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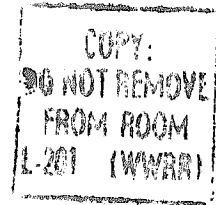
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TWENTY-SIXTH YEAR

1616th

MEETING: 16 DECEMBER 1971

NEW YORK

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(8 p.)

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SIXTEEN HUNDRED AND SIXTEENTH MEETING

Held in New York on Thursday, 16 December 1971 at 10.30 a.m.

President: Mr. I. B. TAYLOR-KAMARA (Sierra Leone).

Present: The representatives of the following States: Argentina, Belgium, Burundi, China, France, Italy, Japan, Nicaragua, Poland, Sierra Leone, Somalia, Syrian Arab Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America.

Provisional agenda (S/Agenda/1616)

1. Adoption of the agenda.
2. The situation in the India/Pakistan subcontinent.

The meeting was called to order at 12.05 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in the India/Pakistan subcontinent

1. The PRESIDENT: Members of the Council will recall that at a previous meeting [1606th meeting] the Council decided to invite the representatives of India and Pakistan to participate in the debate of the problem currently under discussion by the Council, without the right to vote. In accordance with that decision, and with the consent of the Council, I shall invite the representatives of India and Pakistan to take their places at the Council table.

At the invitation of the President, Mr. Swaran Singh (India) took a place at the Council table.

2. The PRESIDENT: The Council had also decided [1607th and 1615th meetings] to extend invitations to the representatives of Tunisia, Saudi Arabia and Ceylon to take the seats reserved for them in the Council chamber, with the understanding that they will be invited to take a place at the Council table when it is their turn to address the Council.

At the invitation of the President, Mr. R. Driss (Tunisia), Mr. J. M. Baroodi (Saudi Arabia) and Mr. H. S. Amerasinghe (Ceylon) took the places reserved for them in the Council chamber.

3. The PRESIDENT: The Council has before it the following draft resolutions: the draft resolution submitted by Italy and Japan as contained in document S/10451; the

draft resolution submitted by Poland contained in document S/10453/Rev.1; the draft resolution submitted by the Syrian Arab Republic contained in document S/10456; the draft resolution submitted by France and the United Kingdom contained in document S/10455; the draft resolution submitted by the Union of Soviet Socialist Republics contained in document S/10457; in addition there is the draft resolution submitted by China contained in document S/10421 and the draft resolution of the USSR contained in document S/10428, which were not pressed to the vote earlier.

4. I give the floor to the Foreign Minister of India, Mr. Swaran Singh.

5. Mr. SWARAN SINGH (India): I have to give some very brief information to this Council. The Prime Minister of India has made a statement and I have been informed that I should convey this information to the Security Council. I quote the statement that the Prime Minister of India has made:

"We have repeatedly declared that India has no territorial ambitions. Now as the Pakistani armed forces have surrendered in Bangla Desh and Bangla Desh is free, it is pointless in our view to continue the present conflict. Therefore, in order to stop further bloodshed and unnecessary loss of life, we have ordered our armed forces to cease fire everywhere on the Western front with effect from 2000 hours, repeat 2000 hours, IST (Indian standard time) on Friday the 17th, repeat 17th December 1971. It is our earnest hope that there will be a corresponding immediate response from the Government of Pakistan."

6. I should like to add only one word: Friday, 17 December 1971, at 2000 hours in Indian standard time is equivalent to 10.30 a.m. New York time, on 17 December. This is the information that I wanted to convey to the Council.

7. In a nutshell, the fighting in Bangla Desh has already stopped, and in the West the Prime Minister of India has unilaterally issued orders to stop fighting, effective from 10.30 a.m. on 17 December. I thought that this information would be relevant in the context of the problem that is before the Security Council.

8. The PRESIDENT: The next speaker on my list is the representative of Saudi Arabia. I invite the representative of Saudi Arabia to take his seat at the Council table and to make his statement.

9. Mr. BAROODY (Saudi Arabia): I refrained from taking the floor last evening, although I was listed as one of the speakers, hoping against hope that some draft resolution would emerge, satisfactory to all the parties concerned. But my hopes have been dashed on the rocks of despair. The United Nations, including the Security Council, has been reduced to a shadow of what it should be. The responsibility for such a sad state of affairs may be attributed to the violations of the purposes and principles of the Charter by permanent members of the Security Council, who cannot divest themselves of the habit of invariably placing their national interests first and foremost, without due regard to whether the position they often assume serves the cause of peace and justice.

