangerous doctrine.

Self-determination and sanctity of international agreements must give way to the considerations of military strategy and the neocolonial avarice of India. The members of the Security Council have only to cast a glance at the map of the region to realize the hollowness of this contention. It is not through Ladakh or the Vale of Kashmir that the security of India can or will be threatened. There are easier and more obvious invasion routes to the heart of India. In the name of the defense of India, India seeks to negate the Charter of the United Nations by invoking the doctrine *realpolitik*. Who is speaking the language of Hitler and

Goebbels? Which country has taken a leaf out of the infamous pages of *Mein Kampf*?

You must hold the people of Kashmir in bondage because you fear that you cannot defend India adequately against China unless and until you chain the people of Kashmir. Today you want to chain the people of Kashmir. Tomorrow you will want to chain the people of Nepal, of East Pakistan and of West Pakistan in order for you to defend yourselves against Communist China. This is the most dangerous and most notorious doctrine that has been propounded in the Security Council.

For many years India has sought to project her image abroad as a country which is working to prevent war, to reduce world tension, to wipe out colonialism and to espouse the rights of small States against the great Powers. But from time to time the reality behind this image becomes exposed. The representative of India, carried away by the violence of his diatribes against Pakistan, invokes doctrines which stronger states propound to impose their will on weaker ones. Imperialism has found no difficulty in clothing itself with philosophical justification for the evil that it inflicts. In 1962, in a diplomatic note addressed to the Chinese Government, the Government of India formally stated that it had a common border with the People's Republic of China right from the Pamir Mountains in the northwest to the borders of Burma, thereby claiming that not only Kashmir, but also Nepal, Sikkim, Bhutan and even parts of Burma were within the borders of India. This false and outrageous claim, like the one now made by the representative of India, was also a revelation of the inner thinking of the Government of India – that all the neighboring smaller states and territories must remain within the Indian sphere of influence or domination because they are “necessary” to the defense of India against China.

The world is perhaps not ignorant of the reasons why India strikes the posture of a nation bent on recovering by war territory from China. This stance is, of course, intended to impress the Western Powers while, simultaneously, negotiations for a peaceful settlement are carried on by proxy through the Colombo Powers with the People's Republic of China. This dual policy – to talk publicly of war with China and at the same time to put forward privately proposals for a negotiated settlement of the Sino-Indian border dispute – is obviously pursued to obtain the best of both worlds and, in particular, to procure massive military assistance from the Western world while maintaining a facade of nonalignment. How long can the world be taken in by such double faced conduct?

India looks upon the problem of Kashmir as a case in property law, a case of real property. In the revealing analogy drawn by the Education Minister of India, his country's position in Kashmir is that of the rightful owner of a house, deed and

title to which have been duly assigned and delivered to India by the previous owner, the Maharaja of Kashmir. The Minister of Education of India found it appropriate to describe Pakistan's role in Kashmir as that of a burglar. But Pakistan comes before this Council not as a burglar nor as a self-proclaimed proprietor nor as a feudal lord of Kashmir. We come here, and have come before you year after year, with the simple proposition that Kashmir is not a piece of property, that its fate is not to be sealed or signed away through any instrument of accession, deed of transfer or other such transaction that has to be registered in a court of law, that it is rather the free will of the inhabitants—Muslims, Hindus, Sikhs or Christians—and their free will alone, which has to be determined and decided. It is not real estate, it does not involve property law and it does not have to be registered in a court of law. It is the will of the people that has to be determined.

Over the years, India has sought here, before this organ of international peace, and in the world at large, to establish its proprietary right over Kashmir. It has tried to spin a web of pseudo-legalistic arguments in which to entangle forever the people of Kashmir. The voice of Kashmir, so long muted, is heard again, telling India clearly and unmistakably that Kashmir is not property, nor its four million people loot or booty, that the right of self-determination must prevail, and it must prevail in Kashmir as it has prevailed elsewhere. The Minister of Education of India complains that the Council's consistent support of this principle over the years is to be ascribed to nothing but the blindness of some and the indulgence of others. Let him not deceive himself in seeking to deceive the world.

