CHAPTER IV
CONFLICT SITUATION IN THE INDIA–PAKISTAN SUB-CONTINENT IN 1971

Developments in 1971 in the Indian sub-continent culminating in a war between India and Pakistan and the emergence of a new State—Bangladesh—were events of great significance and of far-reaching ramifications. These developments, not of India's making, nevertheless were of such dimensions and complexities that they had direct impact on India's national security. And, therefore, India was obliged, wittingly or otherwise, to get directly involved as an actor in the drama.

What did India seek while getting involved? How did it pursue its objective and to what extent and with what degree of success did it make use of the political processes and mechanism of the United Nations? These and related questions are the focus of analysis presented in this chapter.

Conflicts and wars generally begin abruptly with what might appear as an accidental event or a set of events, but their causes are invariably complex and deep-rooted. What developed into a crisis situation in 1971 could be traced to the long-standing bitterness between the peoples
constituting two separate wings of Pakistan. Pakistan, as it emerged in 1947, had a unique characteristic of being composed of two wings—known as East Pakistan and West Pakistan—separated by more than a thousand miles of Indian territory. Besides, in terms of language, culture, socio-economic conditions, the two areas were different. The only common factor that brought these people under the political entity of "Pakistan" was their religion. But once the new Islamic State got constituted, it became clear that religion could no longer cement the vital differences between the two wings. Consequently what developed, over the years, was an "intra-State" imperialism which, inter alia, implied selling the finished products of West Pakistan at high prices (raw materials for which were taken from East Pakistan), disparities in growth rates, and in rate of industrialization.1

Thus, the policy of Pakistan Government (dominated by the West Pakistani elite) amounted to an out-and-out discrimination against the Bengalis. This was evident from the fact that as of 1970 Bengalis constituted only five per cent of the personnel in the Central Government services and ten per cent

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1While fifty six per cent of Pakistan's population domiciled in East Pakistan (approximately 76 million), it got only ten per cent of the total annual budgetary allocations for developmental needs. As a contrast, the Pakistan military set-up got fifty-five per cent of the revenue for its expenses. For an analysis of the factors that forced the people of East Pakistan to agitate, see R.F. Misra, The Role of the United Nations in the Indo-Pakistani Conflict, 1971 (Delhi, 1975), pp. 9 ff.
in the military. Tariffs, import controls, and industrial licensing, all of them told the same tale.

This sort of state policy of exploitation of a part of its own territory and population became an increasingly intolerable experience under the military rule, which replaced the unstable civilian rule a decade after independence. These sufferings could have been mitigated, had the people of East Pakistan—constituting a majority in the total population of Pakistan—been given a say in the governance of the country. Under the stress of these deteriorating conditions, the politically more conscious Bengalis in East Pakistan started articulating their grievances under the guidance of various political parties. The most influential among these was the Awami League under the leadership of Sheikh Mujibur Rahman. The Awami League's perception of meeting the just demands of East Pakistan was well reflected in the Six-Point Programme. This basically

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3 The Six Points envisaged briefly were: (i) establishment of a federation on the basis of a parliamentary framework of government; (ii) division of powers between Federal Government, which would deal with subjects like defence and foreign affairs and the federating States to take care of the residuary subjects; (iii) creation of two separate, but freely convertible, or one currency with effective steps to stop the flight of capital from East to West; (iv) vesting the federating states with the taxation
aimed at ensuring the enjoyment of fruits of its earnings by East Pakistan itself by means of guaranteeing administrative and financial autonomy. The East Pakistanis overwhelmingly endorsed the Six-Point Programme by electing as many as 167 (out of 169 seats) Awami League representatives (thus enabling it to attain an absolute majority in the 313 member National Assembly of Pakistan) in the elections held in December 1970 on the basis of adult franchise. The result of the elections came as a surprise to the ruling elite led by General Yahya Khan. Their assumption was, so it seems, that the people in East Pakistan, in all probability, would remain divided and representatives chosen by them would represent divergent political interests. In such a situation West Pakistan military elite would continue its domination as in the past. But obviously these calculations proved wrong and the Awami League got the near-unanimous mandate from East Pakistan to rule the whole of Pakistan. The West Pakistani elite veered round the Martial Law Administrator, President Yahya Khan, to prevent the worst from happening, viz., the Awami League coming to power. Thus "talks" began on the Six-Point Programme

power, while the Central Government would receive a fixed share; (v) maintenance of two separate accounts for foreign trade earnings to the advantage of the earning wing; and (vi) establishment of a para-military force for East Pakistan. Bangla Desh Documents, vol. 1 (New Delhi, 1971), p. 13.
which was already endorsed by the people in the elections. The convening of the National Assembly and the transfer of power to the democratically elected representatives were deliberately delayed. In March 1971, the Awami League, demanding the acceptance of the Six-Point Programme, launched a non-violent movement that led to the total collapse of public services in East Pakistan. General Yahya Khan procrastinated consultations with both Sheikh Mujibur Rahman of the Awami League and Zulfikar Ali Bhutto of Pakistan People's Party, which, for obvious reasons, ended in failure on 25 March 1971. General Yahya Khan left Dacca ordering the military to crush the Awami League-led movement. Against this there was a spontaneous upsurge amongst the people. Independence was declared and a "Provisional Government" was established in April. As the struggle continued, military repression was stepped up against innocent men, women and children forcing them to flee to neighbouring India. Thus, the so-called domestic problem became a question of major concern to the international community in general and the South Asian sub-continent in particular.  

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4 Zulfikar Ali Bhutto was then President of the Pakistan People's Party, which won a majority of West Pakistan seats in the National Assembly.

5 It should be noted, in this connection, that what was happening in Pakistan, in a way, was characteristic of several new nations that had emerged during the post-War period. But in magnitude and intensity, the developments in that was then East Pakistan were unprecedented.
India's Options

In the light of the long history of animosity between India and Pakistan marked by two wars in twenty years, any development especially near borders was capable of giving rise to serious tension. When the situation in East Pakistan took a violent turn in March 1971, India did not have the suspicion that the military repression would assume such serious proportions as it actually did. India's immediate reaction was contained in a resolution (Prime Minister Indira Gandhi, who sponsored it, reportedly made it milder in tone keeping in view "international norms") adopted unanimously by Parliament on 27 March 1971, which expressed sympathy with the fighting people of "East Bengal". (This word was deliberately used in preference to "East Pakistan",.) The demand from various sections of the public for recognition of the Provisional Government of Bengal Desh was growing; but India's policy, it seemed, was to wait and watch the developments and to keep all its options open.

As days passed, the crisis situation resulted in an unending flow of refugees to India. 6 India, then, sought

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6 The total number of refugees reportedly crossed, at one stage, an unprecedented ten-million mark. Incidentally, according to the figures in World Bank Atlas: Population, Per Capita Product and Growth Rates (Washington, 1972), there were at least seventy-one countries whose individual population was less than ten millions.
to internationalise the refugee problem by seeking assistance from the United Nations.\(^7\) Besides, a number of delegations (both official and non-official) visited various parts of the world to apprise governments of the gravity of the situation and convince them about the urgent need for asking Pakistan to end repression and work for a political settlement, so that conducive conditions could be created for the return of normalcy. As a result, there was a widespread concern on the situation; but, no government was willing to take a firm stand.