10. If the national security of a permanent member of the Council is at stake, it is quite understandable that such a State has no choice but to resort to the veto, if the veto is imperative for the prime defence of that State. On the other hand, Council decisions that are taken by consensus may be as unsatisfactory—I repeat, may be as unsatisfactory—as the veto if such decisions do not establish peace and justice in any conflict of the magnitude of the one currently confronting us. It seems to me that incessant consultations such as those you have been having and which we non-members of the Council have witnessed—consultations aimed at achieving a weak consensus—will serve no purpose unless the war is stopped and peace is founded on justice. Short of such a goal, consultations seem to me to be a farce and, at the same time, a face-saving device to extricate certain members of the Council from appearing as having failed in their responsibilities and obligations to the world community. Face-saving of members does not stop the war or the consequent conflict between India and Pakistan. A concocted consensus will no longer fool anyone, because it contrives to achieve a spurious agreement on an ineffectual common denominator which will not resolve the conflict—and by conflict I do not mean war but what will ensue after the war. Therefore it is neither the veto nor a concocted consensus that will bring about peace between India and Pakistan.

11. Should we therefore amend the Charter and eliminate the Security Council, or perhaps merge it in the General Assembly? But even if we do this there is no assurance that a resolution adopted by the General Assembly would be observed or implemented, because we all know that General Assembly resolutions are merely recommendatory and it is you here, gentlemen, who are supposed to declare yourselves on questions of peace and security. I have been here for 26 years and with one or two exceptions—when perhaps you were fortunate because circumstances between the parties concerned turned out to be favourable to their coming to an agreement—you have accomplished nothing in the Council. That is the truth. It pains me because I have spent 26 years of my life in this Organization, hoping against hope that we might find machinery to establish peace with justice—because it could be the peace of the grave, too. When somebody dies they say “May God rest his soul in peace”. We do not want the peace of the dead; we want peace for those who are alive, who will take us to task, who will cry to high heaven that we have failed them individually in the light of what we have proclaimed in the Universal Declaration of Human Rights in 1948 and in the

light of the international covenants on human rights which we passed after having addressed ourselves to them, scrutinizing every human right, for about 18 years.

12. People die like flies, not necessarily in war, but as the consequence of war, and this tragedy will grip the sub-continent. Indians and Pakistanis alike, millions will perish and we sit here well clothed, well fed, but we are not to blame. We are honest men, here around this table. Those who are to blame are those who are behind you, gentlemen, in the capitals, who fix the policies of States and provide us, as I have mentioned time and again, with the straitjacket of instructions and, as if it were not enough, we also put on—as you have witnessed, Sir, time and again—the tight pants of procedure, and confuse the issue. I wish man had not invented language, because the birds, chirping even when they quarrel amongst themselves, quarrel in a beautiful way. Semantics, that is what we are using, engaging ourselves in different interpretations of language.

13. I do not digress; and at that time I warned my colleagues, the Russians—the Soviet Union, excuse me—and the Americans and Lord Caradon, who was then representing the United Kingdom, that that resolution adopted by this Council is typical of what may be considered as the knot in the wood which would break the carpenter's saw. And any resolutions that can be interpreted in accordance with the whims of certain parties are not worth the paper and ink with which they are written. And the saw here, if I may use a parallel, is the Security Council. I am not touching on the substance of that resolution 242 (1967), the word “the” had been left out so that certain interpretations or constructions could be put on the phraseology of that resolution. What a shame that by taking out the word “the”, war goes on, conflict continues. Does that redound to our honour here, to our dedication to the cause of peace when we interpret resolutions by substracting or adding a word to give those resolutions different meanings? If this is not failure, if this is not bankruptcy, I should like to know what is.

14. It occurred to me that we may have to establish norms for the Council. I am not a member of the Council, but I may suggest such norms. It occurred to me that we may have to establish norms for the Council rather than ~~was~~ long in repetitive speeches about lofty purposes—the lofty purposes and principles of the Charter. We are all tired of hearing speakers say that they act on the basis of a principle or a set of principles. How often we have heard speakers say that they agree in principle; and no sooner have they said that, than they add the word “but”. Any principle of the Charter should be assessed by the end result which it must achieve. I repeat: any principle of the Charter should be assessed by the end result which it must achieve. No principle is valid if it leads to the untold suffering of millions upon millions of innocent people in the Asian subcontinent.

