SOUTH ASIA

PARTICIPATION OF THE UNITED STATES IN EFFORTS TO RESOLVE THE DISPUTE BETWEEN INDIA AND PAKISTAN OVER KASHMIR AND HYDERABAD

745.45F/1-148 : Telegram

The Chargé in Pakistan (Lewis) to the Secretary of State

SECRET IMMEDIATE KARACHI, January 1, 1948—9 a.m.

1. Have talked with Jinnah, Liaquat Ali Khan, Sir Zafrullah Khan, Secretary General Mohammad Ali and Ikramullah and nowhere have detected any trace of anxiety or nervousness such as seems exist in Delhi on Kashmir question, although profound annoyance is felt that GOI is using Kashmir affair as excuse for not making good its commitments on cash balances, failure to pay which under terms recent agreement places GOP in difficult fiscal position, as presumably desired by GOI (Deptel 218, December 26, London’s 53, December 29). GOP answered GOI note night before last. In nearly two hours review of Pakistan’s relations with India, Mohammad Ali and Ikramullah told me yesterday GOI note contained no ultimatum or time limit for reply but did contain some hints of trouble for Pakistan if GOP did not cease alleged aiding and abetting Azad Kashmir Government and raiders. In that connection, these officials said while Pakistan’s sympathies were with Azad Government GOP was not aiding Azad movement and could not if it would stop uprising against

1 For previous documentation on United States concern over the Kashmir dispute, see Foreign Relations, 1947, vol. III, pp. 179 ff.
2 Mohamed Ali Jinnah, Governor General of Pakistan.
3 Prime Minister, Minister of States and Defense, Pakistan.
4 Minister for Foreign Affairs and Commonwealth Relations, Pakistan.
5 Secretary for Foreign Affairs, Pakistan.
6 Reference here is presumably to an agreement between India and Pakistan relating to division of the assets of the Reserve Bank of India. A detailed summary of 1947 Indo-Pakistan financial agreements may be found in the Hindustan Year-Book and Who’s Who, 1948, pp. 304–307.
8 Printed as telegram 6647 to the Department, December 29, 1947, ibid., p. 185.
9 The notes referred to here are the letter of December 22, 1947, from Prime Minister of India Pandit Jawaharlal Nehru to Liaquat Ali Khan, and the latter’s reply dated December 26. For text of this exchange, see Government of India, White Paper on Jammu and Kashmir, pp. 71–75.
Kashmir Government and the struggle against GOI troops in Kashmir without revolution in Pakistan.

Mohammad Ali, who participated in talks with GOI said GOP position in all these talks was that while welcoming in principle plebiscite in Kashmir, GOP must have assurances neutral administration preceding and during plebiscite. Given such administration GOP would exercise every possible influence with Azad Government and raiders to cease activities and abide by plebiscite result. If neutral administration cannot be agreed upon between GOI and GOP, as seemingly it cannot since every proposal that direction by GOP has been rejected by GOI, Pakistan will gladly agree UN Security Council set up appropriate administration with safeguards for honest vote and conduct plebiscite. If GOI unwilling accept latter procedure, GOP will counter any action by GOI in placing before SC question alleged guilt Pakistan in supporting belligerent activities against Kashmir by asking SC conduct investigation all relations between the two Dominions including Junagadh matter.\(^{10}\) This is substance GOP reply notes.

GOP thoroughly convinced Kashmir’s accession to India and sending of GOI troops to Kashmir is only part of GOI’s deliberately planned policy dating from acceptance of partition, to strangle and destroy Pakistan in successive stages and will support that conviction before SC if GOI carries its case to SC in form indicated in its last note to GOP.

Department, repeat to London if desired. Delhi informed.

\(^{10}\) Junagadh, one of the states whose accession was in dispute, received the intermittent attention of the Security Council during the spring of 1948. Security Council action was limited by the general feeling that the accession of Junagadh to India was not of sufficient importance to justify distracting the Council from the more pressing issues involving Kashmir. For summary of Indian and Pakistani statements before the Security Council concerning matters of dispute not covered in Foreign Relations, see United Nations, Yearbook of the United Nations, 1947–48, pp. 400–402. Hereafter cited as Yearbook, 1947–48.

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The Acting Secretary of State to the United States Representative at the United Nations (Austin)

SECRET

WASHINGTON, January 1, 1948—2 p. m.