It is too late for India to seek sympathy for the doctrines which, in the last century, apportioned the countries of Asia and Africa among alien "owners". Today the world is on guard against attempts to appropriate territory on the basis of self-promulgated laws, for the self-appointed task of good governance, or on the pretext of national defense and strategy.

The Minister of Education of India addressed a set of questions to the members of the Council regarding the rights of Pakistan in Kashmir. The Council has, by word and deed, given clear answers to these questions. The Council may wish once again to remind the Education Minister of India of the resolutions adopted by it in the past on the question of Jammu and Kashmir.

The worldwide support given to the cause of justice and the people's right in Kashmir is not a certificate of good character to Pakistan. Pakistan seeks no such certificates; much less is it my intention to follow the example of my colleague from India in myself giving a certificate of good character to my own country. I shall gladly leave to him the enjoyment of the solitary virtues of self-

righteousness and self-esteem. I leave it to our friends in Africa and Asia to ponder over the invitation extended to them to “look askance” at Pakistan’s support of Afro-Asian causes because of Pakistan’s membership of SEATO and CENTO. I will refrain also from going into the nature of India’s nonalignment, its expediency, its practical utility and profitability on which the world has gained new insights in the last few years. As for Pakistan’s alignment and alliances, the truth is plain for all to see that they have not stood in the way of Pakistan in its pursuit of its policy of friendship with all countries of the world, irrespective of their ideology, political beliefs or social systems. Nor have our engagements towards our allies prevented us from taking issue with them on questions of principle. Our support of the freedom movements in Africa and Asia has never wavered.

As regards apartheid, we have opposed this evil doctrine since the beginning, side by side with all right thinking countries, not excluding India. Of course, since Pakistan, like the vast majority of African and Asian countries, was not a member of the United Nations in 1946, we are not in a position to claim the chronological honor of being the first to have raised the issue in the United Nations.

The representative of India was anxious to disclose that all trade relations between Pakistan and South Africa have not yet ceased. We are not here discussing apartheid or the question of sanctions against South Africa. These matters have been discussed in other forums and, as shortly after the present debate terminates, the Security Council will turn its attention to finding ways and means of compelling South Africa to end its intransigence and its persistent disregard of United Nations resolutions on the matter. On the question of Pakistan’s trade with South Africa, I would like to put on record—and this is of course already widely known through the letter addressed by Pakistan to the Secretary-General—that while import and commercial relations of all kinds between Pakistan and South Africa have been completely banned, the question of stopping Pakistan’s exports to South Africa is receiving the most active and urgent attention of my Government. In passing, I would like to draw the attention of the members to document A/AC.115/L.55 dated March 5, 1964 which contains statistical tables of South Africa’s foreign trade. A study of this document shows, India’s so-called boycott notwithstanding, that India continues to trade with South Africa.

We have, in our previous statements before the Security Council, already dealt with the lack of legality in the Maharaja’s accession to India and with the fact that the accession of Kashmir to Pakistan or to India can be decided only by the people of Jammu and Kashmir. By saying that the accession to India, effected by the Maharaja, makes Kashmir irrevocably a part of India, India knows, or should

know, that India does not establish any link between Lidia and Kashmir, because no link can be established by pseudo-arguments. But what India does by this kind of rhetoric is to bring into question the very basis of Lidia's nationhood, to throw into doubt the nexus that holds the Indian nation together. Kashmir is no part of India; therefore, by allowing it to decide its own future, India does not suffer the loss or secession of a part of it, and the Indian nation as such remains inviolate. But by opposing Kashmir's act of self-determination, by equating Kashmir with the constituent states of India, like, say, Madras, by saying that if Kashmir goes, Madras will also go, India will not keep Kashmir but it might weaken its link with Madras. It is not by fulfilling a pledge solemnly given by its government in an international agreement that India will lose its integrity. It is by opposing the fulfillment of this pledge that India runs a risk of disintegration.

Let the Indian representative pretend as much righteous indignation as he may, the fact remains that we do not seek the disintegration of the Indian Union. What we seek is a conformity to the principles of the Charter, a scrupulous discharge of international commitments, and a recourse to concrete methods and procedures for the settlement of international disputes. What we seek is a practical demonstration of the principle of the sovereign equality of nations in the sub-continent. What we seek is the restoration of that equipoise in the relations between India and Pakistan which will remove grievances and banish fear from the mind of each other. In sum, what we seek is the abandonment of those policies of the Indian Government which, being contrary to the principles of organized international life, not only weaken India's moral fiber but also act as a drain on its strength and on ours.