15. Most of you gentlemen speak here of self-determination in its shallow implications, without taking into account that secession might be artificial if it is brought about by the intervention of forces from outside a given State. It was my privilege in the United Nations, together with a number of colleagues, to elaborate the principle of self-determina-

tion into a full-fledged human right, without which no other fundamental human rights may be fully enjoyed. And I am not speaking lightly. Rebellion inside a State, even if it gathers momentum so as to become a civil war or a bloody conflict—call it revolution—should never be exploited by outside forces. Nor need it call for secession as an ultimate solution to that rebellion or revolution.

16. So that we may not be lost in abstractions, allow me to cite a few examples of the consequences of revolutions and civil wars.

17. Take the French Revolution, for instance. There were several attempts from outside to stem it, to change the course of history. And although France was torn asunder by internal strife and revolution devoured its own sons, external interventions failed miserably and France emerged a stronger Power than it had ever been under Napoleon.

18. A little over three decades after the United States gained its independence in 1776—I mean, more precisely, in 1812—the British did not give up attempting to recapture what once had been their colonial domain in the new hemisphere. A British fleet sailed up the Potomac and subjected the capital to bombardment. But it was of no avail. Foreign intervention failed miserably, and the British had to retreat.

19. The American Civil War of 1860 was one of the most brutal conflicts in relatively modern times. The Northern Americans, for economic reasons, mostly—of course, they had to have a motivation, to free the slaves, but mostly for economic reasons—waged war on their Southern brothers, who wanted to secede because they thought they were being exploited by the industrialist North. Attempts were made to exploit that Civil War from outside, but, finally, the magnanimity of Robert E. Lee of the South and Abraham Lincoln prevailed and wounds were healed. And the territorial integrity of the United States was preserved.

20. Blood soaked the soil of Russia and immense treasure was lost in the Revolution of 1917. And I am a contemporary of that Revolution; I was 12 years old in 1917 and, in the twenties, in the wake of the Revolution, I was a young man and I know what it entailed of suffering. We had received many refugees from Russia in my region and we gave them food and shelter. Military campaigns waged to restore the Tsarist régime failed miserably.

21. What is the moral that we may be able to deduce from the lessons of history? I can best answer this question by an ancient Arabic proverb which I shall recite for the benefit of my Arab-speaking colleagues. Translated into English, it reads: My brother and I against my cousin; and my cousin and I against the stranger.

22. East and West Pakistanis are brothers and they have been fighting one another, most probably for economic as well as for political reasons, and any bloody conflict among brothers is usually much more intense than among strangers. Even if in the context of the proverb which I have just cited, we consider the Indians as cousins of the Pakistanis rather than strangers, in the long run the East Pakistanis will blame the Indians for having interfered in a struggle

between brother and brother. In consequence, what will happen? More struggle animated by more rancour and hatred; and what assurance do we have, if Pakistan is dismembered, that all the East Pakistanis will back a newly constituted Government which, in order to thrive if not to survive, must be supported by India, and by the Soviet Union for that matter?

23. Let us face the facts. I do not like that word “realities” which has been used time and time again here. This is semantics—facts, let us face the facts. Who can guarantee that there will not be millions of East Pakistanis who prefer to identify themselves with their Muslim brothers of West Pakistan whom they consider to be the defenders of their faith? Why should the Queen of England be a “Defender of the Faith” and the West Pakistanis not consider themselves defenders of the faith? I am not talking about religion now, but it so happens that Pakistan was based on Islam. How do we know, my dear friend the distinguished Foreign Minister of India, much as you and I decry religious intolerance, that there will not be some who will foment religious intolerance inside a secessionist East Pakistan?

24. There are millions who are religious, whether rightly or wrongly is beside the point, and the psychology of the masses in the twentieth century is as valid and as right as it has been before. In 1933 I happened to be in Paris, in an hotel overlooking the Place de la Concorde, the Crillon. I emerged on to the Place de la Concorde and there were thousands upon thousands milling in that beautiful square of Paris. I did not know what was going on. I was very young then, in 1933 I was 27 years old. I found myself sucked into the crowd and shouting with them. I am an Arab, was an Arab and still am an Arab and I was shouting with them without knowing what the issue was, “Down with the Government”, until I heard machine-gun bullets whizz overhead and people fell in front of me. Then I articulated to myself in my own language. I said “Jamil,” (my first name) “what are you doing here? Why should you be involved?” Do you think I was the only one involved? The psychology of the masses engulfed me and I became one of them.