1. Allen of Brit Emb called at Dept at noon yesterday to discuss late developments in Kashmir situation. Among other things he said FonOff had sent instructions that US be informed of immediate action Cadogan\(^{2}\) had been instructed to take in event India files appeal to SC

against Pakistan. As soon as Cadogan knows of actual filing of such an appeal by India, he is to take steps to assure that SC considers matter as soon as possible (retel 6668 from London, Dec. 30 Par. 12) (Allen has today told us that UKDel in New York has already made an informal approach to UN Secretariat on intermediate level to assure early consideration of case).

Allen then said his Govt was inviting attention of US to possibility of taking similar steps and that Cadogan had been apprised of this also.

Dept. informed Allen later in day that while US agrees Indian appeal should be heard as expeditiously as possible, we believe this can be accomplished by informal methods rather than by any formal approach such as a letter to Sec. Gen. or SC President. We observed further that since Belgian is now SC President, it should be possible to approach him informally and accomplish the desired result with no difficulty.

Dept does not believe it desirable or wise at outset of this case to make political issue of time or speed with which SC should deal with matter. We are, however, willing to support informal methods of obtaining immediate SC consideration of the case. We recognize that after SC commences such consideration Pakistan may desire stay in proceedings pending completion of preparation of case or arrival of additional personnel. In such an eventuality we believe SC should adhere to well-established practice of permitting parties reasonable period of time to make such arrangements as are clearly necessary for a proper handling of the case.


LOVETT


745.45F/1-248: Telegram

_The Chargé in India (Donovan) to the Secretary of State_

**SECRET**

NEW DELHI, January 2, 1948—10 a.m.

1. Embtel 1162, December 30 [29]. General Bucher Commander-in-Chief Indian Army told me last night no steps had been taken to prepare Indian Army for offensive action against GOP. He said one month necessary for such steps and he had informed Nehru that he (Bucher) would not hesitate inform HMG that all British officers should be transferred from active operational duties to advisory capacities if war seemed imminent.

I inquired re possibility GOI troops in Kashmir entering Pakistan inadvertently. Bucher said this was highly improbable since troops must stay on highways and boundary was clearly defined.

Bucher thinks most dangerous factor is tribesmen in West Punjab who might attempt a raid into East Punjab; he considers Sikhs in East Punjab as possible disturbing factor.

He said Cunningham Governor NWFP had told him NWFP Government could not restrain tribesmen from entering and crossing NWFP.

I feel more optimistic re general situation in light this conversation. Sent Department, repeated Karachi as 1. Department please repeat London as Delhi's 1.

DONOVAN

745.45F/1-248: Telegram

The Chargé in Pakistan (Lewis) to the Secretary of State

SECRET IMMEDIATE

KARACHI, JANUARY 2, 1948—5 p. m.

3. Following message from Prime Minister acting in absence Minister Foreign Affairs has just been handed to me by Ikramullah, Secretary for Foreign Affairs.

Mytel 2 of January 2.\(^1\)

"The Pakistan Government appreciate the message from the US Government\(^2\) regarding the Kashmir question and reciprocate their feelings of friendship. The Pakistan Government have throughout been making strenuous efforts to reach a peaceful settlement of the various questions outstanding between the two dominions including that of Kashmir; but unfortunately every proposal made by them had been turned down by the India Government. The Pakistan Government, therefore, welcome the approach to the UNSC. They wish to assure the Government of the US that at no stage did they have any intention of taking any provocative or precipitate action, and that they are firmly determined to continue their efforts to reach a peaceful settlement of all outstanding questions and that they will continue in the future as in the past to do their best to restrain any irresponsible elements in Pakistan". British colleague informed.

Sent Department as 3; repeated New Delhi 2.

LEWIS

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\(^1\) Not printed.

\(^2\) For text of U.S. note, transmitted in telegram 221 to Karachi, December 31, 1947 (not printed) and delivered by the Chargé to Ikramullah in absence of the Foreign Minister (745.45F/1-248), see identical note transmitted in telegram 817 to New Delhi, December 31, 1947, Foreign Relations, 1947, vol. III, p. 192.
DISPUTE OVER KASHMIR AND HYDERABAD

743.43F/1-348 : Telegram

The Chargé in Pakistan (Lewis) to the Secretary of State

SECRET IMMEDIATE

KARACHI, January 3, 1948—noon.