In these circumstances, India's strategy seemed to aim at securing international support to its demand for return of refugees and political settlement to the crisis in East Pakistan. Accordingly, Prime Minister Indira Gandhi visited Austria, Belgium, France, Federal Republic of Germany, the United Kingdom, and the United States during October 1971.\(^8\) Simultaneously, efforts were made to secure necessary support at the United Nations. But India

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\(^7\) As requested by the Government of India (and despite initial protest by Pakistan), the United Nations Secretary-General designated in April 1971 the United Nations High Commissioner for Refugees (UNHCR), Geneva, as the focal point to co-ordinate assistance from all Organizations and Programmes. For an account of the United Nations humanitarian effort, see Thomas W. Oliver, The United Nations in Bangladesh (Princeton, 1978).

\(^8\) Keeling's Contemporary Archives (London), vol. 18, 1971-72, pp. 24992-3.
was not willing to raise the question formally in any United Nations bodies, unless, as its Minister for External Affairs noted, it was sure of sufficient support. Nevertheless, without raising it formally as an agenda item, Indian representatives made reference to the plight of refugees and the crisis in East Pakistan in the course of general debate in such United Nations bodies as the Economic and Social Council, the Commission on Human Rights, and subsequently at the twenty-sixth regular session of the General Assembly.

Again, India could not be oblivious to such developments as were taking place in the context of the growing linkages among China, Pakistan, and the United States. Henry Kissinger's historic visit to Peking via Islamabad in July had its implications for the situation as prevailing then in the sub-continent. The developments that followed led to the coming closer of India and the Soviet Union, which resulted in the Indo-Soviet Treaty of Peace, Friendship and

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9 On another occasion, in contrast to the earlier perception of the United Nations and its utility to serve India's national interest, he told Parliament that the United Nations was not a "body of judges or jurors" to pull India out of its problems. He reminded, further, that it was not long speeches, but a veto of a friendly country, that had saved India on certain crucial occasions. Bangla Desh Documents, vol. 4, no. 3, p. 707.
Co-operation (August 1971). 10

Notwithstanding the sympathy that was expressed by the international community, India was disappointed that no substantive effort was made for the solution of the refugee problem. 11 In the circumstances, India's major concern, obviously, was to seek a speedy solution to the refugee problem by military means, if necessary.

**Pakistan's Options**

As its military operation in East Pakistan was becoming difficult and hazardous, Pakistan sought to depict the problem as an India-Pakistan question. Accordingly, Pakistan alleged that India was "organising, aiding, and training the insurgents". In order to prevent the alleged India's interference, Pakistan sought the United Nations presence.

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10 According to one writer, the drafting of the treaty probably owed as much to Indian design as to Soviet effort. Assessment within Indian policy-making officialdom was that the Soviets needed a treaty for its general impact, whereas India required the document for specific and geographic purposes. See Onkar Marwah, "India's Military Intervention in East Pakistan, 1971-72", *Modern Asian Studies* (Cambridge), vol. 13, part 4, October 1979, p. 564.

11 "Giving an assessment of her foreign tour, Indira Gandhi told Parliament that "we cannot depend on the international community...to solve our problems for us... the brunt of the burden has to be borne by us and by the people of Bangla Desh who have our fullest sympathy and support." Banila Desh Documents, vol. 2 (New Delhi, 1972), pp. 293-4."
so that it could suppress the freedom fighters inside East Pakistan. In the broad framework of this objective, Pakistan attempted to make use of the proposal of the Secretary-General that the voluntary repatriation of the refugees could be carried out under the supervision of the representatives of the United Nations High Commissioner for Refugees.\(^{12}\) This proposal, however, could not materialise because of India's opposition. Again, Pakistan welcomed the offer of good offices made by the Secretary-General in October; but India rejected the offer. And later, Pakistan sought placement of United Nations observers on its side of the border in East Pakistan to report border violations. War broke out before any serious consideration was given to the request.\(^{13}\)

Besides, General Yahya Khan expressed his preparedness to meet Indian leaders to discuss the problem. But India refused to become a party to Pakistan's internal problem which was, in its view, a creation of Pakistan's own mistakes. Pakistan's next move was to seek good offices of the Shah of Iran for this purpose.\(^{14}\) In a counter move to Indira Gandhi's foreign tour, a high-power delegation led

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\(^{12}\) *Mira*, n. 1, p. 55.

\(^{13}\) *India*, n. 7, pp. 61-71.

\(^{14}\) *Ibid.*
by Bhutto went to Peking and returned with, as claimed, "concrete and tangible" results. 15

Another significant aspect of Pakistan's moves was its protracted propaganda campaign for "justifying" its "operation" in East Pakistan. For this purpose, it published a White Paper giving out its version that the action of the Federal Government on 25 March 1971 was an unavoidable measure to restore law and order and that the situation would have soon become normal but for India's interference, aid and abetment. 16 Subsequently Pakistan seemed to have concluded that there was no other way than forcing a confrontation with India on the battle-ground. In pursuance of this conclusion, a war psychosis was built up in order to prepare Pakistan people for the war. As early as August 1971, General Yahya Khan was reported as saying that the two countries were "very close to war". 17 What followed was "hate-India", and "crush India" campaign by the media in Pakistan. Eventually, while declaring external emergency on 23 November 1971, President Yahya Khan made an


17The Statesman (Delhi), 11 August 1971.
intriguing statement that "in ten days", he would be "fighting a war". 13

Interactions between India and Pakistan at the United Nations during the pre-war period

As noted earlier, the United Nations provided a ready instrument which could effectively be used by both India and Pakistan to promote their respective objectives. Both made use of the meetings of various United Nations bodies to state their views on the crisis situation and seek political support from Member States. After a preliminary exchange in the Economic and Social Council and the Commission on Human Rights, concentrated efforts were made to gain political support to their respective standpoints in wider forums of the United Nations.

In a meeting of the Special Committee on Decolonisation, V.K. Krishna Menon spoke at length, on the situation in East Pakistan. 19 The representative of Pakistan sought the floor of the Committee later to "clarify some mis-statements made by a national of India [Krishna Menon] on behalf of the World Peace Council invited in the context of


an entirely different matter. Then, the Indian representative observed that it was not the practice of Member States to exercise their right of reply in response to the statements made by "petitioners" in the Committee. However, the representative of Pakistan was allowed to take the floor. In his statement, Pakistan's representative characterised Menon's attempt as "malicious and misleading" to brand a part of Pakistan as colonial. He further regretted the fact that Menon abused a rare opportunity (afforded to him by the Committee) at the instigation of the delegate from India. The Pakistani representative disbelieved Menon's assertion that India was not a party to the crisis and quoted Menon's own claim regarding India's support to "the people of Bangladesh in the same way as we supported the people of Algeria...and the people of Mozambique". The Indian representative, in reply, regretted that Pakistan attempted to involve India "in a very wrong manner" and made certain points which were not touched upon by Menon himself. As

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20 Doc. A/AC.109/PV.826, 14 September 1971, pp. 17-48. It may be noted that Pakistan was not a Member of the Committee and so, it sought the Chairman's permission to make an intervention.