There is one lesson writ large in the history of the post-colonial age. It is that when imperialist Powers have gracefully renounced their colonies, they have not lost but gained in strength. They have gained in it, not only in moral terms, but in prestige; not only in greater coherence of national life, but also in concrete terms of economics. By maintaining the possession of a land which resents this possession, by stifling the personality of a people whose affiliations lie elsewhere, a country drains its resources and dissipates its strength.

I have been accused by the Indian representative of threatening a breach of the peace in the event that India again resorts to the suppression of the people of Jammu and Kashmir by force. We asked that the situation in Kashmir be brought under the control of the United Nations. Would a nation that intended to resort to force want a situation to be brought under the control of the United Nations?

The representative of India says that Pakistan is working for a breach of the peace. The peace plan for Kashmir, as embodied in the UNCIP resolutions, is not a breach of the peace. Is our consistent adherence to these resolutions a



preparation for the breach of the peace? What prevents a final and definite settlement of the Kashmir problem? Our attitude or India's attitude? We ask for an impartial investigation of the situation in Kashmir. Is that a threat? We ask for negotiations which should be sincere and constructive and meaningful, and that attempts be made to bring about that negotiation. Is that a threat? We ask for mediation with such precise terms of reference as will give an impetus to negotiations and make them coherent and peaceful. Are we then threatening a breach of the peace? We declare ourselves as willing to submit certain points of difference to arbitration. Are we then working for a breach of the peace? We ask that the resources of the United Nations should not be left untapped for the resolution of the problem; we urge that its procedures be not rejected. Is that a threat of war from us? India prevents investigation; India impedes negotiations; India blocks mediation; India rejects arbitration; and, to crown it all, the Indian representative says that any assistance given by the United Nations, or its high personality, in the settlement of this dispute is intervention by third parties. The methods of peaceful settlement embedded in the United Nations system and prescribed by the Charter are the only alternatives to war. India blocks these alternatives. Is it not then provoking war?

It was an Indian representative who, speaking in a different context, once charged that a certain foreign Power had – and I quote:

“consistently violated international law and the United Nations Charter which forced India to take action by barring all other avenues”.

Is that not precisely what India is doing in the Kashmir dispute? Is it not “barring all other avenues” by rejecting every one of the methods of the pacific settlement of disputes? India protests even against the Security Council exercising its persuasive powers for the resolution of this dispute. What consequence would naturally follow from this attitude? It is one of our basic difficulties with India that India adopts a certain attitude and takes certain actions of which the consequences can be easily foreseen, but then it blames those consequences on others.

It has been our experience during the last seventeen years that, no matter how hard we try to establish an atmosphere of moderation between India and Pakistan, our attempts are undone by the lack of any progress towards the settlement of the dispute between Jammu and Kashmir. This happened in 1950; it happened in 1953 and 1954; it happened in 1956, and it was what made the sustained endeavor of our President from 1958 to 1961 to place the relationship of India and Pakistan on a neighborly basis a wholly one-sided effort by Pakistan. Now that the situation in Jammu and Kashmir is coming to a head, it would be fatuous to expect, and sheer hypocrisy to promise, a better atmosphere unless the

dispute is moved rapidly towards a peaceful and honorable settlement.

Members of the Security Council will recall that, on numerous occasions, India's representatives have taken the line that Pakistan has no *locus standi* either, for he has taken the line that a leader of the people of Kashmir should have nothing to say on the problem.

It is to be borne in mind in this context that when India argues that the integration of Kashmir with the Indian Union is India's internal constitutional matter, it is saying in effect that, in this matter, the Security Council has *no locus standi*. So India robs us all of our *locus standi*. There exists an international agreement regarding the disposition of the state of Jammu and Kashmir. According to India, neither Pakistan--the other party to the agreement--nor Kashmir--the party that is most affected by the agreement--nor the Security Council--the organ under whose authority the agreement was concluded--has any *locus standi*. Only India has a *locus standi* in Kashmir. Could any country be more determined against a settlement of the dispute by peaceful means?