4. Copies Nehru’s note December 22, and Liaquat Ali Khan’s reply December 30 ¹ furnished me last night by Secretary Foreign Affairs mytel No. 2, January 2.² Substance Nehru’s note known to Department. Liaquat Ali’s reply which runs six long typewritten pages is summary of unsatisfactory relations existing between India and Pakistan and point by point develops thesis that Hindus accepted partition in bad faith, that Pakistan’s very existence is the chief casus belli, that GOI has been following calculated pattern to annoy, weaken and destroy Pakistan, that Kashmir affair is but one incident in long chain such events. Pakistan welcomes reference Kashmir problem to United Nations since this is what GOP has been suggesting throughout as the most effective means resolving mutual differences but expressed disappointment that GOI proposal apparently restricts the reference to single issue Kashmir which now considered by itself would look like a sentence torn out of its context. GOP emphatically repudiates charges of aid and assistance to the invaders. Note states that on contrary GOP has continued discourage tribal movements by all means short of war at serious risk of large scale internal disturbances in Pakistan.

Prime Minister’s note ends with statement that now that Nehru has indicated intention invite intervention UN, a course which GOP has so far ineffectively suggested to GOI for resolving their differences, he takes opportunity invite GOI’s attention main differences standing in way amicable adjustment relations, hopes those differences may be speedily composed and trusts Nehru will agree intervention UN should be invited respect all these matters.

Delhi informed.

LEWIS

¹ For text of this exchange, see Government of India, White Paper on Jammu and Kashmir, pp. 74–75.
² Not printed.

501.BC/1-448 : Telegram

The Chargé in Pakistan (Lewis) to the Secretary of State

SECRET IMMEDIATE

KARACHI, January 4, 1948—noon.

6. Liaquat Ali Khan has telegraphed ¹ Secretary General UN stating GOP has not yet seen India’s references which Delhi sent Karachi

in undecipherable code but text expected by air today, impossible prepare case and place it before SC by sixth, that Foreign Minister Sir Zafarullah Khan will be sent as Pakistan’s chief delegate to present case before SC but is now in Burma to represent Pakistan in Burma independence celebrations. Prime Minister requests stay of proceedings “to give us reasonable time to prepare our case and to despatch our delegation”. Ispahani \(^2\) directed proceed New York and remain in touch with Secretary General (mytel 5, January 3).\(^3\)

Ikramullah has expressed GOP’s hope US Govt will use its influence effect stay in proceedings Deptel 1, January 1 pending preparation case and despatch of representative.

**Lewis**

\(^2\) Mirza Abol Hassan Ispahani, Ambassador of Pakistan in the United States.

\(^3\) Not printed.

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745.45F/1-448: Telegram

**The Chargé in India (Donovan) to the Secretary of State**

**SECRET**

**NEW DELHI, January 4, 1948—4 P. M.**

10. Deptel 817, December 31,\(^1\) mytel 5, January 3.\(^2\) I saw Nehru today 3 p. m. He said he had received my note conveying Department’s message to GOI.\(^3\) I emphasized concern US Government over Kashmiri question and stressed hope US Government no action would be taken by GOI which would aggravate situation.

Nehru assured me GOI had no intention taking any steps against GOP which would cause situation deteriorate further. I asked Nehru what he thought was most dangerous factor in existing situation. He replied that larger part of west Punjab was now for all practical purposes “tribal territory” and that GOP could neither disarm nor control tribesmen. He said GOI troops would not take offensive action against GOP but that he feared Kashmiri irregulars might raid into west Punjab in retaliation raids into Jammu by tribesmen from west Punjab.

No written reply to Embassy note yet received but I consider Nehru’s verbal assurances entirely adequate.

I saw Bucher\(^4\) just prior my call on Nehru. Bucher said Defense Minister\(^5\) had approved statements made to me reported in mytel 1, January 2. Bucher still optimistic regarding general situation. He

\(^1\) *Foreign Relations, 1947*, vol. 3, p. 192.

\(^2\) Not printed.

\(^3\) Embassy note dated January 2, 1948, not printed, conveyed to Nehru the message transmitted by the Department to the Chargé in telegram 817, December 31, 1947, *Foreign Relations, 1947*, vol. 3, p. 192.

\(^4\) Gen. Francis R. R. Bucher, Commander in Chief, Indian Army.

