

SECURITY
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LETTER DATED 18 AUGUST 1958 FROM THE PERMANENT REPRESENTATIVE
OF INDIA ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to the letter of the Permanent Representative of Pakistan dated 30 July which is contained in document No. S/4070 of 31 July 1958.

2. The Government of India once again regret the tone of the letter of the Permanent Representative of Pakistan, and wish to say that it is not their intention to answer invective with invective. It must undoubtedly occur both to the members of the Security Council and to the members of the United Nations in general that if the Government and Permanent Representative of Pakistan had a case they could well sustain it by statements couched in reasoned and moderate language. It can only be the absence of a good case that leads them once again to intemperate statements. In these circumstances the Government of India will refrain from commenting on most of the letter from the Permanent Representative of Pakistan except to state again that the relevant facts are as set out in my previous letters of 11 June 1958 and of 6 July 1958.

3. However, a brief comment is called for on paragraph 7 of that letter which describes statements in paragraph 8 of my letter of 6 July as highly provocative. That a position sustained by reference to the Charter of the United Nations, which is what paragraph 8 of my letter of 6 July did, should be considered by another Member State as highly provocative is, to say the least, an extraordinary reaction. Not only is the fundamental law of the Organization so regarded, but apparently the Permanent Representative of Pakistan also considers as provocative the fact that Jammu and Kashmir acceded to the Indian Union in accordance with the procedures laid down in the Constitution then in force in India, i.e. the Government of India Act 1935 which was an enactment of the British Parliament, as adapted under India (Provisional Constitution) Order 1947, issued under the Indian Independence Act 1947, which was also an enactment of the British Parliament. This latest letter of the Permanent Representative of Pakistan can be construed only as a repudiation of fundamental international agreements involving his Government and arrived at

58-19604 /...

when the two independent States of India and Pakistan were constituted. Regarding Kashmir, the basic international obligations of Pakistan arise out of the Inter-Governmental agreements entered into when British authority withdrew. To them are added Pakistan's obligations under the Charter and its own commitments under the Security Council Resolution of 17 January 1948 and the United Nations Commission for India and Pakistan resolutions. Finally, the Government of India wish me to state that they are confident that the members of the United Nations, with their experience of India as a fellow member, will deeply regret, as they themselves do, that the Permanent Representative of Pakistan should have used wholly inapplicable epithets in connexion with India.

4. I request that this communication be circulated as a Security Council document and brought to the notice of the members of the Security Council.

5. Accept, etc.

(Signed) Arthur S. LALL
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of India
to the United Nations

