

# UNITED NATIONS SECURITY COUNCIL



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LETTER DATED 2 NOVEMBER 1965 FROM THE PERMANENT REPRESENTATIVE OF PAKISTAN  
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to the letter dated 26 October 1965 from the Minister for External Affairs of India addressed to the President of the Security Council and contained in document S/6836. India, along with Pakistan, was invited to attend the meeting of the Security Council as a party to the dispute relating to Jammu and Kashmir. India withdrew from the meeting on the absurd plea that Jammu and Kashmir was a constituent part of India and that the Council was not competent to discuss India's actions within the state. India has now sought to participate in the Council's deliberations through the Indian Foreign Minister's letter dated 26 October. This is an extraordinary procedure. It is obvious that, if countenanced, this procedure will gravely undermine the authority and effectiveness of the Security Council.

2. The allegations contained in the letter of the Minister of External Affairs of India have been refuted by my Government in our previous statements before the Council. However, in deference to the Council, I consider it my duty again to set the record straight.

3. The distinguished Foreign Minister of India has once more tried to establish that the report of the Secretary-General contained in document S/6651 confirmed Pakistan's responsibility for the so-called armed infiltration across the cease-fire line. But, in the very passage from this report which the Foreign Minister quotes as evidence, it is stated that

"In most cases the actual identity of those engaging in the armed attacks on the Indian side of the Line and their actual crossing of it could not be verified by direct observation or evidence."

Further, the Secretary-General's report is based on the observations made by General Nimmo, Chief Military Observer of UNMOGIP. The following statement in General Nimmo's letter to the Secretary-General dated 30 August 1965 (contained in part II of document S/6651) is self explanatory:

"As you will note the investigations, which often have to be carried out in extremely difficult circumstances and at varying lengths of time after the particular action has occurred, have in general not yet been able to verify, either through observation or direct evidence, the identity of those responsible for the action and participating in it, or whether and to what extent there has been in fact a crossing of the CFL." (Emphasis supplied)

When even the crossing of the cease-fire line was not established, it is a highly irresponsible attitude on the part of India to allege that any troops of Pakistan or Azad Kashmir crossed the cease-fire line in August. On the other hand, the following facts are beyond challenge, having been admitted by India itself:

(a) On 17 May, India's forces crossed the cease-fire line in Kashmir in the Kargil area and occupied three Pakistani posts. India later withdrew under pressure from the Secretary-General but repeated its aggressive acts on 15 August and reoccupied the Pakistani posts.

(b) On 14 August, the so-called "Chief Minister" of the Indian-sponsored Government in Srinagar, G.M. Sadiq, stated that the invasion of Azad Kashmir could not be ruled out.

(c) On 23 August, the Defence Minister of India stated in the Indian Parliament that Indian troops had crossed the cease-fire line in the past and would do so again if necessary.

(d) On 23 August, Indian forces shelled the village of Awan Sharif in West Pakistan killing twenty civilians and wounding thirteen, including women and children.

(e) On 24 August, the Defence Minister of India announced in the Indian Parliament that India had crossed the cease-fire line in Kashmir. Later, they seized two posts of Azad Kashmir in the Tithwal Sector and captured the Haji Pir Pass.

Pakistan's response to these military moves by India was one of moderation and restraint. When, however, this controlled reaction did not arrest the course of Indian aggression, the Azad Kashmir forces, backed by the Pakistan Army, had to move into the Ehimber Sector in self-defence. They did not do so before 1 September.

4. It is thus clear that this unsubstantiated charge of armed infiltration from Pakistan was used by India as a smoke-screen to hide her invasion of Azad Kashmir and the relentless repression of the self-determination movement in Indian-occupied

Kashmir. Further, it is now established from reports in the world Press that the so-called infiltrators were, and are, none other than the people of Jammu and Kashmir who are engaged, despite overwhelming odds, in a resistance movement against India's occupation of Kashmir. These reports are too numerous to be quoted here. I shall cite only a few (emphasis supplied):

(a) A dispatch from Srinagar in the Washington Star of 1 September stated: "...During the past three weeks hundreds of Kashmiri houses have been burned to the ground - about 440 in Srinagar alone and scores of others in from fifty to seventy villages scattered throughout the Valley..."

