APPENDIX-I

Accession of Jammu and Kashmir State to India


Dated: 26 October 1947

My dear Lord Mountbatten,

I have to inform your Excellency that a grave emergency has arisen in my State and request immediate assistance of your Government.

As your Excellency is aware the State of Jammu and Kashmir has not acceded to the Dominion of India or to Pakistan. Geographically my State is contiguous to both the Dominions. It has vital economical and cultural links with both of them. Besides my State has a common boundary with the Soviet Republic and China. In their external relations the Dominions of India and Pakistan cannot ignore this fact.

I wanted to take time to decide to which Dominion I should accede, or whether it is not in the best interests of both the Dominions and my State independent, of course with friendly and cordial relations with both.

I accordingly approached the Dominions of India and Pakistan to enter into Standstill Agreement with my State. The Pakistan Government accepted this Agreement. The Dominion of India desired further discussions with representatives of my Government. I could not arrange this in view of the developments indicated below. In fact the Pakistan Government are operating Post and Telegraph system inside the State.

Though we have got a Standstill Agreement with the Pakistan Government that Government permitted steady and increasing strangulation of supplies like food, salt and petrol to my State.

Afridis, soldiers in plain clothes, and desperadoes with modern weapons have been allowed to innfilter into the State at first in Poonch and then in Sialkot and finally in mass area adjoining Hazara District on the Ramkot side. The result has been that the limited number of troops at the disposal of the State had to be dispersed and thus had to face the enemy at the several points simultaneously, that it has become difficult to stop the wanton destruction of life and property and looting. The Mahora powerhouse which supplies the electric current to the whole of Srinagar has been burnt. The number of women who have been kidnapped and raped makes my heart bleed. The wild forces thus let loose on the State are marching on with the aim of capturing Srinagar, the summer Capital of my Government, as first step to over running the whole State.

The mass infiltration of tribesmen drawn from distant areas of the North-West Frontier coming regularly in motor trucks using Mansehra-Muzaffarabad Road and fully armed with up-to-date weapons cannot possibly be done without the knowledge of the Provisional Government of the North-West Frontier Province and the
Appendices

Government of Pakistan. In spite of repeated requests made by my Government no attempt has been made to check these raiders or stop them from coming into my State. The Pakistan Radio even put out a story that Provisional Government had been set up in Kashmir. The people of my State both the Muslims and non-Muslims generally have taken no part at all.

With the conditions obtaining at present in my State and the great emergency of the situation as it exists, I have no option but to ask for help from the Indian Dominion. Naturally they cannot send the help asked for by me without my State acceding to the Dominion of India. I have accordingly decided to do so and I attach the Instrument of Accession for acceptance by your Government. The other alternative is to leave my State and my people to free-booters. On this basis no civilized Government can exist or be maintained. This alternative I will never allow to happen as long as I am Ruler of the State and I have life to defend my country.

I am also to inform your Excellency’s Government that it is my intention at once to set up an interim Government and ask Sheikh Abdullah to carry the responsibilities in this emergency with my Prime Minister.

If my State has to be saved immediate assistance must be available at Srinagar. Mr Menon is fully aware of the situation and he will explain to you, if further explanation is needed.

In haste and with kind regards.

The Place, Jammu
26th October, 1947

Your sincerely,
Hari Singh

Source: Government of India Publication, 26 October 1947.
APPENDIX-II

U.N. Resolution 13 August 1948

The United Nations Commission for India and Pakistan

Having given careful consideration to the points of view expressed by the representatives of India and Pakistan regarding the situation in the State of Jammu and Kashmir; and

Being of the opinion that the prompt cessation of hostilities and the correction of conditions the continuance of which is likely to endanger international peace and security are essentials to implementation of its endeavors to assist the Governments of India and Pakistan in effecting a final settlement of the situation;

Resolves to submit simultaneously to the Governments of India and Pakistan the following proposal:

PART I: CEASE-FIRE ORDER

A. The Governments of India and Pakistan agree that their respective High Commands with issue separately and simultaneously a cease-fire order to apply to all forces under their control and in the State of Jammu and Kashmir as of the earliest practicable date or date to be mutually agreed upon within four days after these proposals have been accepted by both Governments.

B. The High Commands of the Indian and Pakistani forces agree to refrain from taking any measures that might augment the military potential of the forces under their control in the State of Jammu and Kashmir. (For the purpose of these proposals forces under their control shall be considered to include all forces, organized and unorganized, fighting or participating in hostilities on their respective sides).

