



Twentieth session

LETTER DATED 8 NOVEMBER 1965 FROM THE PERMANENT
REPRESENTATIVE OF INDIA TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL.

I have the honour to refer to the letter which the Permanent Representative of Pakistan addressed to you on 1 November 1965, and which was circulated as Security Council document S/6858 and General Assembly document A/6087. This letter purported to answer my letter of 5 October 1965 to you (S/6747 and A/6045).

In his letter the Permanent Representative of Pakistan has attempted to evade the responsibility for his country's aggression against India which commenced on 5 August 1965. He has also tried somehow to suggest that the initiative for hostilities which began on 5 August 1965 came from India. His letter cites, in evidence, your report of 3 September 1965 (S/6651) and the statement made in the 1239th meeting of the Security Council on 17 September 1965 by His Excellency Ambassador Rifai of Jordan (S/PV.1239).

I would merely quote the following passages from your own report of 3 September 1965 (S/6651) and the statement made by His Excellency Ambassador Ramani of Malaysia in the 1241st meeting of the Security Council on 18 September 1965 (S/PV.1241), to refute the false and baseless allegations made by the Permanent Representative of Pakistan, and to substantiate India's charge that Pakistan committed aggression against India and that the responsibility for commencing the hostilities on 5 August 1965 must lie squarely on Pakistan's shoulders:

I. QUOTATIONS FROM THE SECRETARY-GENERAL'S REPORT OF 3 SEPTEMBER 1965 (S/6651)

"5. The current serious trouble affecting the Cease-Fire and the CFL in Kashmir dated from 5 August 1965, and consists of a large number of violations of the CFL by crossings of the Line, by firing across it with artillery pieces, and by the occupation of positions on the wrong side of the Line.

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* Also issued under the symbol S/6893.

"6. General Nimmo has indicated to me that the series of violations that began on 5 August were to a considerable extent in subsequent days in the form of armed men, generally not in uniform, crossing the CFL from the Pakistan side for the purpose of armed action on the Indian side.

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"9. On the morning of 9 August, a cable was received from General Nimmo warning that the situation was deteriorating along the CFL. On the basis of this report, I saw the Representative of Pakistan at 1230 hours on that day, and asked him to convey to his Government my very serious concern about the situation that was developing in Kashmir, involving the crossing of the CFL from the Pakistan side by numbers of armed men and their attacks on Indian military positions on the Indian side of the Line, and also my strong appeal that the CFL be observed. That same afternoon I saw the Representative of India, told him of the information I had received from General Nimmo and of the démarche I had made to the Government of Pakistan, and asked him to convey to his Government my urgent appeal for restraint as regards any retaliatory action from their side. In subsequent days, I repeated these appeals orally for transmission to the two Governments, asking also that all personnel of either party still remaining on the wrong side of the Line be withdrawn to its own side. I have not obtained from the Government of Pakistan any assurance that the Cease-Fire and the CFL will be respected henceforth or that efforts would be exerted to restore conditions to normal along that Line. I did receive assurance from the Government of India, conveyed orally by their Representative at the United Nations, that India would act with restraint with regard to any retaliatory acts and will respect the Cease-Fire Agreement and the CFL if Pakistan does likewise.

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"10. In view of the continuing deterioration in the situation as of 16 August, I gave consideration to a further step in the form of a draft statement about the Cease-Fire violations which was designed for public release. The draft was handed to the two Representatives to be transmitted for the information of their Governments. Both Governments reacted promptly. The Government of India had no objection to the release of the statement but at first wished certain modifications which, in part at least, I regarded as unacceptable. The Government of Pakistan was strongly negative about the statement in general on the grounds that it favoured India in that it dealt only with the current cease-fire situation without presenting the political background of the broad issue and thus was lacking in balance, since a cease-fire alone supports the status quo to India's benefit."

II. QUOTATIONS FROM H.E. AMBASSADOR RAMANI'S STATEMENT IN THE 1241ST MEETING OF THE SECURITY COUNCIL (S/PV.1241)

"But I am perfectly sure that he will agree with me that the date has a significance in the context of the Secretary-General's report; we, the co-sponsors of that resolution, did not invent it for fun or choose it arbitrarily because we liked the look of it on a calendar. The date of

5 August is the vital date in this debate. It is in fact and in truth the starting point in the long and sorry train of tragic events narrated by the Secretary-General in his report contained in document S/6651 of 3 September, which is, I repeat, the foundation of this debate.