In regard to the opinions of Sheikh Abdullah on the central issue of the Kashmir dispute--namely, self-determination, accession, plebiscite, passage of time, integration and negotiations for a peaceful settlement, which I quoted in my statement to the Security Council on May 5--the representative of India tells us that these opinions are not admissible evidence and that only what the Kashmiri leader stated between 1947 and 1949 has any evidential value.

As the representative of India is so wedded to rules of evidence and the Indian Evidence Act, may I remind him that the statements of Sheikh Abdullah before the Security Council in 1948 and 1949, as well as those which he made in 1952, were no part of the transaction of the so-called accession. Therefore, those statements are not admissible under the strict rules of the Evidence Act which he has applied in the Indian courts for so long. On the other hand, if the statements made by Sheikh Abdullah long after the accession, in 1948, 1949, and 1952, quoted by the representative of India, are relevant, then his most recent statements which I quoted on May 5 are even more relevant to the present situation in Jammu and Kashmir which is the subject of this series of Security Council meetings.

If the representative of India considers that the rules of evidence should be applied strictly in this international forum, if he were presiding as a judge in the Security Council instead of you, Mr. President, why does he not agree to let Sheikh Abdullah appear to testify before the Council as to what exactly are his views on the central issue of the Kashmir dispute? I request the Council again to

invite Sheikh Abdullah to appear before it and hear from him directly what he has to say.

In my statement on May 5 I quoted extensively from Sheikh Abdullah's recent statements and summarized the affirmations contained in them. The point of my quoting these affirmations was that they have been massively acclaimed by the people of Kashmir. It is the acceptance and acclamation of these statements by the people of Jammu and Kashmir, as much as their content that furnishes a true indication of the situation existing in Jammu and Kashmir today. In fact, these statements are the most faithful reflection we have of that situation and, therefore, they are an essential part of the record before the Security Council. Unable to face them, the Minister of Education of India has attempted to negate their effects by two arguments. The first is that "the opinions of any person, however distinguished or eminent, cannot alter or affect the question of the status of a territory". The second rests on Sheikh Abdullah's previous statements made from 1947 to 1952. I shall deal with both these arguments.

As regards the first argument, it is evidently not applicable here. The affirmations made by Sheikh Abdullah are important because, far from being the voice of one individual, they echo the unanimous demand of the five million people of Jammu and Kashmir. Moreover, these affirmations are made by the person who was cited by India itself as having supported the Maharaja's accession to India. The records of the Security Council will bear out that, in India's original representation to the Security Council made on January 1, 1948, Sheikh Abdullah was specifically mentioned as the leader who appealed for help to India. Surely then, Sheikh Abdullah should be able to throw a good deal of light on the terms and assumptions of this appeal. Indeed, even in the statement of the Indian representative on May 7 there is again recognition of Sheikh Abdullah's status. The Indian representative has said that the accession was "accompanied by the consent of the people expressed through Sheikh Abdullah who was the leader of the largest party in Kashmir". Surely, then, it is important to get a description of the nature of this consent from the person who is supposed to have expressed it.

As regards Sheikh Abdullah's previous statements made from 1947 to 1952, I am glad that the Indian Minister of Education brought them on record again. A juxtaposition of these statements with those that Sheikh Abdullah has made since and those which he is making now only helps one to realize how cruel must have been the disillusionment, how sharp the sense of betrayal, which Sheikh Abdullah suffered because of India's continued occupation of Jammu and Kashmir in breach of its commitments. Far from weakening Sheikh Abdullah's current stand, his previous statements reinforce it by demonstrating that this

stand is not based on any prejudice or any preconceived notions, but is the result of experience.

During his statement, the representative of India quoted Sheikh Abdullah's statement of April 17, 1964, and, even in that statement, there occurs a sentence: "It is the Government of India which I feel has gone back from its commitments . . ." (1113th meeting, page 18)

This is Sheikh Abdullah's statement of April 17, 1964 being quoted by the Indian Minister. The Education Minister read the sentence and added: "that is another matter." (ibid.) The point here is, and Sheikh Abdullah would be the first to make it, that this is not another matter. It is the very heart and core of the Kashmir issue that India has gone back on its commitments.