\(^5\) Sardar Baldev Singh.
said Mohan Singh former head INA was making trouble along east west Punjab border. Bucher said he was taking every precaution prevent trucks and gasoline from getting into Mohan Singh's hands and that without those items Mohan Singh could do little. He said east west Punjab border situation fairly quiet.

Reliable sources report Fourth Indian Division moving north into east Punjab. Embassy feels sure in view Bucher's remarks that this troop movement is purely defensive against possible offensive action from tribesmen in west Punjab.

Nehru said Cabinet member would probably leave for USA immediately after SC meets to present India's case SC. Cabinet member still not selected.

Department please repeat London as 5.  
Copy to Karachi by courier January 5.

DONOVAN

501 BC/1-648 : Telegram

The Secretary of State to the United States Representative at the United Nations (Austin)

SECRET US URGENT WASHINGTON, January 6, 1948-1 p. m.

5. Dept position re India-Pakistan dispute over Kashmir follows:

The Problem

The United Nations' Security Council has been summoned to meet at 2:30 p. m. January 6, 1948 to consider India's appeal for action against Pakistan in the Kashmir dispute. The current paper is designed to deal exclusively with the case as it will probably develop in the initial stages of the Security Council consideration.

Recommendations

1. It is the opinion of the Department that the only solution acceptable to all parties concerned in the Kashmir problem will eventually be a determination, probably by plebiscite, of the wishes of the inhabitants of Jammu and Kashmir with respect to their long-term affiliation with either India or Pakistan, taking into account the possibility that some form of partition may be proposed.

2. It is understood that the reaction of the Pakistan delegation to the presentation of the Indian case will be to request a postponement of consideration of the case until it is able to present its reply. The United States delegation should support postponement of substantive

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1 India's appeal was made in a letter of January 1, 1948, from the Permanent Representative of India at the United Nations, Purushottama P. Pillai, to the President of the Security Council. For text, see United Nations, Official Records of the Security Council, Third Year, Supplement for November 1948, pp. 139-144. Hereafter cited as SC, 3rd yr., Suppl.
consideration of the case without prejudice to any immediate provisional steps which the Security Council may deem necessary.

3. In the event that the Council reaches the latter determination, it is probable that this will be done at the instigation or inspiration of the British delegation and will take the form of proposing a "conservatory move" (provisional measure) under Article 40 of the Charter to freeze the situation, this proposal presumably to be followed by the early establishment of a United Nation’s Commission to proceed to the area. The United States would not oppose such a procedure provided that it would lead to the general objective indicated in para one above. To this end any resolution adopted by the Security Council should recognize the existence of a dispute between India and Pakistan related to the ultimate affiliation of the state of Jammu and Kashmir, and the willingness expressed by both governments to have this problem resolved by a fair determination of the will of the people of the state when conditions in the area permit. The resolution should recommend that the two Govts take all necessary action in cooperation to restore peace and order in the area, and to bring about a situation in which the will of the people of Jammu and Kashmir can be freely determined. The role of a Commission would thus be that of performing good offices between the two Govts.

4. It is apparent from the strength of the advisory group being sent to New York from London to supplement the present UK delegation at the United Nations in connection with the Indian complaint that the British are seriously concerned over the implications of the current situation. Indications are, however, that the British delegation, because of the peculiar position which the United Kingdom occupies vis-à-vis India and Pakistan, wishes to avoid assuming the overt leadership in any program adopted by the Security Council. Nevertheless, as the most directly concerned third govt, the British will find it difficult to avoid taking the lead in the present situation. Examination of other possibilities among Security Council members would point to the United States as the virtually inevitable second choice and, as between the British and ourselves, there is clearly no doubt that from the standpoint of both background and direct concern British initiative would be indicated. The Dept therefore feels that we should approach the British in order to come to an understanding in this sense and to assure the British of our desire to be helpful and to support their lead insofar as it is reconcilable with the United States position. The way for such collaboration and subsequent close consultation would seem already to have been cleared by full exchanges of views which have taken place between us and the British and which have made it appear that British objectives in this case are very similar to our own. If it becomes
clear however that, because of historic connections of the British in India, it would be preferable for the United States rather than the British to introduce certain resolutions favored by both delegations, the possibility of such action on the part of the United States delegation should not be completely excluded.

5. In the last analysis, the United States recognizes that the problems involved are of such complexity that solutions, in order to be effective, must of necessity result from the joint action and cooperation of the two Governments directly involved. Such a solution does not, however, preclude the possibility of the Security Council establishing machinery for observation and/or conciliation which can contribute materially to the ultimate settlement.