21 In the context of the Committee's work, the word "petitioner" has a special connotation. The term is used to identify representatives of non-governmental organizations invited to speak on various agenda items in the Committee.

the exchanges between the representatives of India and Pakistan continued, some of the Member States wished to remain neutral. For instance, the representative of Ivory Coast expressed embarrassment at the India-Pakistan verbal exchanges.23 In fact, what he really meant to say was that his country would not like to take any stand on the question at that stage.

Similar trend was discernible in the debate that took place in the Third (Humanitarian and Social) Committee of the General Assembly. In a meeting which was discussing United Nations Operation in the context of the humanitarian crisis in East Pakistan, two draft resolutions were tabled. The first one (sponsored by Netherlands, New Zealand and Sweden) contained appeals to (i) Pakistan to intensify its efforts to create conditions which would restore the "climate of confidence" indispensable for the promotion of voluntary repatriation of refugees; (ii) India to continue to promote "an atmosphere of good neighbourliness" which would reduce tension in the area and encourage refugees to return to their homes.24 The second draft resolution (sponsored by Tunisia) sought to recommend that the President of the Assembly make a statement that all "persons of goodwill."

23 Ibid., pp. 39-40.

should work in a spirit of respect for the principles of the Charter to bring about a favourable climate necessary for the voluntary repatriation of refugees. However, both proposals faced opposition. In the view of Pakistan's representative, the Netherlands-sponsored draft resolution was "lacking in impartiality" because it was tantamount to disregarding of all the efforts made by his Government to enable the return to normalcy. Significantly, he did not state his opposition to the Tunisian proposal. On the other hand, the Indian representative held the view that neither of the draft proposals met the needs of the situation. The Netherlands' draft text was "not broad enough in scope" and was not acceptable because India and Pakistan were referred to as the "interested parties". He explained that India was not an interested party "except to the extent that the whole international community must be regarded as the interested party". He opposed Tunisia's proposal also, which seemed, in his opinion, to imply that India could somehow exert influence to bring about a favourable climate in East Pakistan. Other Member States like Nigeria and Saudi Arabia supported Tunisia's proposal and wanted Netherlands' text


27Ibid., 1379th mtg., 22 November 1971, p. 351.
which, in their assessment dealt with some controversial aspects, to be withdrawn. But this suggestion was not acceptable to the sponsors of the proposal in question. Subsequently, the sponsors accepted Somalia's oral amendment replacing the specific appeals made to India and Pakistan and urging "all Member States in accordance with the purposes and principles of the Charter of the United Nations to intensify their efforts to bring about the conditions necessary for the speedy and voluntary repatriation of refugees to their homes". Later the Committee unanimously recommended the Netherlands-sponsored draft (as orally amended) and the Tunisian proposal for adoption by the General Assembly.23 Thus, an analysis of the interactions and reformulation of draft resolutions in the Third Committee would give a fair indication that most Member States were unwilling to take positions on political aspects of the crisis, while India and Pakistan blamed each other for the growing complexity of the crisis situation.

Earlier, during the "General Debate"29 nearly half of those Member States who participated referred to the

23 Recommendation IIA and IIB of the Third Committee in Doc. A/8544.

29 A tradition which the General Assembly has inherited from the League Assembly is the holding of "General Debate" on the world situation at the beginning of each session. This serves as an opportunity to all Member States to express their views on various important issues. An analysis of General Debate provides a good indication of the priorities given by various Governments to various international issues.
crisis in the India-Pakistan sub-continent. Among them, Member States from Western Europe, Northern America, Australia and New Zealand dealt with political aspects as well. A large number of Muslim States ignored all other aspects and emphasized merely safeguarding the territorial integrity of Pakistan. Among those in the immediate neighbourhood of the area of conflict, Burma made no reference to the problem at all, while Afghanistan, Ceylon, and Nepal sympathized with the suffering people of East Pakistan and called for the restoration of normalcy in Pakistan without specifically emphasizing the need for a political settlement.

The participation of India and Pakistan in the General Debate highlighted the divergent points of view each held in regard to the various aspects, viz. respecting the wishes of the people of East Pakistan as expressed in

According to Misra, n. 1, p. 47, fifty-eight Member States (out of the total of 133) chose to make reference to the problem. Among them, as many as twenty-three confined themselves just to the humanitarian aspect. About thirty-three Members touched upon the political aspect also. While dealing with the political aspects, some Member States (such as Afghanistan, Ceylon, Ecuador, Finland, Italy, Japan, the United Kingdom, and Yugoslavia) called for the restoration of normalcy in East Pakistan; others (like Australia, Belgium, Cyprus, France, Guyana, Ireland, Malta, Mongolia, New Zealand, Norway, Poland, Soviet Union and Sweden) called for political solution. Yet some others suggested that the problem was Pakistan’s internal matter and therefore Pakistan should be left free to take necessary steps to normalise the situation.
the 1970 December elections, mass killings, the refugee problem, insurgent activities and India's support, press and public support, etc. The leader of the Indian delegation pleaded with Member States to impress upon the military regime of Pakistan that force would not succeed and that, therefore, a political settlement between the military regime and the elected leaders was essential. He also criticized the attempts of Pakistan to internationalize the problem for the purpose of diverting the attention from the main issue. Making India's position clear, he said:

No one wishes the break-up of Pakistan, but no one wishes to see East Bengal turned into a colony to be held by military means. And, if the present policy of Pakistan Government continues, that break-up seems to be inevitable. It is to avoid that situation that we have urged a political solution; we have no wish to interfere in the internal politics of Pakistan. We have enough problems of our own.

India repeated the same arguments while exercising right of reply to Pakistan's arguments.

On the other side, Pakistan's delegate asserted that the problem was an internal matter, typical to any multi-lingual, multi-racial Member State. He defended what was termed as "police action" as a step to deal effectively with

32 Ibid.
the violent movement encouraged by some undesirable elements. While acknowledging the problem of refugees and expressing a sincere wish to take all the refugees back, Pakistan’s delegate alleged that India was taking advantage of Pakistan’s internal problem. Pakistan was aware of the urgent necessity of a political solution of its problems. However, it was pleaded, Pakistan should be allowed to sort out the problem without outside interference.

The General Debate, it should be noted, provides an opportunity to various delegations to reiterate and defend their policies, claims and actions, and, at the same time, to criticize those of their adversaries. During the twenty-sixth session, India made use of the opportunity to impress upon Member States about the unprecedented refugee burden on India and the unabated military repression against the people of East Pakistan in violation of basic human rights. While Pakistan put forth evidence to show that India was seeking to exploit the situation in East Pakistan and working

33Ibid., 1953 atg., 5 October 1971, p. 9. Pakistan further, refuted the Indian assertion that India was superior and could not be equated with Pakistan in any sense. According to Pakistan’s representative, India, while claiming to spearhead liberation movements, was suppressing the reasonable demands of the Nagas, the Sikhs, the Dravidians and the Bengalis.
towards Pakistan's dismemberment, India refuted these "insinuations".