C. The Commanders-in-Chief of the forces of India and Pakistan shall promptly confer regarding any necessary local changes in present dispositions which may facilitate the cease-fire.

D. In its discretion and as the Commission may find practicable, the Commission will appoint military observers who, under the authority the Commission and with the co-operation of both Commands, will supervise the observance of the cease-fire order.

E. The Government of India and the government of Pakistan agree to appeal to their respective peoples to assist in creating and maintaining an atmosphere favourable to the promotion of further negotiations.

PART II: TRUCE AGREEMENT

Simultaneously with the acceptance of the proposal for the immediate cessation of hostilities as outlined in Part I, both the Government accept the following principles as a basis for the formulation of a truce agreement, the details of which shall be worked out in discussion between their representatives and the Commission.
Appendices

A.

1. As the presence of troops of Pakistan in the territory of the State of Jammu and Kashmir constitutes a material change in the situation since it was represented by the Government of Pakistan before the Security Council, the Government of Pakistan agrees to withdraw its troops from that State.

2. The Government of Pakistan will use its best endeavour to secure the withdrawal from the State of Jammu and Kashmir of tribesmen and Pakistani nationals not normally resident therein who have entered the State for the purpose of fighting.

3. Pending a final solution, the territory evacuated by the Pakistani troops will be administered by the local authorities under the surveillance of the commission.

B.

1. When the commission shall have notified the Government of India that the tribesmen and Pakistani nationals referred to in Part II, A,2, hereof have withdrawn, thereby terminating the situation which was represented by the Government of India to the Security Council as having occasioned the presence of Indian forces in the State of Jammu and Kashmir, and further, that the Pakistani forces are being withdrawn from the State of Jammu and Kashmir, the Government of India agrees to begin to withdraw the bulk of its forces from that State in stages to be agreed upon with the Commission.

2. Pending the acceptance of the conditions for a final settlement of the situation in the State of Jammu and Kashmir, the Indian Government will maintain within the lines existing at the moment of the cease-fire the minimum strength of its forces which in agreement with commission are considered necessary to assist local authorities in the observance of law and order. The Commission will have observers stationed where it deems necessary.

3. The Government of India will undertake to ensure that the Government of the State of Jammu and Kashmir will take all measures within its powers to make it publicly known that peace, law and order will be safeguarded and that all human political rights will be granted.

4. Upon signature, the full text of the truce agreement or a communiqué containing the principles thereof as agreed upon between the two Governments and the Commission, will be made public.

5. PART III

The Government of India and the Government of Pakistan reaffirm their wish that the future status of the State of Jammu and Kashmir shall be determined in accordance with the will of the people and to that end, upon acceptance of the truce agreement, both Governments agree to enter into consultations with the Commission to determine fair and equitable conditions whereby such free expression will be assured.

Source: United Nations
APPENDIX-III

Tashkent Declaration of 10 January 1966

The Prime Minister of India and the President of Pakistan, having met at Tashkent and having discussed the existing relations between India and Pakistan, hereby declare their firm resolve to restore normal and peaceful relations between their countries and to promote understanding and friendly relations between their peoples. They consider the attainment of these objectives of vital importance for the welfare of the 600 million people of India and Pakistan.

I

The Prime Minister of India and the President of Pakistan agree that both sides will exert all efforts to create good-neighbourly relations between India and Pakistan in accordance with the United Nations Charter. They reaffirm their obligation under the Charter not to have recourse to force and to settle their disputes through peaceful means. They considered that the interests of peace in their region and particularly in the Indo-Pakistan Subcontinent and, indeed, the interests of the peoples of India and Pakistan were not served by the continuance of tension between the two countries. It was against this background that Jammu and Kashmir was discussed, and each of the sides set forth its respective position.

II

The Prime Minister of India and the President of Pakistan have agreed that all armed personnel of the two countries shall be withdrawn not later than February 25 1966, to the position they held prior to August 5 1965, and both sides shall observe the cease-fire terms on the cease-fire line.

III

The Prime Minister of India and the President of Pakistan have relations between India and Pakistan shall be based on the principle of non-interference in the internal affairs of each other.

IV

The Prime Minister of India and the President of Pakistan have agreed that both sides will discourage any propaganda directed against the other country, and will encourage propaganda which promotes the development of friendly relations between the two countries.

V

The Prime Minister of India and the President of Pakistan have agreed that the High Commissioner of India to Pakistan and the High Commissioner of Pakistan to India will return to their posts and that the normal functioning of diplomatic missions of both countries will be restored. Both Governments shall observe the Vienna Convention of 1961 on diplomatic intercourse.