"Indian officials claim Pakistan infiltrators started the fires. But both extremist and moderate Kashmiris and the victims themselves, interviewed while digging in the smouldering wreckages, claim the Indian Army was responsible. Mutual recrimination on who started fires aside, the practical issue is that the majority of Kashmiri people - including some Hindus and Sikhs - blame the Indian Army..."

"In a secret rendezvous in the old city, I interviewed one of the guerrillas, whom the Indians call 'Pakistani infiltrators' and Kashmiri people themselves, call 'mujahids' or crusaders. 'All the infiltrators' he said, 'are Kashmiris, some from the Valley and others from Azad Kashmir. We have Punjabis, Punchis, Kishtwaris and other Kashmiri mountain tribals. We want freedom.'"

(b) A dispatch in the Daily Telegraph, London, of 12 October 1965, stated: "The Indian politicians who are now travelling the globe to explain their country's position on Kashmir would have been well advised to start with a trip to Srinagar. There they would have found students shouting pro-Pakistan slogans, police being pelted with stones and retaliating with rifle fire, a couple of exploding hand-grenades and some mysterious house-burnings.

"...Opposition leaders boast with truth that infiltrators would never have managed to remain hidden for so long without the backing of the local populace."

(c) A report filed by the Foreign Editor of Frankfurter Allgemeine Zeitung from Srinagar on 10 October stated:

"The picture which Delhi is giving of the situation in Kashmir, at least as far as it concerns Srinagar, is completely wrong.... At least 30,000 policemen and soldiers have turned Srinagar into a huge army camp."

(d) The correspondent of the British Broadcasting Corporation reported on 12 October that "two important leaders of the opposition" in Kashmir told him "that in fact guerrilla operations had only just started and were going to grow" and "that only Kashmir freedom fighters were involved."

(e) The correspondent of the Sun, Baltimore, reported from Delhi in the newspaper's issue of 11 October:

"The reports of demonstrations and arrests were the first official confirmation of substantial unrest in Srinagar since the troubled State went into what amounts to a war footing early in August. Mr. Dhar" (the Home Minister of Indian-sponsored Government in Srinagar) "blamed the incidents in the city on the remnants of Pakistan guerrillas...and their agents among the local population. His remarks constituted the first admission by a Government official that the guerrillas were receiving substantial co-operation from the people of Jammu and Kashmir."

(f) A dispatch in The New York Times of 23 October stated:

"From Pakistan's standpoint, the situation in Kashmir worsened sharply yesterday as India arrested thirty members" (well-known leaders of opposition in Kashmir and others whose identity as Kashmiris cannot be questioned) "of what Pakistan calls the independence movement. India regards the men as Pakistani infiltrators."

(g) A dispatch from Delhi in The New York Times of 25 October stated:

"The Indian Government is seeking to destroy the Kashmir self-determination movement with virtually all the means at its disposal.... The large Indian police and army forces in the State have been used liberally to break the back of the movement's organization. The Government has also taken steps to prevent news of the unrest from reaching the outside world."

5. These are some among the many reports which bring out the interrelated facts about the Indian canard regarding the so-called armed infiltrators, on the one side, and the Resistance Movement in Indian-occupied Kashmir, on the other. As the canard was spread only to serve as a pretext to crush the Movement, India now intends to use the cease-fire as a shield behind which she can continue her reign of terror against the freedom fighters of Kashmir. It is obvious that India would like all help and sympathy to be denied to these patriots who have no other weapons

than those used by all who fight against oppression. But the position is elemental that no cease-fire between India and Pakistan can divide the people of Jammu and Kashmir from one another. The Government and people of Pakistan will not acquiesce in any arrangement which is designed to convert the cease-fire line in Kashmir into an international frontier or to make it serve as a wall protecting India's repression in Kashmir. The Foreign Minister of India is free to call this Pakistan's "aggressive design". But the rest of humanity will understand that it is a position of simple justice, obligatory for Pakistan because of our manifold ties of blood and culture with the people of Kashmir.