Comment

A dossier containing full background material on the Kashmir dispute is in preparation in the Dept and will be available to the delegation to assist in the consideration of the cases presented by India and Pakistan."

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745.45F/1-748 : Telegram

The Chargé in India (Donovan) to the Secretary of State

SECRET

NEW DELHI, January 7, 1948—11 a. m.

15. Embtel 10, January 4. EAD on January 6 replied by third person note to Embassy’s first person note of January 2 addressed to Nehru (Embtel 5, January 3).

Body EAD’s note follows:

“The Government of India appreciate the friendly interest of the Government of the United States of America in a pacific settlement of the Kashmir issue. In the note submitted by them to the Security Council, there is ample evidence of the efforts made by the Government of India to settle this matter by friendly negotiation with the Government of Pakistan and of the patience which they have shown in the face of acts of aggression against their forces and their territory. They feel that they would have been within their rights in entering Pakistan territory in order to strike at bases, situated in that territory, from which the invaders of Jammu and Kashmir state have been and still are operating. That they have, instead, preferred to invoke the aid of the Security Council is proof of their devotion to peace and of their loyalty to the principles of the Charter of the United Nations. They are not aware that there are, in India, any ‘irresponsible elements’ who are likely to indulge in provocative ac-

1 See telegram 10, January 4, from New Delhi, footnote 3, p. 270.
2 Not printed.
tion while the Kashmir question is being considered by the Security Council; they certainly have no intention of doing so themselves.

All that they desire is that the people of Jammu and Kashmir should be freed as quickly as possible from the horrors of invasion and thus enabled to determine their future by their freely declared will. They will be grateful if, through their representative on the Security Council, the Government of the United States of America will help in the speedy achievement of this object."

Copy of note follows by despatch.

Obviously GOI objects to phrase "irresponsible elements". This objection comes from EAD as Nehru gave no indication displeasure to me. EAD's attitude towards phrase "irresponsible elements" is interesting since Nehru himself mentioned to me possibility "Kashmir irregulars" taking action against GOP which GOI could not prevent.

Embassy considers GOI's assurances adequate especially since Embassy feels GOI is in difficult military position and would like nothing better than to get out of present imbroglio gracefully and without loss of face. Buchar's assurances (Emtels 1 and 10, January 2 and 4) must also be considered connection with GOI assurances.

Delhi press reports today indicate fighting increasing in intensity and that raiders using artillery for first time.

Sent Department as 15, repeated Karachi as 5. Department please repeat London as 6.

DONOVAN:

501 BC 1-848: Telegram

The United States Representative at the United Nations (Austin) to the Secretary of State

SECRET

NEW YORK, January 8, 1948—7:05 p. m.

27. Cadogan brought Noel-Baker 1 and Lord Ismay 2 in to see me this afternoon. They described the local situation in Kashmir and indicated that the danger of the situation there is of great magnitude. Once Jehad gets running it will stir up all of India resulting in a bloody and cruel mess in which all law and order will disappear. The representatives of all countries in India will be exposed to crimes because of the turbulence of the situation.

1 Philip John Noel-Baker, British Secretary of State for Commonwealth Relations.
2 Lord Ismay of Wormington, Principal Adviser to Noel-Baker and former Chief of Staff to the Viceroy of India.
It is extremely important for the United Nations to pursue a course that will stop the present fighting as quickly as possible. There may be elements of agreement between Pakistan and India permitting a decision by the UN. Such a decision should be firm and promptly made. They believe both sides would obey an order by the SC since each wishes to avoid the responsibility of yielding to the other.

If a plebiscite were to be held it could not be organized short of six months and could not be conducted without some military policing. On the latter point the view was expressed that Pakistan troops would be the most suitable. This observation is based on the conclusion that the one indispensable condition of peace in Kashmir is to guarantee the security of the Moslems. The whole affair according to my visitors started with the massacre of Moslems instigated by the Prince.3 When threatened with reprisals by the troops he took political refuge by requesting the accession of Kashmir to India. The only effective guarantee of the security of Moslems in the view of the tribes would be supervision by Pakistan troops.

The view was expressed that the partition of Jammu and Kashmir should not be resorted to except as an ultimate alternative.