Apart from this, there is another aspect of Sheikh Abdullah's statements which needs to be borne in mind. It has been brought out by Sheikh Abdullah himself. According to the Indian Express, Bombay of May 4, Sheikh Abdullah was asked whether it was not a fact that he had been responsible for the Maharaja's accession to India. The question, in fact, was how he could square his statements then with his statements now. His answer was:

"Yes, I supported accession to India before 1953. But it is not bringing peace to the sub-continent. When it did not bring peace to the sub-continent, what value did it have?"

The representative of India also tried to take comfort from a recent statement of Sheikh Abdullah that a plebiscite was not the only method for ascertaining the wishes of the people of Jammu and Kashmir. But, unfortunately for the Indian representative, this statement has been clarified now by Sheikh Abdullah and, as explained by him, it does not lend the slightest support to India's argument against a plebiscite. According to the Hindustan Times of May 7, Sheikh Abdullah said that elections could be a solution of the dispute if they were fair and free and organized by a neutral third party so that nobody could point a finger at India. He added that India, being an interested party, should not be in Kashmir if and when elections were held and that the result of these elections must be acceptable to Pakistan; otherwise no purpose would be served. He further said that there should be a disengagement of the forces of India and Pakistan preceding these elections; otherwise present tension would continue.

I believe that this statement of Sheikh Abdullah should invite some reflection on the part of the Indian representative. Sheikh Abdullah lays down the following conditions for elections being a solution of the problem: first, they must be free and fair; second, they must be organized by a neutral party; third, Indian forces

should withdraw from Jammu and Kashmir to enable those elections to be impartial; fourth, their result must be acceptable to Pakistan; and fifth, they must be preceded by the disengagement of the forces of India and Pakistan in Jammu and Kashmir. What is this formula except a restatement of the principles of the UNCIP resolutions? These provide that a plebiscite should be preceded by the withdrawal of the forces of India and Pakistan from Jammu and Kashmir and should be held under the direction and control of the United Nations to ensure its fairness, freedom and impartiality. The condition cannot be avoided that a settlement must be based on the wishes of the people which are impartially ascertained and are seen so to be ascertained.

I must recall here that, in my statement of March 17 I said that if one were to consider the Kashmir problem as it has arisen now, not in 1948, but today, and would embark on a search, however pragmatic, for an equitable settlement, one would be driven to the conclusion that there is only one way – the way of finding out what the people of Jammu and Kashmir themselves want. I added that one would thus be driven to write again the substance of the UNCIP resolutions. Sheikh Abdullah's statement about what conditions are essential for ascertaining the wishes of the people brings out the truth of my submission.

The representative of India tried to make much of the argument that Sheikh Abdullah's release establishes that there is democracy and freedom in India and that the Government of India is perfectly confident that the situation is normal in the state of Jammu and Kashmir. This argument has been anticipated by numerous statements made by the spokesmen of the Government of India. All of them expressed the hope that the release of Sheikh Abdullah would wash India of all the taint that it has borne for eleven years and would help its case in the Security Council.

Unfortunately, however, these statements only serve to strengthen the conclusion that—as I said in my last statement—this act of releasing Sheikh Abdullah was not a gesture of magnanimity on India's part. They corroborate the comment in the Economist, London, of April 4—which I quoted in my last statement—that the Indian Government has not had a sudden rush of liberalism to the head. There is no change of heart on the part of India and that there is no ground for the members of the Security Council to feel that, by releasing Sheikh Abdullah, India might have made a gesture towards reconciliation with Pakistan and towards the resolution of the conflict in Jammu and Kashmir.

The Indian representative demonstrates before us that this act is purely a maneuver—the Prime Minister of India has called it a “calculated risk”—to prove normalcy where none exists. It is obvious that their hope, at the time of releasing Sheikh Abdullah was that he would “blow off steam” and then subside

and the situation in Jammu and Kashmir would thus simmer down. This hope is already being falsified by events. I referred to certain developments in Kashmir in my last statement. The Indian representative has vehemently denied my statement that a curfew was imposed last week in several towns in Jammu and Kashmir. Let me assure him that my statement was based on information obtained, not from our sources but from the Indian newspapers. According to the Statesman of Delhi of May 9, there were demonstrations in Srinagar on last Friday, shouting, "Hold a plebiscite immediately".