6. Since these facts about Indian aggression in Kashmir and the people's rebellion against Indian rule cannot be suppressed, India now tries to establish her bona fides by referring to her preparedness for a cease-fire. The assertions made by the Foreign Minister of India in this regard are:

- (a) "It was India which was always willing and ready for a cease-fire.
- (b) "'Pakistan twice refused to accept the appeals' for a cease-fire and when it finally did accept them 'it was with reservations'. Pakistan tried to 'link' the cease-fire with the 'realization of its political objectives'.
- (c) "The reverses on the battlefield and the lack of support from the world community finally forced Pakistan to agree to the cease-fire."

All these assertions are easily controverted by facts which are beyond dispute.

As regards the first assertion, the facts are that the first time the Security Council called for a cease-fire was when it adopted its resolution 209 of 4 September 1965. India responded to it by an armed attack, the ultimate form of aggression against Pakistan on 6 September. The Prime Minister of the United Kingdom stated on that day:

"This is a distressing response to the resolution adopted by the Security Council on 4 September calling for a cease-fire. The dangerous situation now created may have the gravest consequences not only for India and Pakistan but for the peace of the world."

The second call for the cease-fire was in the Security Council's resolution 210 of 6 September 1965 which noted "with deep concern the extension of the fighting" which added "immeasurably to the seriousness of the situation". India responded

to it by opening two new fronts against Pakistan, one in the south from Rajasthan, and the other from Indian-occupied Kashmir into the Sialkot area. As the correspondent of The New York Times reported on 9 September from Delhi:

"It is also felt, that, with U Thant, the Secretary-General, due in Pakistan, Indian strategy may be designed to confront Pakistan with a military situation that will make them sue for peace on terms suitable to India."

This could hardly be termed a readiness for a cease-fire in good faith. Further, the Prime Minister of India made it clear in his letter of 14 September to the Secretary-General (S/6683, para. 8) that his acceptance of the cease-fire was conditional on India remaining free to use force against the so-called "armed infiltrators", even to the point of violating the cease-fire line and also on the door being closed to any settlement of the Kashmir dispute. Surely, this was not an unconditional acceptance of the cease-fire.

Finally, the Security Council adopted its resolution 211 of 20 September which contained two elements which were "closely interwoven". The two objects were the cessation of hostilities and the opening up of avenues for the settlement of the political problem underlying the conflict, that is, the Jammu and Kashmir dispute. India has not signified its acceptance of this resolution even to this day.

The second assertion of the Foreign Minister of India that Pakistan delayed its acceptance of a cease-fire is contradicted by the fact that, as early as 5 September, the President of Pakistan, in his letter contained in S/6666, extended to the Secretary-General Pakistan's offer of co-operation in arranging a cease-fire accompanied by a "self-implementing agreement" which would result in a settlement of the Kashmir dispute. Again, in his letter of 13 September (S/6683, para. 9) addressed to the Secretary-General, the President of Pakistan stated that Pakistan "would welcome a cease-fire" which would "effectively preclude" the catastrophe of an even wider war in the sub-continent and "not merely postpone it". He proposed "a complete withdrawal of the Indian and Pakistan forces from the State of Jammu and Kashmir, the induction of a United Nations sponsored Afro-Asian force to maintain order in the State and the holding of a plebiscite within three months". In his reply to the Secretary-General on 15 September (S/6683), paragraph (14), the President again urged that "an effective machinery

and procedure" be evolved "that would lead to a final settlement of the Kashmir dispute".

The Foreign Minister of India asserts that this was an attempt on Pakistan's part to "link" the cease-fire with "the realization of Pakistan's political objectives". But an honourable settlement of the Kashmir dispute is no more "Pakistan's political objective" than it is the objective of all who desire a just and durable peace between India and Pakistan. The "linking" of the cease-fire with a "final settlement" was not a manoeuvre on the part of Pakistan: it had been expressly envisaged in the international agreement between India and Pakistan embodied in the UNCIP resolutions of 13 August 1948 and 5 January 1949. The United Nations Commission itself explicitly stated in paragraph 136 of the first report (S/1100) that its intention was "to link the cease-fire to the preparation for a final settlement" of the Jammu and Kashmir dispute.