25. What if there are, not one or two, but hundreds of Muslim East Pakistanis who will say, “We will not have allegiance to that State”? Who can prevent such a thing? I am not saying whether it is right or wrong; I am not saying it is possible, it is probable. I shall tell you why. I mention this because rumours are afloat that the East Pakistani Government is intent on proclaiming a secular régime. On the whole, the religion of a devout Muslim is more precious than his own life. You may say that they parrot such words but this is not parroting. In my country you may curse anybody or anything but one’s religion and one’s father or mother, and a man whose religion is cursed may commit murder and will be exonerated by the judge. Religion, whether fortunately or unfortunately is beside the point, is part of us.

26. A secular State? Are all those 76 million or so atheists? They are devout Muslims, most of them, I would say 90 per cent. It is the so-called intelligentsia that want to proclaim an irreligious state and the intelligentsia, not only

in that part of the world but all over the world, unfortunately, the bigoted intelligentsia, have made a mess of the world. They think they are intelligent but they are the stupidest people. They are in love with themselves because they are enamoured of their own verbal expressions and they think they are great. Are we given to understand that 76 million Muslims in East Pakistan would feel comfortable in a secular State?

27. Remember that Islam is not only a creed; the Holy Koran embodies the law which regulates the life of the Muslim individual and not only his individual rights but his rights in relation to society. I want to be frank with you all and perhaps somewhat unorthodox in my approach to this sad situation. A secular State in East Pakistan will foment the flames of religious intolerance and brother will rise against brother and there will be interminable massacres and how will India, the cousin in this context of the proverb, benefit from such a sad situation? I am not talking about texts or a cease-fire, I am talking about what might happen, my dear distinguished Foreign Minister of India. I should like to consider myself your brother and I am duty bound as an Asian to talk frankly to you because I consider every Indian here, from Ambassador Sen down, as a brother, as I also do the Pakistanis.

28. Let us not be drunk with military successes. There is no such thing as a military victory. We have seen how the victors suffered economically after the Second World War while the defeated emerged not only solvent but as leaders in industry, because they had suffered and were disciplined by conflict, and not drunk with victory.

29. Secession? The Soviet Union, I was told the other day, comprises 15 states. It seems I made a wrong statement when I said it was 16. But, my good friend from the Soviet Union, I believe you forget that state which you no longer recognize—that Jewish state that you once established. You do not count it. That is why I was under the impression that there were 16 states. You established a Jewish state, at one time, somewhere in Siberia, but you do not recognize it. Probably it did not work out. Never mind, let us not quarrel about whether it is 15 or 16.

30. There are different cultures. Some might say that the people of East Pakistan speak a different language from those of West Pakistan. So what? My good friend Mr. Issraelyan comes from Armenia, and all the Armenians are jubilant at being a republic in the Soviet Union. I have been introduced to the Foreign Minister of Lithuania, and he seems content to be a representative of a state component of the Soviet Union. So, this argument that the language of East Pakistan is different from that of West Pakistan—is it a basis for secession? The other day I mentioned our Belgian friends. They have Flemish and French ethnic groups inside the State. What about the United States? What about Puerto Rico, which speaks Spanish and acquires English? What about Canada, which speaks French and English? They are not seceding. There is no relevance in the argument that because a different language is spoken in East Pakistan secession should follow.

31. It is axiomatic that no good judgement can be based on expediency or the exigencies directed by force of

circumstances. Verbal compromises that are expedient in the Council usually backfire. Unfortunately, the draft resolutions which I have seen, and those that have been vetoed, will not solve the problem. Only India and Pakistan can solve the problem, without interference from outside.

32. One last warning to my Asian brothers. Should, as I realize might happen, this conflict be protracted, not necessarily by military operations on the battlefield but by the instrumentality that is open to many activists, on both sides, by the fomenting of religious intolerance, by the exploitation of India from outside—and for that matter Pakistan has no dearth of friends—what will happen by attrition? Millions upon millions will perish, and will curse all those who caused their misery before they die.

33. What is the object of my having made this speech, which I delayed making since yesterday, hoping against hope that some solution—not practical, but practicable—could be found that would take into account the elements I mentioned in my speech? My hope is that the hour is not too late. An Asian country should be designated where our Pakistani and Indian brothers could meet with representatives of several Asian States of the higher echelon, with possibly a representative, or a co-ordinating committee, of the Security Council, to define the norms: that no one will exploit the refugees, who are, we know, a burden on India, for their own benefit—which is not their own benefit, I must say.