In sum, India, to a considerable degree, was able to highlight the developments in the sub-continent to emphasise the need for a political settlement in East Pakistan, and tried to remove the misgivings of Member States that it was an internal matter of Pakistan. Consequently, a number of Member States recognized the political roots of the problem and suggested that aspects of political settlement should not be ignored which only could restore normally to enable voluntary repatriation of refugees. Nevertheless, India could not succeed in persuading some of the States, especially the Islamic States which, as it seemed, were already lined up in support of Pakistan's position.

Thus, the interactions at the United Nations preceding the war indicated that there was wide sympathy for the refugees and the resultant problems India was facing. Yet India could not succeed to secure full political support of many Member States whose support would have made the difference.

34 For instance, reference was made to Director of Institute for Defence Studies and Analyses, K. Subrahmanyam's article "Must We Go to War?", Illustrated Weekly (Bombay), vol. 92, no. 33, 15 August 1971, pp. 16-17 and 31.
The War: Security Council Meets

The rising tensions between India and Pakistan over the period of nine months culminated in a full-scale open armed conflict in December 1971. The Security Council, which could not be convened during the preceding nine months owing to the lack of agreement amongst its Members and the parties directly concerned with the issue, was called for a meeting on 4 December following the request from its nine Members including the United States. The request was later supported by Tunisia, not a Member of the Security Council. They asked for an urgent meeting of the Council to discuss "the deteriorating situation which has led to armed clashes...

\[35\] In a memorandum in July 1971, the Secretary-General drew the attention of the President of the Security Council to the threat the human tragedy in East Pakistan posed to the international peace and security and stressed the need for early consideration of the matter by the Council. Dec. 5/10410, 3 December 1971, for text of the memorandum, see Security Council Official Records (hereinafter cited as S/CR), twenty-sixth year, Supplement for October-December 1971.

Subsequent to the memorandum, the representative of Italy in his capacity as the President of the Council held informal consultations. A formal meeting of the Council could not be called, as differences of opinion existed among the Members. See the statement made by the Indian representative, ibid., 1603th mtg., 6 December 1971, p. 10.
between India and Pakistan. 36

In the debate that ensued in the Security Council the Members were divided on the question whether the Council should confine its action to ceasefire only or whether it should go further than that and seek a political settlement. The representatives of India and Pakistan, of course, took the opposite positions on the question. Pakistan wanted the Security Council to confine its consideration to the existing state of war between India and Pakistan and to "guard against the debate ranging over the areas outside the jurisdiction of the United Nations." 37 Thus Pakistan placed emphasis on the consequences of the conflict, but not on the causes of it. The representative of India, on the other hand, argued that if the Council limited itself to the elimination of the consequences without taking into account the actual essence of the conflict, there could be no

36 Dec. 5/10411, 4 December 1971. There was reportedly initial reluctance among many Member States to have the Security Council convened, as it might, in their assessment, exacerbate tensions. New York Times of 5 December 1971 quoted diplomatic circles to the effect that the Soviet Union and the United States were making efforts through bilateral means to diffuse the situation. Later, obviously on failure of these efforts, the United States joined Belgium, Italy, and Japan who were closely working on a request for a meeting of the Security Council.

37 SCR, twenty-sixth year, 1605th mtg, 4 December 1971, p. 10.
positive results and no end to violence in the sub-continent.\footnote{Ibid., pp. 15-21. It may be noted that these opposite views held by India and Pakistan amounted to the virtual reversal of the stand they took in the wake of the 1965 War. In 1965, while Pakistan's contention was that the Council should not restrict itself to the mere task of stopping the fighting but should look into the causes of the conflict and provide for a settlement of the Kashmir problem as a precondition to ceasefire and withdrawal of armed forces. India, then, had argued that the Council should confine itself to the simple question of cessation of conflict and not mix up the political issue with the withdrawal of armed forces.} He, therefore, wanted the Security Council to consider the situation in its entirety including the causes of the conflict.

In line with the above basic attitude, India's arguments centred around the inhuman suppression of lakhs of people resulting in an unprecedented exodus to India, and Pakistan's unwillingness to seek an early political settlement with the democratically elected leaders of East Bengal. Also, India supported the request that the representative of Bangla Desh be given an opportunity to apprise the Council of the situation in East Pakistan.\footnote{Doc. S/10445, 4 December 1971. For deliberations on the subject, see SCOR, Twenty-sixth year, 1507th mtg, 5 December 1971, pp. 4-7.} Pakistan opposed these contentions and highlighted the "Indian aggression", which, it said, was in contravention of all the international obligations under the Charter of the
United Nations. Its representatives sought to strengthen Pakistan's position by making reference to the Charter provisions concerning preservation of territorial integrity, political independence and sovereignty, and the provisions that barred Member States from intervening in matters falling essentially under the domestic jurisdiction of another State, and the provisions of the Declaration on Strengthening of International Security, 1970. 40

During the meetings of the Security Council, several draft resolutions were introduced, but only four were put to vote. Among the four, three drafts could not be adopted, and the fourth one was adopted. The three draft resolutions, each sponsored by the United States, the Soviet Union, and four Members (Argentina, Nicaragua, Sierra Leone, and Somalia) respectively, could not be adopted because they failed to secure necessary votes required for adoption. 41 The fourth one, introduced by Somalia and five others,


41 The United States sponsored draft (S/10445, 4 December 1971) secured affirmative vote from eleven Members, while Soviet Union and Poland voted against, and France and United Kingdom abstained. The same is the voting response to the eight-Power draft (S/10423, 5 December 1971). The Soviet text (S/10443, 4 December 1971) was supported by Poland and Soviet Union, was vetoed by China while remaining Members abstained.
invoked the provisions of the 'Uniting for Peace Resolution' 377A(V) of 1950 and sought to refer the question to the General Assembly for its urgent consideration. It was adopted by a vote eleven in favour, nil against and four abstentions. The scenario then shifted to the General Assembly.

General Assembly considers the Question

Following the Security Council resolution of 6 December 1971, the General Assembly met on 7 December 1971 to discuss the open armed conflict in the Indian sub-continent. The initial objections raised by India (and supported by the Soviet Union) related to the procedure the General Assembly should follow. The Indian delegate argued that the resolution 377A(V) of 3 November 1950 laid down the procedure to be followed by the General Assembly, when not in session and meeting in an emergency special session under the 'Uniting for Peace Resolution.' Whereas the General Assembly was in regular session then and hence the usual rules of procedure would thus apply. This implied that the question need not be put to immediate discussion and be routed through the General Committee. This argument was, however, overruled by the session's President, who

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42 Security Council, Res. 303, 6 December 1971.
said that it seemed to him "little short of ridiculous" to adopt different and less expedient procedure to discuss as important matter as the India-Pakistan conflict just because the General Assembly resolution 377A(V) was silent on the procedure to be followed in regard to the situation when the General Assembly was in regular session.\textsuperscript{43}

Further, the debate had an unfavourable beginning from India's point of view, when a friendly country like Afghanistan suggested to the President that, in the interest of a quick decision, the time should be limited to ten minutes per Member except, of course, India and Pakistan. The President welcomed the suggestion and the Assembly approved it.