The reason for this "linkage" is the same today for Pakistan as that which influenced the Security Council when the Council brought about the stoppage of fighting between India and Pakistan in 1948. It is simply that, in order to re-establish peace, one must go to the heart of the problem rather than deal with its periphery. This was stated forcefully by the members of the Security Council at the Council's meetings in 1948:<sup>1/</sup>

"Our object is not only to stop the fighting but to keep it stopped. We have to arrive at a settlement which will prevent a new outbreak." (United Kingdom: 236th meeting, p. 282)

"The President has rightly pointed out that the ending of the fighting and the holding of the plebiscite under conditions which will be recognized as fair and impartial are two aspects of the same matter." (Canada: 237th meeting, p. 287)

"If the principle of a free and impartial plebiscite for deciding the all important question of the accession of Kashmir to India or Pakistan should be accepted, much of the incentive to violence and the use of force would be removed." (China: 237th meeting, p. 288)

"I should feel that it would be erroneous for the Security Council, in solving the matter - if it were acting under Article 37 - to undertake to do it piecemeal, by handling the termination of hostilities with one hand and the plebiscite with the other. I believe that method would be entirely

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<sup>1/</sup> The page numbers referred to are those in the Security Council, Official Records, 3rd Year, 1948.

incongruous and would not lead to any successful solution of the matter."  
(United States: 240th meeting, p. 369)

"In order to solve a problem, and especially a problem of this nature, it is necessary to know the underlying causes. It is worthwhile remembering the Latin proverb, which says, sublata causa, tollitur effectus, or, in other words, 'remove the cause and the effects will disappear'." (Argentina: 240th meeting, p. 367)

It is these wise pronouncements of the members of the Security Council which have been, and are being, constantly followed by Pakistan. When they found an expression in the Security Council resolution 211 of 20 September, the cease-fire was effected and Pakistan signified willingness to go forward on this basis.

As regards India's allegations that "reverses on the battlefield and lack of support from the world community finally forced Pakistan to agree to the cease-fire", the facts point just to the contrary. In this connexion, an Associated Press dispatch datelined New Delhi, 14 September, published in The New York Times and other newspapers, on 15 September about India's willingness to cease fire, is most revealing:

"Prime Minister Shastri explained to political leaders that India felt she had the upper hand in the fighting, but that world opinion was going against India's cause and that now might be a good time for India to announce that she was willing to stop the fighting.

"He also explained that Pakistani defences, especially around the northern Pakistan city of Sialkot, were strong, and that there would be tough fighting ahead if the war continued. One politician said Sialkot had been described as a 'Magnet Line'." (Emphasis supplied)

7. The distinguished Foreign Minister of India has charged Pakistan with committing a very large number of cease-fire violations. The truth is quite the opposite.

United Nations Observers have been stationed in the State of Jammu and Kashmir since 1949. A separate Observer Mission was established on the international frontier between India and Pakistan in pursuance of the Security Council resolution of 20 September 1965 and the members of this Mission have been in position since soon after the cease-fire came into effect on 23 September 1965.

The Pakistan army authorities gave full information to the United Nations Observers regarding the area under the occupation of our Armed Forces in all

the sectors immediately after the cease-fire came into effect. In this connexion, I invite Your Excellency's attention to my letter dated 26 October 1965 (S/6839), addressed to the Secretary-General.

Both India and Pakistan have complained of hundreds of cease-fire violations to UNMOGIP and UNIPOM. These two Observer Missions have investigated some of the allegations and forwarded their findings to the Secretary-General. The Secretary-General in turn has been submitting reports to the Security Council based on the investigations of the United Nations Observers on the spot. So far the Secretary-General has submitted eight reports during the period 25 September to 1 November 1965 (S/6710 and Add.1-7). A perusal of the Secretary-General's reports will show that most the proved serious violations of the cease-fire have been committed by India.