VI

The Prime Minister of India and the President of Pakistan have agreed to consider measures towards the restoration of economic and trade relations, communications, as well as cultural exchanges between India and Pakistan, and to take measures to implement the existing agreements between India and Pakistan.
VII

The Prime Minister of India and the President of Pakistan have agreed that they give instructions to their respective authorities to carry out the repatriation of the prisoners of war.

VIII

The Prime Minister of India and the President of Pakistan have agreed that the two sides will continue the discussions of questions relating to the problems of refugees and evictions/illegal immigrations. They also agreed that both sides will create conditions which will prevent the exodus of people. They further agreed to discuss the return of the property and assets taken over the either side in connection with the conflict.

IX

The Prime Minister of India and the President of Pakistan have agreed that the sides will continue meetings both at the highest and at other levels on matters of direct concern to both counties. Both sides have recognized the need to set up joint India-Pakistani bodies which will report to their Governments in order to decide what further steps should be taken.

The Prime Minister of India and the President of Pakistan record their feeling of deep appreciation and gratitude to the leaders of the Soviet Union, the Soviet Government and personally to the Chairman of the Council of Ministers of the USSR for their constructive, friendly and noble part in bringing about the present meeting which has resulted in mutually satisfactory results. They also express to the Government and friendly people of Uzbekistan their sincere thankfulness for their overwhelming reception and generous hospitality.

They invite the Chairman of the Council of Ministers of the USSR to witness this declaration.

Prime Minister of India
Lal Bahadur Shastri
Tashkent, January 10 1966

President of Pakistan
Mohammed Ayub Khan
Tashkent, January 10 1966
APPENDIX-IV


New Delhi, 9 August 1971.

DESIROUS of expanding and consolidating the existing relations of sincere friendship between them,

BELIEVING that the further development of friendship and cooperation meets the basic national interests of both the States as well as the interests of lasting peace in Asia and the world.

DETERMINED to promote the consolidation of universal peace and security and to make steadfast efforts for the relaxation of international tensions and the final elimination of the remnants of colonialism,

UPHOLDING their firm faith in the principles of peaceful coexistence and cooperation between States with different political and social systems,

CONVINCED that in the world today international problems can only be solved by cooperation and not by conflict,

The Republic of India on one side,

AND

The Union of Soviet Socialist Republic on the other side,

HAVE decided to conclude the present Treaty, for which purposes the following Plenipotentiaries have been appointed:

On behalf of the Republic India:

SARDAR SWARAN SINGH,

Minister of External Affairs,

On behalf of the Union of Soviet Socialist Republic:

Mr. A.A. GROMYKO,

Minister of Foreign Affairs,

Who, having each presented their Credentials, which are found to be in proper from and due order,

HAVE AGREED OF FOLLOWS:

Article I

The High Contracting Parties solemnly declare that enduring peace and friendship
shall prevail between the two countries and their peoples. Each Party shall respect the independence, sovereignty and territorial integrity of the other party and refrain from interfering in the other’s internal affairs. The High Contracting Parties shall continue to develop and consolidate the relations of sincere friendship, good neighborliness and comprehensive cooperation existing between them on the biases of the aforesaid principles as well as those of equality and mutual benefit.

Article II

Guided by the desire to contribute in every possible way to ensure enduring peace and security of their people, the High Contracting Parties declare their determination to continue their efforts to preserve and to strengthen peace in Asia and throughout the world, to hard the arms race and to achieve general and complete disarmament, including both nuclear and conventional, under effective international control.

Article III

Guided by their loyalty to the lofty ideal of equality of all Peoples and Nations, irrespective of race of creed, the High Contracting Parties condemn colonialism and reclaims in all forms and manifestations, and reaffirm their determination to strive for their final and complete elimination.

The High Contracting Parties shall cooperate with other States to achieve these aims and to support the just aspirations of the peoples in their struggle against colonialism and racial domination.

Article IV

The Republic of India respects the peace loving policy of the Union of Soviet Socialist Republics aimed at strengthening friendship and co-operation with all nations.

The Union of Soviet Socialist Republics respects India’s policy of non-alignment and reaffirms that this policy constitutes an important factor in the maintenance of universal peace and international security and in the lessening of tensions in the world.

Article V

Deeply interested in ensuring universal peace and security attaching great importance to their mutual cooperation in the international field for achieving those aims, the High Contracting Parties will maintain regular contracts with each other on major international problems affecting the interests of both of States by means of meetings and exchanges of views between their leading statesmen, visits by official delegations and special envoys of the two Governments, and through diplomatic channels.