Most of the Member States who were gravely concerned over the preservation of territorial integrity of Member State, were upset at the outbreak of conflict between two States with whom they had cordial relations.\textsuperscript{44}

Two draft resolutions were put before the General Assembly. One was proposed by Argentina and

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\textsuperscript{43}GAOR, session 26, 2002 mtg., 7 December 1971, pp. 1-2.
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\textsuperscript{44}Ibid., 2002 mtg. and 2003 mtg., 7 December 1971.
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It was later revised to incorporate a paragraph suggested by Italy concerning an appeal to safeguard the lives and well-being of the civilian population in the area of conflict. The Soviet Union sponsored an alternative draft. It was a revised version of the five-power draft resolution, sponsored in the Security Council and abruptly withdrawn in view of the Soviet amendments.

**45** UN Doc. A/L. 647, 7 December 1971. This draft resolution called upon India and Pakistan to take forthwith all measures for an immediate ceasefire and withdrawal of their armed forces to their own side of the border. It had also urged that efforts be intensified in order to bring about, speedily and in accordance with the Purposes and Principles of the Charter of the United Nations, conditions necessary for the voluntary return of the East Pakistan refugees to their homes. It further decided to follow the question closely, and to meet again should the situation so demand and called upon the Security Council to take appropriate action in the light of the present resolution.

**46** Doc. A/L. 647/Rev. 1, 7 December 1971. Members who sponsored the text were: Algeria, Argentina, Brazil, Burundi, Cameroon, Chad, Colombia, Costa Rica, Ecuador, Ghana, Guatemala, Haiti, Honduras, Indonesia, Italy, Ivory Coast, Japan, Jordan, Liberia, Libyan Arab Republic, Morocco, Netherlands, Nicaragua, Panama, Paraguay, Sierra Leone, Somalia, Spain, Sudan, Tunisia, Uruguay, Yemen, Zaire and Zambia.

**47** Doc. A/L. 648, 7 December 1971. It called upon, inter alia, all parties concerned forthwith, as a first step, for an immediate ceasefire and cessation of all hostilities; called upon Pakistan to take simultaneous “effective action towards a political settlement in East Pakistan, giving immediate recognition to the will of the East Pakistan population as expressed in the elections of December 1970”; stressing the point further that both measures constitute a single whole.

The major difference between the two drafts was that the Argentina's draft, in a way, supported Pakistan's position as it appealed to Pakistan's military regime to settle the East Pakistan problem by means consistent with the United Nations Charter. On the other hand, the Soviet draft linked the ceasefire to the simultaneous efforts for a political settlement respecting the will of the people as expressed in the December 1970 elections. Another major distinction was that the Soviet sponsored draft called for a ceasefire between all the parties, instead calling upon the two Governments to do so implying thereby, a ceasefire between not only India and Pakistan, but also between Pakistan military forces and the "Mukti Bahini" in East Pakistan.

On voting, the draft resolution sponsored by Argentina and others was adopted by 104 in favour and 11 against with 10 abstentions.\(^49\) Therefore, the President announced that the Soviet draft did not have to be put to vote.\(^50\) The fact that as many as 104, out of the total

\(^{49}\) A/Res.2793 (XXVI), 7 December 1971.

\(^{50}\) Rule 93 of the Rules of Procedure of the General Assembly reads: If two or more proposals relate to the same question, the General Assembly shall, unless it decides otherwise, vote on the proposals in the order in which they have been submitted. The General Assembly may, after each vote on a proposal, decide whether to vote on the next proposal.
membership of 131, voted for the resolution in the General Assembly apparently reflected the isolation of India in the world community. Besides Bhutan, only the Soviet Union and its seven East European allies and Cuba supported India. All Arab countries, except Oman which abstained, voted on bloc in favour of the draft resolution. All the African countries—except Malawi and Senegal, which abstained and Equatorial Guinea and Guinea, and Lesotho who were absent—supported Pakistan. Similarly, all the countries of South and South East Asia—except Afghanistan, Nepal, and Singapore who abstained, and Maldives and Burma who were absent—voted for the resolution. The entire South American group—except Chile which abstained and Cuba which supported India—also supported the resolution. In Europe, the countries that supported India were, of course, the Soviet Union and seven of its allies; Britain, France, and Denmark abstained, and the rest including Romania and Yugoslavia went along with the majority.

Drawing a balance sheet of the proceedings in the General Assembly on the question, it could not be denied that the outcome supported Pakistan's position and that India received a setback. Obviously, India did not anticipate these developments, viz., the question getting

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51 Shri Ram Sharma, Bangladesh Crisis and Indian Foreign Policy (New Delhi, 1978), pp. 200-1.
transferred to the General Assembly, and voting to take place within twenty-four hours. Had India been prepared to secure sufficient lapse of time between discussion and voting, it would have been possible for India to persuade more Member States to abstain in the vote.

Security Council Reconvened

The General Assembly resolution could not bring about such change in the situation on the battlefield. And the advantages Pakistan had anticipated from a resolution supported by 104 Members did not materialize; Pakistan continued to lose militarily. So, Pakistan wanted to build more political pressure against India at the United Nations. Hence, in an attempt to strengthen its representation, Pakistan sent a delegation, led by Zulfikar Ali Bhutto to New York who in the intervening period took over as Deputy Prime Minister and Foreign Minister. Presumably this step was taken to bring the issue back to the Security Council against the backdrop of the General Assembly resolution. On the other hand, in New Delhi, there was reportedly disappointment over the overwhelming voting support to Pakistan.\(^{52}\) Nevertheless, India decided to

\(^{52}\)A columnist writes that the reluctant Foreign Minister Swaran Singh had to be persuaded to go to New York, who first reportedly thought that there would not be much use in going apparently against the massive international opinion as expressed in the General Assembly resolution. Kuldip Nayyar, Distant Neighbours: A Tale of the Subcontinent (Delhi, 1972), p. 155.
carry on the fight against Pakistan. For the purpose of the deliberations, in the United Nations, India sent a delegation of prominent officials and non-officials.53

In the meanwhile, the representative of the United States addressed a letter to the President of the Security Council on 12 December 1971,54 regretting that while one party had agreed to the ceasefire, the other had not, and, therefore, requested for an urgent meeting of the Security Council. It should be noted here that this move by the United States at the United Nations coincided with its decision ordering a naval task force, including the aircraft-carrier-Enterprise to move towards the Bay of Bengal for the ostensible purpose of evacuating the American nationals from East Pakistan.