A brief summary of the grave violations committed by India since the cease-fire came into effect is given below:

1. Tithwal (Domel-Tangdhar-Uri) Sector: Indian Forces launched a large-scale preplanned offensive between 25 September and 15 October 1965. As a result of this aggression they occupied the area between the cease-fire line and Kishen Ganga river from Bugina (NL-9571) to Mirpur (NL-9452). (S/6710/Add.2, paras. 3 and 4 of S/6710/Add.3, paras. 11-13 of S/6710/Add.4 and paras. 5-7 of S/6710/Add.6 refer)
2. Chhamb-Akhnur Sector: Indian forces repeatedly attacked our positions Kalidhar (5679), Budhidhak (5780), Nili (5880) and Ialeprar (5877), between 25 September and 4 October 1965. At 2030 hours on 3 October a cease-fire was arranged by the local United Nations Observers but Indian troops disregarded this commitment and launched yet another attack during the early hours of 4 October 1965. Through this treachery they succeeded in capturing Kalidhar, Budhidhak and Nili. (Paras. 11-19 of S/6710/Add.3 and para. 23 of S/6710/Add.5 refer)
3. Lahore Sector: Immediately after the cease-fire came into effect Indian troops began attempting to inch forward. They took advantage of the cease-fire to occupy the No Man's Land between the two armies and established positions on the east bank of the ERB Canal. (Paras. 1-5 of S/6710/Add.1, paras. 24 and 25 of S/6710/Add.3, paras. 40-42 and 45-49 of S/6710/Add.4, and para. 25 of S/6710/Add.6 refer)
4. Rajasthan Sector: Indian forces have made repeated efforts to regain the territory they lost during the war. They have captured Malesar,

Baichand, Kelnor and Nawatala. In this sector the Indians have also used their air force to support their aggression. (Paras. 66 to 71 of S/6710/Add.4, paras. 2, 8, 13 and 32 of S/6710/Add.5 and paras. 3 to 5 and 7 of S/6710/Add.7 refer)

8. The Foreign Minister of India has alleged that Pakistan is threatening, and "preparing for a second round", of hostilities. The above facts regarding the violations of the cease-fire are an apt commentary on the truth of this allegation. But there is no doubt about Pakistan's apprehension of the gravest consequences following a refusal to resolve the Jammu and Kashmir dispute on an equitable and honourable basis. India accuses Pakistan of keeping tensions alive. But the only cause of tension, of the atmosphere of crisis and foreboding, is India's clear refusal to proceed with efforts towards an honourable settlement of the Jammu and Kashmir dispute. A few examples of this obduracy, and definance of the United Nations, may be given here:

(a) In his letter of 14 September 1965 to the Secretary-General, the Prime Minister of India stated "categorically" that "no pressures" will "deflect" India from its "firm resolve to maintain the security and territorial integrity", of India, of which (according to him) "the State of Jammu and Kashmir is an integral part". In other words, he closed the door to any peaceful settlement of the Kashmir dispute.

(b) At the 1241st meeting of the Security Council, the Indian representative stated: "I do not want this Council to be under any misapprehension as to the attitude of my Government with regard to Kashmir; nor do I want the representative of Pakistan to be under any misapprehension. Kashmir is an integral part of India." (S/PV.1241, p. 67) He thus placed both the Security Council and Pakistan on notice that India would allow no recourse to any method of pacific settlement listed in Article 33 of the Charter.

(c) Soon after the adoption of the Security Council resolution of 20 September, the Education Minister of India stated in the Indian Parliament that India "is prepared to have discussions with Pakistan but only on the clear understanding that Kashmir is a closed chapter". He thus foreclosed negotiations on the issue.

(d) On 3 October, the Prime Minister of India publicly stated that India wanted "peace with Pakistan but this time it must be on India's terms".

It is obvious that when a country bars all avenues for peaceful settlement of a problem, it does nothing but provoke war. That is what India is doing today.

9. The Foreign Minister of India has referred to the UNCIP resolutions in his letter. He has bewailed the fate which these resolutions have suffered and has reminded the Security Council of "its duty not to allow Pakistan to make a mockery of its recommendations - mockery to the extent of making its resolutions obsolete and dead". It must be categorically stated here that Pakistan endorses this appeal and would modify it only by saying that it is the duty of the Security Council not to allow either party to a dispute "to make a mockery of its recommendations". The resolutions of the Security Council of 21 April 1948 (S/726), 14 March 1950 (S/1465), 30 March 1951 (S/2017/Rev.1), 24 January 1957 (S/3779) and 2 December 1957 (S/3922) have as much force as its resolution of 20 September 1965. Indeed, inasmuch as they were based on the recognition and acceptance by the parties of the provisions of the UNCIP resolutions, and inasmuch as they embodied provisions of a substantive nature, and did not merely deal with a transitory situation, they possess even greater force. Pakistan has consistently sought to implement these resolutions and has offered to submit to arbitration the question of the obligations of India and Pakistan under the UNCIP resolutions, which party is in default, and what should be done speedily to rectify that default. It is India which has spurned this offer. Moreover, it is India which has refused to implement these resolutions and pleaded the fact of this non-implementation as a reason for their obsolescence. The representative of India stated at the 1009th meeting of the Council:

"We are not going to allow the cease-fire agreement" (embodied in part I of the UNCIP resolution of 13 August 1948), "or anything else which is as of now dead as a dodo to be pleaded in bar against the security of our land."