Article VI

Attaching great importance to economic, scientific and technological cooperation between them, the High Contracting Parties will continue to consolidate and expand mutually advantageous and comprehensive cooperation in these fields as will as expand trade, transport and communications between them on the basis of the
principles of equality, mutual benefit and most-favoured-nation treatment, subject to
the existing agreements and the special arrangements with contiguous countries as

Article VII

The High Contracting Parties shall promote further development of ties and contacts
between them in the fields of science, art, literature, education, public health, press,
radio, television, cinema, tourism and sports.

Article VIII

In accordance with the traditional friendship established between the two countries
each of the High Contracting Parties solemnly declares that it shall not enter into or
participate in any military alliance directed against the other party.

Each High Contracting Party undertakes to abstain from any aggression the other
Party and to prevent the use of its territory for the commission of any act which might
inflict military damage on the other High Contracting Party.

Article IX

Each High Contracting Party undertakes to abstain from providing any assistance to
any third party that engages in armed conflict with the other Party. In the event of
either Party being subjected to and attach or a threat thereof, the High Contracting
Parties shall immediately enter into mutual consultations in order to remover such
threat and to take appropriate effective measures to ensure peace and the security of
their countries.

Article X

Each High Contracting Party solemnly declares that it shall not enter into any
obligations, secret or public, with one or more states, which is incompatible with this
Treaty. Each High Contracting Party further declares that no obligation exists, nor
shall any obligation be entered into, between itself and any other State or States,
which might cause military damage to the other Party.

Article XI

The treaty is concluded for the duration of twenty years and will be automatically
extended for each successive period of five years unless either High Contracting Party
declares its desire to terminate it by giving notice to the other High Contracting Party
twelve months prior to the expiration the Treaty. The Treaty will be subject to
ratification and will come into force on the date of the exchange of Instruments of
Ratification which will take place in Moscow within one month of the signing of this
Treaty.

Article XII

Any difference of interpretation of any Article or Articles of this Treaty that may arise
between the High Contracting Parties will be settled bilaterally by peaceful means in a
spirit of mutual respect and understanding.
The said Plenipotentiaries have signed the present Treaty in Hindi, Russian and English, all texts being equally authentic and have affixed thereto their seals.

DONE in New Delhi on the ninth day of August in the year one thousand nine hundred and seventy one.

On behalf of the Republic of India

SARDAR SWARAN SINGH
Minister of External Affairs.

On behalf of the Union of Soviet Socialist Republics

A.A. GROMYKO
Minister of Foreign Affairs.

Source: Government of India
Simla Agreement, 2 July 1972

The Government of India and the Government of Pakistan are resolved that the two countries put an end to the conflict and confrontation that have hitherto marred their relations and work for the promotion of a friendly and harmonious relationship and the establishment of durable peace in the sub-continent, so that both countries may henceforth devote their resources and energies to the pressing task of advancing the welfare of their peoples. In order to achieve this objective, the Government of India and the Government of Pakistan have agreed as follows:

(i) That the principles and purposes of the Charter of the United Nations shall govern the relations between the countries;

(ii) That the two countries are resolved to settle their differences by peaceful means through bilateral negotiations or by any other peaceful means mutually agreed upon between them. Pending the final settlement of any of the problems between the two counties, neither side shall unilaterally alter the situation and both shall prevent the organization, assistance or encouragement of any acts detrimental to the maintenance of peaceful and harmonious relations.

(iii) That the pre-requisite for reconciliation, good-neighbourliness and durable peace between them is a commitment by both countries to peaceful co-existence, respect for each other’s territorial integrity and sovereignty and non-interference in each other’s internal affairs, on the basis of equality and mutual benefit;

(iv) That the basic issues and causes of conflict which have bedeviled the relations between the two countries of the last twenty-five years shall be resolved by peaceful means;

(v) That they shall always respect each other’s national unity; territorial integrity; political independence and sovereign equality.

(vi) That in accordance with the Charter of the United Nations, they shall refrain from the threat or use of force against the territorial integrity or political independence of each other;

(II) Both Governments will take all steps within their power to prevent hostile propaganda directed against each other.

Both countries will encourage the dissemination of such information as would promote the development of friendly relations between them;

(III) In order progressively to restore and normalize relations between the two countries step by step, it was agreed that;

(i) Steps shall be taken to resume communications, postal, telegraphic, sea, land including border posts, and air links including overflights;
(ii) Appropriate steps shall be taken to promote travel facilities for the national of the other country;

(iii) Trade and co-operation in economic and other agreed fields will be resumed as far as possible.