Called by the United States, the Security Council held seven meetings in ten days and discussed the problem for about twenty-six hours in six days from 12 to 21

53One of the members later recounted that this delegation met over a hundred heads of delegations. Most of them including some friends of Pakistan, told they hoped that the war would end immediately. They admitted privately that Pakistan was wrong. They said, the sooner India won the better for India and Pakistan. They realized that the tide had turned against Pakistan and felt embarrassed at having voted for the General Assembly resolution earlier. T.N. Kaul, Diplomacy in Peace and War: Recollections and Reflections (New Delhi, 1979), pp. 197-95.

December 1971. Taking advantage of the support in the General Assembly, Pakistan's sympathisers introduced one draft resolution after another, so that India and, of course, the Soviet Union would be blamed for preventing Council's early action. It was also apparently believed that these efforts might save Dacca from falling. On the other hand, India opposed these draft resolutions which did not lay sufficient emphasis on the aspects of political settlement. The Indian representatives, supported by that of the Soviet Union, raised again the question of granting a hearing to the representative of Bangla Desh, obviously to prolong the debate and then did not press the proposal for vote when the time for vote approached, since it was not likely to obtain the necessary votes. Besides, frequent requests were made for adjournment of the Security Council's meetings to enable the Members to have informal consultations, or obtain instructions in view of new proposals and the changing situation. This tactic was considerably successful because of the co-operation of other Members like France, Italy, Sierra Leone, and United Kingdom. 56

55 SCOR, Twenty-sixth year, 1613rd mtg, 13 December 1971.

56 See for details, ibid., 1611th, 1613rd and 1614th mtgs, 12, 13 and 14 December respectively.
India contended during the discussion that the peace appeal should actually have been addressed to Pakistan because it was Pakistan which started and declared war. Its representative had regretted that while India was not a party to the dispute, it was blamed for not responding to the United Nations "recommendations". Further, the Indian representative assured that India had no territorial ambitions in Bangla Desh or West Pakistan and indicated his country's willingness to discuss any ceasefire or withdrawal which would ensure the freedom and aspirations of the people of Bangla Desh as well as vacation of the aggression by Pakistani troops from the Indian territory. 57

He finally indicated that any solution should have three elements: First, the right of the people of Bangla Desh to be heard in any discussion of the problem; second, the right of the people of Bangla Desh to be made a party to any ceasefire arrangement that might be proposed; and third, a political solution to the situation in Bangla Desh as already declared by their representatives elected in the December 1970 elections. 58

On the other hand, Pakistan's representative, Zulfikar Ali Bhutto, admitted that some "tremendous and

57 Ibid., 1611th mtg., 12 December 1971, pp. 2-14.

58 Ibid., 1603th mtg., 6 December 1971, pp. 9-10.
tragic blunders" were committed and that Pakistan was prepared to rectify those mistakes in a civilized spirit of co-operation and understanding and in conformity with the highest principles of the international law and international norms. However, he emphasized that the basic issue involved was the preservation of Pakistan's territorial integrity. He remarked that if India had allowed one more month's time, a democratically elected government would have been set up, and a new era of co-operation and friendship between India and Pakistan would have begun. Obviously, he alleged, India did not want this to happen. 59

Ridiculing India's claim that it was a fight for the cause of self-determination, Bhutto claimed that East Pakistan was an integral part of Pakistan. Whereas India was claiming the championship for the cause of self-determination, he remarked, it was denying the same right to the people of Kashmir which was a disputed territory. 60

The debate took a decisive turn in the Security Council with the timely 61 announcement of India's unilateral

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60 Ibid., 1614th and Add. 1 mtg, 15 December 1971, pp. 6-9.

61 As the deadlock continued, some of the non-permanent Members became restive. The representative of Argentina threatened to consider the possibility of going back to the General Assembly to fix the responsibility and establish "rights and wrongs". Ibid., 1615th mtg, 15 December 1971, p. 11.
decision on ceasefire in the Western sector following the unconditional surrender of Pakistan forces in Eastern sector. Then ensued intensive informal consultations with a view to formulating a resolution acceptable to both parties.

At last at its 1621st meeting the Security Council considered a draft resolution sponsored by Argentina, Burundi, Japan, Nicaragua, Sierra Leone, and Somalia. As agreed upon earlier, voting took place first and then explanations followed. The Six Power draft resolution was adopted.

Explaning his country's position, the representative of Pakistan characterized that the resolution was as "weak" as the situation was grave. Pakistan interpreted that the first operative paragraph to mean that while Pakistan would withdraw from the Indian territory, India should withdraw from Pakistan, and that no distinction could be made between one area of Pakistan's territory and another. India, on the other hand, asserted that the existence of Bangla Desh could not be ignored.

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62 UN Doc. 5/10465, 21 December 1971.

63 Argentina, Belgium, Burundi, China, France, Italy, Japan, Nicaragua, Sierra Leone, Somalia, Syrian Arab Republic, the United Kingdom, the United States voted in favour, while none voted against; Poland and the Soviet Union abstained.

64 Ibid., 1621st mtg, 21 December 1971.
As noted elsewhere, procedural setting is an important element of the diplomatic interactions at the United Nations. A draft resolution introduced in the context of a question may have objectives varying from containing the position of sponsoring Members to attempting a satisfactory solution. But the very act of introducing a proposal is a political move bearing several connotations.

In the context of the conflict situation as many as eighteen draft resolutions were sought to be tabled. Only one amendment was proposed (by the Soviet Union to one of those drafts), whereas three drafts were revised. But the Security Council could adopt only two of those eighteen drafts. Thus it would be evident that the Security Council took lead in considering a number of alternative proposals, the fact of which did not, of course, help the Council reach an early agreement.

This study might particularly be helpful in ascertaining and analysing the views held by both parties—India and Pakistan—through the Members supporting them.

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68 One of them referred the question to the General Assembly. Two draft resolutions were tabled for consideration in the Assembly. A separate study of the drafts considered by the Assembly is not attempted here because even those drafts were considered by the Council at one or other stage.
since the parties were not members of the Council then) in the Council, and how both parties moved step-by-step towards an acceptable formulation.

Of the five Permanent Members, the United States and the People's Republic of China were determined to support Pakistan. Of these two, China held the view that India should be named and condemned as aggressor and that Pakistan be left free on its options to deal with, after withdrawal of the Indian troops from East Pakistan, the situation as it thought fit. On the other hand, the United States took the position which avoided blaming any party for aggression, but left Pakistan free to settle the problem in East Pakistan in accordance with the Purposes and Principles of the United Nations Charter. On the other extreme, the Soviet Union demanded immediate ceasefire and a political settlement reflecting the will of the people of East Pakistan. Obviously, this demand was not acceptable to Pakistan. As against these two groups, France and the United Kingdom tried to be "objective" and not to be associated with a decision which was incapable of being accepted by either of the parties directly involved. In their view, adoption of any such draft resolution would make its implementation impossible.

While Poland lined up with the Soviet Union, the views of other non-permanent Members coincided with those
of the United States to reaffirm the principles of territorial integrity, sovereignty, and non-interference in internal affairs.