"The fifth of August as the vital date to this debate is referred to at least seven times in that report, and I crave the Council's indulgence to enumerate it.

"First, the sub-heading at page 3 is entitled 'Events since 5 August'.

"Secondly, the opening sentence of paragraph 5 reads: 'The current serious trouble affecting the cease-fire and the cease-fire line in Kashmir dated from 5 August 1965...'

"Thirdly, the concluding sentence of the same paragraph reads: 'The adequacy of the present number of Observers and of their function may well be reappraised in the light of experiences since 5 August'.

"Fourthly, the opening sentence of paragraph 6 begins: 'General Nimmo has indicated to me that the series of violations that began on 5 August were to a considerable extent in subsequent days in the form of armed men, generally not in uniform, crossing the cease-fire line from the Pakistan side for the purpose of armed action on the Indian side'.

"Fifthly, part II of the same report is entitled: 'Annotated list of those incidents since 5 August 1965 which had been investigated by the United Nations Observers prior to 3 September 1965'.

"Sixthly, the second sentence in the seventh paragraph of General Nimmo's report reads: 'This list comprises only incidents on which complaints have been submitted asserting violation of the cease-fire and the cease-fire line between 4 and 30 August 1965...'

"Seventhly, and lastly, the list itself sets out the first and second incidents as those of 5 and 6 August."

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"According to the Secretary-General's report (S/6651) of 3 September, General Nimmo, as a result of investigations and 'in the light of the extensiveness and character of the raiding activities', reached the conclusion that large-scale infiltrations of heavily armed irregulars from Pakistan across the cease-fire line took place on 5 August and subsequent days. If one examines, as I have, the annotated list of incidents attached to the Secretary-General's report, one finds that not until after the first eleven incidents, spaced within 5 August and 14 August, had occurred, each with increasing intensity and severity, did the Indian troops for the first time cross the cease-fire line and reoccupy the position northeast of Kargil, from which previously in May, upon the appeal of the Secretary-General, they had withdrawn.

"In these eleven incidents there are to be found confirmations by General Nimmo's Observers of attacks within the Indian side of the cease-fire line by large armed groups varying from forty and seventy to as many as 'exceeding 1,000', leaving large quantities of arms with tell-tale markings. This could not go on with impunity and indeed provoked self-defensive reactions. Subsequently, the pace of the response kept in step with the pace of infiltration, until by the beginning of September everything went out of hand.

...

"I would venture to suggest that from the Secretary-General's report, supported by the careful findings of General Nimmo as a part of it, one can only - and I say this with the deepest regret - reach the conclusion that the highly armed, well-trained and well-led infiltrators came from Pakistan's side of the cease-fire line.

"We in our part of the world have been facing for over two years this kind of war - infiltration, subversion, sabotage - and we may speak with some large knowledge, learnt in the hard school of experience. It is an exhausting, exasperating war where the initiative is forever with the aggressor, where the real casualties are not so much human bodies or valuable material, but the slow erosion of the steel, the determination, the will to fight, the will to stand firm in the face of odds, possessed by the passion to give one's all to save one's country.

"Military pundits have calculated the defensive human costs of such operations in the ratio of at least ten to one. The art and science of this wearing, wearying, wasteful war have now been perfected in Asia. The peril of our times is the expansion export and propagation of this kind of war into regions farther beyond, regions which are judged to be ripe for revolution. Today, however, Asia is its testing ground.

"When the truth with regard to these infiltrations became known, Pakistan answered with vague denials and claims that these are but the symptoms of an ancient malignancy and the Security Council should direct its mind and employ its energies in exterminating the root cause of all: the denial by India of a plebiscite in Kashmir, agreed to by India as long ago as 1948. This was repeated this morning by the Minister of Law of Pakistan. This has been a time-honoured refrain."

I shall be grateful if this communication is circulated both as a Security Council and a General Assembly document.

(Signed) G. PARTHASARATHI
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of India to the
United Nations