The Indian representative argues, "Well, there are demonstrations, so what?" The answer is that these demonstrations do not signify merely a dissatisfaction with this or that policy of the Indian Government: they are not in protest against this or that administration. They signify a rebellion against India's occupation of the state. The Indian representative reminds us that demonstrations take place in all democratic countries. But he evidently runs away from the fact that there is a basic difference between normal demonstrations in democratic countries and those that are taking place in Jammu and Kashmir. If demonstrations are the expression of a specific grievance or if they protest against a specific policy, they are normal demonstrations. But when they are held by the people of a territory whose status is in dispute, rejecting annexation forced on them and demanding that they be enabled immediately to decide their status by a plebiscite, what are they except a revolt?

Actually, the unspoken point in the Indian argument is that the revolt in Jammu and Kashmir is unarmed and that, if it goes on, India has an overwhelming military might in Jammu and Kashmir to suppress it. That is the root of the confidence that the Indian representative expresses here. But what does this point do except bring out the explosive nature of the present situation. When, in reality, India relies on her military might, India compels all those who sympathize with the revolt of the people of Jammu and Kashmir to conclude that nothing is so urgently desirable as effective resistance against the forces of suppression in Jammu and Kashmir.

In countering my statements about the revolt in Kashmir, the Indian representative supported his argument by the observation that there is complete inter-communal unity in Jammu and Kashmir. This is an astonishing reply. That the Indian representative should rely on this argument shows to what straits he has been driven in points of logic. If Hindus and Moslems live at peace with each other in Jammu and Kashmir—we are proud and gratified that they do—does it mean that they do not resent India's occupation of the state? What has inter-communal unity to do with the demand of the people of Kashmir that they be enabled to decide their future for themselves?

Apart from this, it is obvious that it is not the ventilation of the people's demand in Kashmir, but its fulfillment alone that can bring about normalcy. Apart from suppressing the people by force for many years, the Indian Government has been driven to the point where it feels that force is not enough. The present situation is merely that it is resorting to other means to frustrate the people's demand. It is not doing anything to meet this demand. So long as it does not do so, the protestations of freedom and democracy are not only baseless, but, in the face of the combined voice of the people of Jammu and Kashmir, utterly irrelevant.

The Indian representative harps on the difference of outlook between India and Pakistan. Let me tell him that he does not enhance his country's reputation by these assertions. We in Pakistan have our faults, and I suppose that, in the final analysis, they can be overcome only by greater education, enlightenment and economic advance. But whatever they are, they are open, perhaps even blatant, and, therefore, eradicable.

The Indian representative's statement is a demonstration of the fact that there is something in the Indian mentality which is insidious and, therefore, impenetrable. It is a mentality so wrapped in national conceit, so enfolded in a holier-than-thou attitude, that it is small wonder that we in Pakistan sometimes succumb to despair about the future of our relations with our neighbor. They know that fanaticism is stalking their land; they know that their democracy so far is not more than a facade because it is not yet based on the habits of tolerance, yet they come here treating us to sermons about the loftiness of their society and of their souls.

We do not claim Kashmir on the ground that we are a better society. The United Nations is not here to award Kashmir as a prize for better performance to either India or Pakistan. We say that whatever we are, and whatever the Indians are, ask the Kashmiris whom they want to join. Let India marshal all its arguments against Kashmir's accession to Pakistan, but let these arguments be addressed to the people of Jammu and Kashmir at the time of plebiscite, and let them decide. If India believed in democracy, it would have long ago accepted this challenge.

Members of the Security Council will have noticed how the Indian Minister for Education has reacted to the peace appeal that I made at the conclusion of my remarks on May 5. When I pleaded with India that an end must come to our bitterness, that there is a time for struggle and a time to settle, I meant every word of what I said. The Indian representative spurned and even ridiculed my appeal, but I must inform him that he has not provoked me into withdrawing it. I again transmit the message of my people to the people of India that it is within our power to transform the climate of our two countries, not by waving a magic

wand, but by recourse to those concrete procedures which alone can rationally bring about the resolution of international conflicts.