When the Security Council was convened on 4 December 1971, the United States sponsored a draft resolution. The draft incorporated the provisions on the need for immediate political settlement, but at the same time it did not apportion any blame on either Pakistan or India. This job was, however, assumed by China, which, in its draft resolution, named and condemned India as aggressor. It called upon, inter alia, India to withdraw "immediately and unconditionally" from the Pakistani territory and called upon all States to support the Pakistan people in their just struggle to resist the Indian aggression. On the other hand the Soviet Union introduced a draft resolution calling for a political settlement in East Pakistan "which would inevitably result in a cessation of hostilities".

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663/10445, 4 December 1971. It, inter alia, provided for immediate ceasefire and cessation of hostilities between India and Pakistan, and asked them to exert their best efforts towards the creation of a climate conducive to the voluntary return of refugees to East Pakistan. It, also, asked India to accept the Secretary-General's good offices, which was already accepted by Pakistan, and provided for placement of United Nations observers on the India-Pakistan border with the consent of either India or Pakistan.

673/10421, 5 December 1971.

683/10413, 4 December 1971.
While China did not press its draft for vote, the United States mustered a majority of the non-permanent Members to support its draft. But the draft could not be adopted because the Soviet Union voted against it. On the other hand, the Soviet draft could also not be adopted because an insufficient number of votes were cast in favour (only the Soviet Union and Poland voted for the draft), while eleven Members abstained and China voted against it.

In another tactful move, the delegations of Argentina, Nicaragua, Sierra Leone, and Somalia introduced a draft resolution calling for only an immediate ceasefire and withdrawal of armed forces and in consequence ignoring the issue of political settlement by mentioning it only in the preambular part.

In yet another move, eight Members, viz., Argentina, Belgium, Burundi, Italy, Japan, Nicaragua, Sierra Leone, and Somalia introduced a draft which was evidently an improvement over the earlier one. It called upon India and Pakistan to take forthwith "all measures for an immediate ceasefire and withdrawal of armed forces" from the foreign territory. It was an improvement in

69/10419, 4 December 1971
70/10423, 5 December 1971
the sense that it contained a preambular paragraph stating that it was "convinced that an early political solution would be necessary for the restoration of conditions of normalcy in the area of conflict and for the return of the refugees to their homes". But it had no matching provision in operative part.

In another attempt the same day, Belgium, Italy, Japan, Nicaragua, Sierra Leone and Tunisia called upon the Governments concerned forthwith, as a first step, to effect an immediate ceasefire. It did not reflect on any other aspect including political settlement both in its preambular and operative parts. The Soviet Union then introduced an amendment to the above draft replacing, in the first operative paragraph the words "the Governments concerned" by "all parties concerned" and at the end of the same paragraph, adding the words "and cessation of all military operations". The amendment also sought to

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71: 10425, 5 December 1971. The Soviet representative raised an objection that Tunisia could not sponsor a draft resolution since Tunisia was not a Member of the Council. This ensued a discussion on rule 33 of the Rules of Procedure of the Security Council and the Council's practice in the past. SCOR, Twenty-sixth year, 1608th mtg, 6 December 1971, pp. 2-4. Later Tunisia withdrew its sponsorship of the draft.

72: 10426, 6 December 1971.

73: In a revised amendment (3/10426/Rev. 1) on 6 December the Soviet Union modified this phrase as "and cessation of all hostilities".
include a new paragraph between the first two operative paragraphs, calling upon the Government of Pakistan to take simultaneously effective action towards the political settlement in East Pakistan giving immediate recognition to the will of the East Pakistan population as expressed in the elections of December 1970. The draft also insisted that both the call for ceasefire and withdrawals, and efforts for a political settlement should be treated as a "single whole".

Since these amendments were unfavourable, the sponsors of the original text abruptly withdrew their proposal with an explanation that their draft could not keep pace with the changing political situation. As an immediate counter-reaction, the Soviet Union then introduced the withdrawn Five-Power draft as its own proposal. The Soviet draft resolution also included the amendments it proposed earlier. But the Soviet representative did not press the text for a vote.

As a series of draft resolutions continued to be presented, six non-permanent Members, introduced a new draft resolution, suggesting reference of the question to

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74 S/10423, 6 December 1971.

75 It may be noted that the same text was introduced by the Soviet Union in the General Assembly.

76 S/10429, 6 December 1971.
the General Assembly under the provisions of Assembly Resolution 377-A (V) of 1950. This resolution was adopted, since no veto was applicable. Afterwards the General Assembly met and adopted a resolution, which called upon India and Pakistan to take forthwith all measures for an immediate ceasefire and withdrawal of their armed forces to their own side of the borders. It had also urged that efforts be intensified in order to bring about speedily and in accordance with the Purposes and Principles of the Charter, conditions necessary for the voluntary return of the East Pakistan refugees to their homes.77

The General Assembly resolution could not bring about an end to the war. Pakistan continued to lose heavily. This caused the question to be brought back to the Security Council. In the reconvened meetings of the Security Council, the United States introduced a draft resolution, which was largely a reproduction of the General Assembly resolution in substance.78 This draft resolution was, however,

77The resolution adopted by the General Assembly on 7 December (Resolution A.2795 (XXVI)) was sponsored by thirty-four Members (seven non-permanent Members of the Council, those excepting Belgium, Poland and Syrian Arab Republic). This text was by and large a reproduction of the Eight-Power draft resolution (S/10423), which was once rejected by the Council.

78S/10446, 12 December 1971. Several of the Western diplomats were privately critical of the American decision to request for a Council’s meeting and for a vote on a resolution that was known to be unacceptable to the Soviets. They reportedly preferred to wait for a few more days. New York Times, 14 December 1971,
failed of adoption, as the Soviet Union vetoed it.

Poland introduced a draft resolution which called for transfer of power to the representatives of the people. It also provided for a 72-hour ceasefire period, in the initial period of which Pakistan's armed forces would withdraw from the pre-set locations in the "eastern theatre." 79 But Poland did not seek a vote on its proposal. Poland's draft should be seen more as a tactical response to the Chinese draft which named India as aggressor than an attempt to resolve the problem.

There were a few genuine attempts at enabling an agreement in the Security Council on the problem. One such attempt was made by Italy and Japan in a draft resolution which contained a set of well meaning proposals, though they were not fully acceptable to either of the two parties. The draft asked all Member States to refrain from any action or threat of action which might worsen the situation in the India-Pakistan subcontinent or endanger international peace;

79 S/10453, 14 December 1971. It also provided, inter alia, that soon after the evacuation of the Pakistan's forces from the eastern theatre of the conflict will have started, Indian troops would begin withdrawal, only in consultation with a newly established authority. It, however, provided for the repatriation of civilians and personnel belonging to the eastern and western theatres, and negotiations between India and Pakistan on the return of the occupied West Pakistan and Indian territories in the course of the armed conflict.
called for immediate ceasefire and cessation of hostilities, and also for immediate steps aimed at achieving a comprehensive political settlement; and further, it decided to appoint, with the consent of India and Pakistan, a Committee composed of three Members of the Security Council to assist the efforts to bring about normalcy in the area of conflict, as well as to achieve reconciliation between the parties in accordance with the Principles of the Charter.\(^3\) This draft gave rise to a series of proposals by various Members.