This expression "dead as a dodo" has been employed repeatedly by the representative of India both in the Security Council and the General Assembly, evidently to emphasize India's defiance of the United Nations and its complete disregard of the agreements embodied in the resolutions of the Security Council. Pakistan fears that the same attitude is being shown by India towards the resolution of 20 September 1965 which expressed the conviction of the Security Council that the cessation of hostilities, is "essential as a first step towards a peaceful

settlement of the outstanding differences between the two countries on Kashmir and other related matters". It is evident that no effort is being spared by India to nullify this commitment of the Security Council.

10. In an attempt to cloak this defiance, the Foreign Minister of India has closed his letter with an assurance that his Government will "extend their full co-operation to the United Nations in the efforts to stabilize the cease-fire" and to draw up plans "for the withdrawal of all armed personnel". It must be noted that even this offer, being strictly limited to the cease-fire and withdrawal of troops, amounts to a refusal to let the United Nations remove the root cause of the conflict, which is the Jammu and Kashmir dispute. It is thus tantamount to thwarting the first and foremost purpose of the United Nations laid down in Article 1, paragraphs 1 and 2, of the Charter.

11. The distinguished Foreign Minister of India has repeated the untenable thesis in his letter that the State of Jammu and Kashmir is an integral part of India and has peremptorily admonished the Council, "This position must be clearly understood." It is upon the basis of this claim that he has tried to exclude certain aspects of the situation in Jammu and Kashmir from the jurisdiction of the Security Council. It must be recalled in this connexion that the 1247th meeting of the Security Council was the 133rd in the series which it has held regarding the question of the disposition of the State of Jammu and Kashmir. Jurisdiction over this issue was vested in the Security Council by the United Nations Charter which provides that matters which, by their nature, assume an international complexion or give rise to international repercussions, especially if they threaten to impair relations between States or jeopardize international peace and security, cease to be matters of the domestic jurisdiction of States. The jurisdiction of the Council was recognized by both parties to the dispute when, in their respective original representations to the Council made in January 1948, they offered to let the future of the State of Jammu and Kashmir be decided by the recognized method of a plebiscite under the auspices of the United Nations.

This jurisdiction was further accepted by both parties when they entered into the international agreement embodied in the UNCIP resolutions of 13 August 1948 and 5 January 1949 which laid down that,

"The question of the accession of the State of Jammu Kashmir to India or Pakistan will be decided through the democratic method of a free and impartial plebiscite."

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It also provided for the establishment of a Plebiscite Administration in the State of Jammu and Kashmir which would ensure that no restrictions would be placed on legitimate political activities throughout the State and that there would be no victimization, no threat, coercion or intimidation on the people of the State in the exercise of their option to accede to either India or Pakistan.

It is obvious that any development or any action of either party which causes a material change in the situation in Kashmir or affects or prejudices the right of the people of Jammu and Kashmir to decide their future for themselves becomes a matter of immediate concern to the Security Council and both parties have the obligation to consult the Council thereon. This has been the basis upon which, in more than a hundred meetings, the Council's consideration of this dispute has included discussion of all matters which bear upon the situation inside the State of Jammu and Kashmir. No assertion of sovereignty over the State of Jammu and Kashmir until sustained by a plebiscite under impartial auspices, can exclude or in any way limit the Council's jurisdiction.

