

UNITED NATIONS
SECURITY
COUNCIL



Distr.
GENERAL

S/3750
26 November 1956

ORIGINAL: ENGLISH

LETTER DATED 26 NOVEMBER 1956 FROM THE REPRESENTATIVE OF PAKISTAN
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In continuation of my letter of 16 November 1956, to Your Excellency, I have the honour, under instructions from my Government, to inform you that it has now been confirmed that the action, which according to Indian Press Reports was to be taken on 17 November for the "integration" with India of that part of the State of Jammu and Kashmir which is under the Indian military occupation, has since been taken. On that day a "constitution" containing a clause to that effect was adopted by the so-called "Constituent Assembly" at Srinagar. My Government wishes to bring this matter to the notice of the Members of the Security Council. While reserving the right to seek later further action in this regard, my Government would request Your Excellency to take appropriate action to seek a clarification of the Government of India in this regard.

In this connexion I would recall the categorical assurances given to the Security Council by India's Representative, Sir Benegal Rau, in March 1951, that this Assembly was not intended to prejudice the issues before the Security Council or to come in its way. He stated that while it might, if it so desired, express an opinion on the question of accession, it would take no decision on it. The Assembly's opinion, he also stated, would not bind the Indian Government or prejudice the position of the Security Council.

On this subject I enclose a statement recently made by the Prime Minister of Pakistan, which may kindly be circulated to the members of the Security Council along with this letter.

Please accept, etc.

(Signed) M. Mir Khan
Ambassador Extraordinary and
Plenipotentiary
Permanent Representative of
Pakistan to the United Nations

56-32290

/...

Statement made by Mr. H. S. SUHRWARDY
Prime Minister of Pakistan on
17 November 1956

The so-called Constituent Assembly of occupied Kashmir, the hollowness of whose claim to speak for the people of the State has been demonstrably proved by the real leaders of the people of the Jammu and Kashmir State itself, and whose status has not been accepted by the Security Council of the United Nations, is reported to have finalized a constitution for the State in which it has been described as an "integral part of India". I want to make it clear that Pakistan has not recognized and will never recognize the right of this or any such body to represent and to legislate on behalf of the people of the Jammu and Kashmir State. As a matter of fact the Government of India also itself has repudiated the validity of any pronouncement by this spurious Assembly on the question of accession.

When this matter was debated in the Security Council, India's Representative, Sir Benegal Rau, categorically assured the Council that this Assembly would not "come in the way of the Security Council".

The question of accession is open and will remain open till it is decided by means of a free and impartial plebiscite, to be held in accordance with the U.N.C.I.P. resolution dated 13 August 1948 and 5 January 1949. The Governments of India and Pakistan and the Security Council of the United Nations are all parties to this international agreement, which cannot be repudiated by any one party to suit its own ends.

This latest move of the Government of India to secure from this self-styled Assembly a verdict which has no juridical value in order to give itself an excuse for not holding a plebiscite to ascertain the wishes of the people and thus resiling from its international obligation, is both pathetic and mischievous. After having failed to get the people of the State on its side, the Government of India has started taking shelter behind such subterfuges. What does the Government of India gain by such devices and whom do they hope to mislead. They must be fully conscious of the fact that if they break their international agreement they will stand condemned before the bar of world opinion

and will endanger the peace of this part of the world. They are also fully aware of the reactions of the Security Council to their attempts to wriggle out of their international commitments. They are also aware of the hostility of the people of the State, whom they are suppressing under the heel of the Indian army of occupation. The only result of such actions will be deterioration of Indo-Pakistan relations, and further aggravation of the situation in Kashmir.

I have instructed our Representative at the United Nations to protest against this move to the Security Council. I am confident that the Security Council will not permit this challenge to its authority to remain unanswered, and will take concrete steps to meet the situation. The cause of the people of Kashmir, which is Pakistan's cause, is just. It must prevail exactly in the same manner as all just causes prevail.