34. There are three things that these norms I have suggested would have to envisage: first, respect for the territorial integrity of Pakistan, with the proviso that the representatives of East and West Pakistan would meet and, I hope, try to bury the hatchet; India would have to be aided so that the refugees could be repatriated; and, finally, no big Power would try, through a treaty, written or unwritten, to exploit such a sad situation, because if they continue to do that we had better close shop and perhaps go back to the situation that existed even before the League of Nations.

35. However, I have not lost all hope. I am sure that the magnanimity of our Indian and Pakistani brothers will finally prevail; and if they can use our good offices we are available to them, without any violation of the high and lofty principles and purposes of the Charter of the United Nations.

36. Mr. VINCI (Italy): I should like, Sir, to make a practical proposal; but before doing so I wish to state that my delegation has listened with great attention to the announcement which the Foreign Minister of India made this morning. We are somehow relieved, in spite of our many misgivings and the feelings of distress and sadness that we had through all these very long days and nights, to hear from him that India has no territorial ambitions and that India has ordered its armed forces to cease fire on all frontiers.

37. I also listened with great attention to what Mr. Baroodi has said. I appreciate, as I usually do, his comments on crucial issues, and I was especially gratified by the tribute he paid to us when he acknowledged what

we, as individual persons, had done in order to try and bring about some decision from the Council.

38. I feel, however, duty bound to take minor exception to what Mr. Baroody said when he included all Governments represented here in a general criticism. In fact, and with all respect, I draw the attention of Ambassador Baroody to the following. As far as my Government is concerned, I must say that it never ceased to make all efforts possible to bring about some slow-down of this crisis as soon as possible. I stated at our previous meeting, and I reiterate it here now, that my delegation along with another delegation took the initiative 12 days ago, that is, Saturday, 4 December, when we introduced a very short draft resolution [S/10417] calling for a cease-fire with a view to stopping as soon as possible the fighting, the killing, the misery and the suffering of millions of people. I think that at least some of us can say—and I reiterate what I said on a previous occasion—that we have a clear conscience.

39. I turn now to my proposal. Mr. President, I believe that under your guidance we had some very useful preliminary consultations this morning. I would propose that we adjourn this meeting in order to continue and intensify those consultations to see whether they can lead us to some decision, even at this late hour. I would propose to leave it to you, Mr. President, to call a meeting as soon as we know the results of the consultations.

40. Mr. FARAH (Somalia): My delegation has listened carefully to the statement made by the Foreign Minister of India in which he announced that his Government had ordered a cease-fire effective from 2000 hours Indian standard time on Friday, 17 December. It is a matter of deep regret to my delegation that that cease-fire was not brought about when on 7 December the General Assembly called upon both India and Pakistan to cease hostilities [resolution 2793 (XXVI)]. However, since a cease-fire has now been ordered on the part of the Indian Government, my delegation would like to know as a matter of urgency

what proposals the Indian Government has in mind for withdrawing its armed forces from the territory of East and West Pakistan.

41. The PRESIDENT: I call on the Foreign Minister of India.

42. Mr. Swaran SINGH (India): I would earnestly suggest that the announcement made by the Indian Prime Minister that she has issued orders for a unilateral cease-fire effective from 2000 hours Indian standard time on 17 December is an important announcement. I appreciate the anxiety of the international community to bring about the cease-fire immediately. The response of the West Pakistan Government to this unilateral proposal of the Prime Minister of India is not yet available. In consonance with the general desire expressed by the international community to bring about a cease-fire immediately, I believe that the proposal made by the Government of India is a positive and a constructive one. After this peace proposal is consolidated and the cease-fire actually becomes operative, all these other matters can be gone into.

43. I have already answered the inquiry which the representative of Somalia has made, and if he cares to go through the record he will find the answer to it. But at the present moment I would earnestly suggest that this Council may think it more profitable to bring about the cease-fire, and that thereafter all these other matters can be discussed. I am not shying away from any discussion. It is a very important and a very relevant matter, and I am prepared to discuss it. But I thought that in response to the universally expressed desire for bringing about a cease-fire, the proposal made by the Government of India is a positive one. I would appeal to the Security Council to bring about a cease-fire before we discuss the other juridical or other matters.

The meeting rose at 1.10 p.m.

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