We do not make it a condition for the settlement of our disputes that India must get rid of its caste system, we do not make it a condition that India should abandon its mythology, renounce its whole philosophy and reorientate its entire culture. We take India as it is and its outlook and aspirations as they stand, and we seek a *modus vivendi* with it which, once established, might develop into a normal relationship.

We may be theocratic or medieval or backward, but we offer India those ways and means of establishing a rational relationship between our two countries which are eminently secular and modern. What credit can be given to protestations of secularism and modernity if one is impervious to the counsels of mediation and conciliation and arbitration—all modern and secular ways of regulating international life? Let the Indian representative ponder this question and not be too preoccupied with the thought that I am putting it to him.

*(From the statement in the U.N. Security Council, May 11, 1964)*



## THE SUMMING UP

Mr. President: With your permission I take this opportunity to place on record my Government's appreciation of the efforts that have been made by you personally and by the other members of the Council during the last three months for at least helping to move the Kashmir dispute toward a settlement. Whatever the result, there is no doubt that these efforts have enlisted our gratitude. Personally, I feel much obliged to you and to all your colleagues for your unfailing courtesy.

Now that the debate has been terminated for the time being without any statement of agreed conclusions, I do not consider it necessary to comment on the summation which my delegation has just heard. Therefore, the question of accepting it does not arise. However, we feel it our duty to stress what seems to us to be the constructive elements in the debate.

Taken as a whole, as this has to be done and has been done, and comprising the discussions we have heard in February, in March and in May, the debate contained two outstanding elements. First, it is evident that the members of the Council, without exception, have expressed the Council's deep concern with the situation in Jammu and Kashmir and have also made it clear that the Council has a real, continuing obligation to bring about a peaceful settlement of this dispute. Second, it has been a major theme in the pronouncement of the members of the Council that no settlement of the dispute will be genuine and durable if it does not take into account the wishes of the people of Jammu and Kashmir as pledged to them by India, Pakistan and the United Nations. The axiomatic nature of these considerations does not detract from their substantive importance. We believe that their enunciation in the Security Council will serve as the background to further developments in the situation.

As regards negotiations, I have explained to the Council our long and not very encouraging experience of this particular process. We have tried this method over and over again—in 1950, 1953, in 1954, in 1956, in 1959 to 1961, and most recently through intensive talks in 1962 and 1963. That all these efforts failed shows that it is not within our power alone to make negotiations sincere, constructive and meaningful, and further that they cannot be made so without the essential frame of reference of the wishes of the people of Jammu and Kashmir, which are paramount.

We asked for prompt and tangible assistance from the Security Council in the effort toward an early settlement, and it was our expectation that the Security

Council would be a positive and material factor in the situation. We had hoped that the Council would firmly lay down the framework within which contacts between India and Pakistan should be carried on for a solution of the problem of Jammu and Kashmir. We would also have liked a definite role to be assigned to the Secretary-General to enable him to facilitate the progress and to ensure a fruitful result of these contacts. A settlement of the dispute is possible only in accordance with the wishes of the people of Jammu and Kashmir, as pledged to them by India, Pakistan and the United Nations.

Should we pay heed to the principles of the Charter, or should we base ourselves on power and aggrandizement? Should we work for a just and durable peace, or should we obey the expediencies of the moment, and thus barter away the future tranquility of the four million people of Jammu and Kashmir?

The answer is plain, and it is stated fully in the UNCIP resolutions which remain valid, and in no other formulation or nostrum. This is what makes it essential to make these resolutions the basis of our effects toward an honorable settlement.

As we go back, we can confidently state that since the situation in Jammu and Kashmir has now entered a phase in which it cannot be left to take care of itself, we take leave of the Council for the time being and we trust that the Council will keep the developments in the situation under its close and continued vigilance.

The summation by the President is neither a consensus nor a statement of agreed conclusions. As such, we consider it to be a purely descriptive and factual statement which the President of the Council has made, and not any kind of recommendation to the parties with any binding force. The question of our accepting or rejecting it, therefore, does not arise.

*(Statement in the U.N. Security Council, May 18, 1964)*