In view of these facts, it is unnecessary for me to emphasize the contrast between the stand taken by India today on the India-Pakistan question and that taken by the overwhelming majority of the United Nations in regard to such matters as the question of the treatment of people of India-Pakistan origin in the Union of South Africa, the question of race conflict in South Africa, the Moroccan question, the Tunisian question and the question of Algeria, where also the competence of the United Nations was challenged by the other party to the dispute involved. It must be, however, emphasized here that India's present position is even more absurd than that of States which invoked the principle of domestic jurisdiction to challenge the competence of the United Nations to resolve those issues. Unlike those other countries, India has not been unwillingly brought to the United Nations as a party to the dispute. Unlike those other countries, India itself voluntarily offered to submit the decision of the status of the territory involved to a plebiscite held under international auspices.

12. The distinguished Foreign Minister of India has raised some other minor points in his letter. I wish briefly to clarify my Government's position on these:

(a) There is no contradiction between the fact that Pakistan is only a fraction of India in size and the assertion of my Foreign Minister quoted by Mr. Singh, that Pakistan has established equality with India. That the Foreign

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Minister of India has seen a contradiction where there is none, indicates his Government's inability to appreciate that disparity in size has no relation to equality in status following from the principle of sovereign equality of States under the Charter of the United Nations.

(b) The Foreign Minister of India has further repeated the allegation that, since 1955, Pakistan has joined military alliances with the sole purpose of "national aggrandizement and territorial expansion at the cost of India". If this were so, Pakistan would not have refrained from armed action against India between 1953 and 1965, during which period there were occasions when India had not yet received substantial military aid from the United States or the USSR and was militarily vulnerable.

(c) Lastly, the Foreign Minister of India has again referred to India's offer of a so-called no-war pact, which, according to him Pakistan has "persistently spurned". On numerous earlier occasions, my Government has explained to the Security Council the nature of this offer and of our response to it. That this offer was never seriously meant by India and that, instead of spurning it, my Government sought to give it a reality, is established by the following statement from the letter from the Prime Minister of Pakistan addressed to the Prime Minister of India on 21 September 1954:

"You have referred again to your suggestion for a No-War declaration. You have mentioned in this connexion also the non-aggression declaration your Government has made jointly with the People's Republic of China. Your contention is that a declaration such as this would create a better and more friendly atmosphere for the solution of our disputes.

"Since you have made this suggestion more than once, it is necessary that I explain our attitude more fully. When you first proposed a No-War declaration in 1950, you will recall that my predecessor, the late Mr. Liaquat Ali Khan, wholly welcomed the proposal. He pointed out, however, that its primary object must be to carry conviction to the peoples of India and Pakistan that both Governments were sincere in renouncing war as a method of settling disputes. He therefore urged that if this objective was to be achieved, the declaration should embody also an effective procedure for the peaceful resolution of all Indo-Pakistan disputes. He accordingly suggested a No-War declaration which would have made it obligatory for both Governments to refer every dispute between the two countries to arbitration (or judicial determination) should negotiation or mediation fail and to abide by the award of the arbitrator, so that neither party was allowed to obstruct a peaceful settlement indefinitely. Unfortunately, you did not accept his suggestion and there the matter ended.

"During the last two years, whenever you have referred to this dispute, you have merely repeated your original offer and given no indication that you would be prepared to consider the No-War declaration proposed by the late Mr. Liaquat Ali Khan. The matter has therefore stood where it was.

"It would be thus not correct to assume that Pakistan has declined to join in a No-War declaration. What we want, however, is that it must be an effective No-War declaration, not of the kind proposed by you which would result in no improvement of Indo-Pakistan relations so long as our disputes are not resolved. A No-War declaration which does not contain any assurance that those disputes will ever be resolved will entirely fail to make any favourable impression on Indo-Pakistan relations and would therefore be valueless. On the contrary, such a declaration by so failing, is bound to disillusion our peoples and may well make these relations worse."

13. If India is the peace-loving State which it claims to be, and is faithful to its obligations under the Charter, let it honour its commitments under the resolutions of the United Nations. Let it observe the cease-fire scrupulously, agree to withdrawal of its troops, and join with Pakistan and the United Nations in settling the Jammu and Kashmir problem honourably, fairly and in accord with the wishes of the people of the State, and thus remove the root cause of the conflict between India and Pakistan.

14. I shall be grateful if this letter is circulated as a Security Council document.

(Signed) Syed Amjad ALI  
Permanent Representative of Pakistan  
to the United Nations

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