(iv) Exchange in the fields of science and culture will be promoted.

In this connection delegations from the two countries will meet from time to time to work out the necessary details.

(IV) In order to initiate the process of the establishment of durable peace, both Governments agree that;

(i) Indian and Pakistani forces shall be withdrawn to their side of the international border;

(ii) In Jammu and Kashmir, the line of control resulting from the cease-fire of December 17, 1971 shall be respected by both sides without prejudice to the recognized position of either side. Neither side shall seek to alter it unilaterally, irrespective of mutual differences and legal interpretations. Both sides further undertake to refrain from the threat of the use of force in violation of this line;

(iii) The withdrawals shall commence upon entry into force of this Agreement and shall be completed within a period of thirty days thereof.

(V) This Agreement will subject to ratification by both countries in accordance with their respective constitutional procedures, and will come into force with effect from the date on which the Instruments of Ratification are exchanged.

(VI) Both Governments agree that their respective Heads will meet again at a mutually convenient time in the future and that, in the meanwhile, the representative of the two sides will meet to discuss further the modalities and arrangements for the establishment of a durable peace and normalization of relations, including the questions of repatriation of prisoners of war and civilian internees, a final settlement of Jammu and Kashmir and the resumption of diplomatic relations.

Indira Gandhi
Prime Minister
Republic of India

Zulfiqar Ali Bhutto
President
Islamic Republic of Pakistan

Source: Government of India, 2 July 1972
APPENDIX-VI

The Lahore Declaration, 21 February 1999

The Prime ministers of the Republic of India and the Islamic Republic of Pakistan:

Sharing a vision of peace and stability between their countries, and of progress and prosperity for their peoples:

Convinced that durable peace and development of harmonious relations and friendly cooperation will serve the vital interests of the peoples of the two countries, enabling them to devote their energies for a better future;

Recognizing that the nuclear dimension of the security environment of the two countries adds to their responsibility for avoidance of conflict between the two countries;

Committed to the principles and purposes of the Charter of the United Nations, and the universally accepted principles of peaceful co-existence;

Reiterating the determination of both countries to implementing the Simla Agreement in letter and spirit;

Committed to the objective of universal nuclear disarmament and non-proliferation;

Convinced of the importance of mutually agreed confidence building measures for improving the security environment.

Recalling their agreement of 23rd September, 1998, that an environment of peace and security is in the supreme national interests of both sides and that the resolution of all outstanding issues, including Jammu and Kashmir, is essential for this purpose;

Have agreed that their respective Governments:

• Shall intensify their efforts to resolve all issues, including the issue of Jammu and Kashmir.

• Shall refrain from the intervention and interference in each other’s internal affairs.

• Shall intensify their composite and integrated dialogue process for an early and positive outcome of the agreed bilateral agenda.

• Shall take immediate steps for reducing the risk of accidental or unauthorized use of nuclear weapons and discuss concepts and doctrines with a view to elaborating measures for confidence building in the nuclear and conventional fields, aimed at prevention of conflict.

• Reaffirm their commitment to the goals and objectives of SAARC and to concert their effort towards the realisation of the SAARC vision for the year 2000 and beyond with a view to promoting the welfare of the peoples of South
Asia and to improve their quality of life through accelerated economic growth, social progress and cultural development.

- Reaffirm their condemnation of terrorism in all its forms and manifestations and their determination to combat this menace.

- Shall promote and protect all human rights and fundamental freedoms.

Signed at Lahore on the 21st day of February 1999.

Atal Behari Vajpayee
Prime Minister of the
Republic of India

Muhammad Nawas Sharif
Prime Minister of the Islamic
Republic of Pakistan

Source: Government of India
APPENDIX-VII


President Clinton and Prime Minister Nawaz Sharif share the view that the current fighting in Kargil region of Kashmir is dangerous and contains the seeds of a wider conflict.

They also agreed that it is vital for the peace of South Asia that the line of Control in Kashmir be respected by both parties, in accordance with their Simla Agreement.

It was agreed between the President and the Prime Minister that concrete steps will be taken for restoration of the Line of Control in accordance with Simla Agreement.

The President urged the immediate cessation of the hostilities once steps are taken. The Prime Minister and the President agreed that the bilateral dialogue begun in Lahore in February provides the best forum for resolving all issues dividing India and Pakistan, including Kashmir.

The President said that he would take personal interest in encouraging expeditious resumption and intensification of these bilateral efforts once the sanctity of the Line of Control had been fully restored.

The President reaffirmed his intent to pay an early visit to South Asia.