Another attempt towards an amicable settlement was made by France and the United Kingdom; they proposed a draft resolution,\(^4\) which, \textit{inter alia}, called for "an immediate and durable ceasefire and cessation of all hostilities by all forces in East Pakistan" and called for the "urgent conclusion of a comprehensive settlement in accordance with the wishes of the people concerned as declared through their elected and acknowledged representatives and in conformity with the Purposes and Principles of the United Nations Charter". The draft, also, invited the Secretary-General to appoint a special representative to lend good offices for the solution of humanitarian problems in particular.

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\(^3\) S/10451, 13 December 1971.

Syria was one Member which had so far not taken interest in sponsoring any draft resolution but had gone along with the majority in voting. It submitted a proposal, which *inter alia*, requested the Secretary-General to appoint a special representative for supervising the orderly process of ceasefire and withdrawals, and for assisting the Government of Pakistan and the elected representatives of East Pakistan to reach a "comprehensive settlement, compatible with the principles of the Charter".  

In addition to one of its pending drafts introduced earlier, the Soviet Union, in a draft resolution, called for an immediate ceasefire and cessation of hostilities, and for a political settlement in accordance with the wishes of the people. It conspicuously avoided, for obvious reason, reference to the phrase "in conformity with the Charter principles".  

But all these efforts were overtaken by the developments in Decca. On 16 December Pakistan army—92,000 strong—surrendered unconditionally to the Indian army. Having obtained this military success, India unilaterally declared ceasefire in the western sector.

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Keeping in view the above major development, the United States and Japan put forth a proposal which was obviously a face-saving attempt. This proposal, while bearing reference to the General Assembly resolution 2793(XXVI) and the Indian Foreign Minister's statement that India had no territorial ambitions, demanded a durable ceasefire (later revised as "immediate and durable" ceasefire) and cessation of hostilities in all areas of conflict. It incorporated, however, some points of the Britain-France draft; but avoided altogether any reference to the question of political settlement.\(^4^4\) In retaliation the Soviet Union came out with one more draft.\(^4^5\) Welcoming India's unilateral declaration of ceasefire and calling upon Pakistan to respond accordingly, it expressed the hope that the resultant cessation of hostilities in East Pakistan would "guarantee without delay unimpeded transfer of power" to the lawful representatives of the people elected in December 1970 and appropriate settlement of problems related to the conflict in this area.

As both Pakistan and India did not express their support to either the Soviet draft or the United States-Japan draft resolution, there emerged a compromise text sponsored by mostly non-permanent Members of the Council, which was

\(^{44}\) S/10459, 16 December 1971.

\(^{45}\) S/10458, 16 December 1971.
eventually adopted.\textsuperscript{36} This draft resolution though not fully satisfactory to either of the parties, accommodated the views of both to the extent possible and at the same time reflected the realities of the situation. It demanded, \textit{inter alia}, that a "durable" (not immediate) ceasefire and cessation of all hostilities in all areas of conflict be strictly observed and should remain in effect until withdrawals of all armed forces took place "as soon as practicable".

\textbf{Summary Observations}

From the foregoing analysis, it is clear that India adopted at the initial stages a cautious approach to the crisis situation as it developed in East Pakistan. The flow of ten million refugees from East Pakistan to India and the growing public opinion in India for speedy solution to the crisis situation, however, put additional strain on India's diplomacy. Therefore, efforts were made—both inside and outside the United Nations—to impress the international community on the need for early political settlement between the military regime in Pakistan and the elected representatives of East Pakistan. But the response was not too encouraging. The international community was not willing, so it seemed, to go beyond expression of sympathy

\textsuperscript{36}SG/10465, 21 December 1971.
and providing for token humanitarian assistance for the refugees. This meant that India was likely to be burdened with ten million refugees for an indefinite period. Such a development was likely to put severe strains on India's economy as well as security. India was forced to keep its options open and seek military solution, if necessary, to the problem as and when deemed appropriate. Should the military action be necessary, it was desirable that India prepared itself to face adverse reactions that were likely to follow, especially at the United Nations. India was obliged to ensure that in case its actions or claims failed to obtain "collective legitimization" by the United Nations community, it could prevent at least condemnation of its action. This meant support by a veto-bearing Power. It was with this objective in mind, perhaps, India signed a Treaty of Peace, Friendship, and Co-operation with the Soviet Union in August 1971.

As the war progressed, the Security Council and later the General Assembly were seized of the question. In the course of debates, the Indian representatives insisted that the discussion should not be confined merely to the war situation, but that the causes which led to the war should also be taken into account. Also, India refused to accept any draft resolution which did not take into consideration the political realities of the situation.
Perhaps, these arguments were, \textit{inter alia}, intended to delay the proceedings and the consequent United Nations response, so as to allow sufficient time for the accomplishment of its objective to liberate "Bangla Desh" by military action.

However, it should be noted that India's interactions on this question clearly demonstrated that there was something amiss in terms of exercising diplomatic skill and discretion at certain crucial stages.

A number of omissions and commissions on the part of the Indian representatives did not go well as regards the objectives of safeguarding India's interest. For instance, the Indian representative's admission that the Indian forces crossed the borders on the eastern side much before the war broke out on 3 December showed lack of discretion, to say the least.\footnote{\textit{SCOR}, Twenty-sixth year, 1506th mtg, 4 December 1971, p. 15. The way the Indian representative defended his statement that Indian forces chose to "go and silence their parts the military forces of Pakistan" and the perhaps help India's objective to win political support from Member States, when asked, an official in the Indian Permanent Mission in New York, who wished to remain unidentified, admitted that such statements were avoidable.} Again, India seemed to have not foreseen the possibility of the question getting referred to the General Assembly once the Security Council was deadlocked.
In the event, India's reactions and interactions in the General Assembly debates left much to be desired. How far these shortcomings were directly responsible for the lack of support for India in the General Assembly is difficult to discern, especially in view of the fact that most Member States were inclined to give priority to the principles governing territorial integrity, sovereignty and political independence, and non-interference in matters falling essentially under domestic jurisdiction. But it is the overall result that counts. India's triumph in the battlefield led eventually to the adoption by the Security Council of a compromise resolution—a text which could not but reflect the realities of the changed political situation in the India-Pakistan sub-continent.

In sum, the developments at the United Nations reflected varied diplomatic interactions and determined use of the United Nations processes to promote different sets of claims, actions, and policies. On the one hand, Pakistan attempted to use the machinery to put political pressure on India and force it to withdraw from both sides of its borders. On the other hand India attempted to adopt tactics with a view to delaying any United Nations pronouncement in support of Pakistan's position. To what extent India succeeded in its efforts is on record. One can draw one's own conclusions.