The British do not want to initiate proposals in the SC. They expressed the hope that the US representative or possibly the President of the Council might initiate proposals. It was not apparent that they felt any other member of the Council might do so.

I replied that I would not exclude the possibility of the US initiating proposals in the SC but indicated that the US position was in reality very much like their own. The position which the US might take would have to be determined in the light of thorough consideration of the circumstances.

They expressed a desire to discuss this matter with the appropriate officers of the Department and in accordance with telephone conversations between Rusk and Ross4 an appointment has been arranged for them with Under Secretary Lovett at 11 a.m. Saturday morning.

AUSTIN

3 Heir Apparent Yuvaraj Karansinghji Bahadur.
4 Dean Rusk, Director, Office of United Nations Affairs, Department of State, and John C. Ross, Assistant to the United States Representative at the United Nations.
Memorandum of Conversation, by the Assistant Chief of the Division of South Asian Affairs (Thurston)

SECRET

WASHINGTON, January 10, 1948.

Subject: India-Pakistan Dispute over Kashmir; Proposed Security Council Action

Participants: Philip Noel-Baker, Secretary of State for Commonwealth Relations and Leader of the British Delegation to the Security Council
Lord Ismay, Principal Adviser to Mr. Noel-Baker
Lord Inverchapel, British Ambassador to United States
Denis Allen, Counselor of the British Embassy
Mr. Lovett, Under Secretary of State
Mr. Loy Henderson, NEA
Mr. L. E. Thompson, EUR
Mr. Harding Bancroft, SPA
Mr. Ray Thurston, SOA

Mr. Noel-Baker opened the conversation by emphasizing the danger of a holocaust on the Indian subcontinent arising from the dispute between India and Pakistan over Kashmir. Neither side can back down, he said. He expressed the opinion that only the voice of international authority can prevent war.

Mr. Noel-Baker and Lord Ismay then outlined the following proposals which may be said to represent the latest British thinking on a peaceful solution on the Kashmir problem:

1. Informal conciliation efforts at New York to begin just as soon as the Indian and Pakistan delegations arrive.
2. Another warning from the Security Council to both parties in somewhat stronger terms than those used in the message already sent by the president of the Council.1
3. The establishment of an ad hoc Committee of the Council as soon as the preliminary debate is finished to work out details of a plan for peaceful settlement.
4. The early despatch to the scene of a small UN commission which would implement the plan worked out in the Council.
5. A complex plan for stopping the fighting and placing Kashmir under UN control pending the holding of a plebiscite.

a. The appointment of a neutral commander by UN to be stationed in Srinagar.

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1 On January 6, the President of the Security Council addressed identical telegrams to the Governments of India and Pakistan, urging them to refrain from any action that might aggravate the situation. For text, see SC, 3rd yr., Nos. 1–15, p. 4. The replies assuring compliance with the SC request are found in SC, 3rd yr., Suppl. for Jan.–March 1948, p. 2.
b. A UN commission of experts in Srinagar.
c. A governing council of Indians and Pakistanis working closely with the above UN group and presumably having as their head an aforementioned neutral commander.
d. A division of the country into zones of military occupation with Pakistan troops in the north, Indian troops in the south, and mixed Indian and Pakistan troops in the valley of Kashmir and in Srinagar proper.
e. One thousand international troops in Srinagar.
f. Scores of “UN observers” in the Indian and Pakistan occupied zones.
g. Agreement on all the above details at New York, presumably including agreement between the Indian and Pakistan delegations.
h. Possibility that end result may be some kind of partition between Moslem and Hindu majorities of Kashmir.

In elaborating upon the above scheme, the British emphasized the following points:

1. that while they wished to exercise the leadership of this question, their initiative might prove a handicap since it might look like the “reimposition of the British Raj” after only six months of the transfer of power;
2. that they hoped for assistance from the United States both in the informal conciliation efforts and in the working out of the general plan;
3. that Canada was not interested in getting involved in the issue;
4. that they thought it was necessary for a detailed plan to be worked out in New York, both because “a loud trumpet call” from the UN would have a better chance of being accepted by the parties on the spot and also because it was necessary to give Pakistan sufficient assurances of a fair plebiscite in order that the tribesmen might be induced to go home.
5. that Russia would probably be quiescent during the consideration of this case since it did not wish to take sides between India and Pakistan.
6. that Kashmir would probably go to Pakistan under a fair plebiscite except perhaps for those Hindu majority districts in the extreme south.
7. that United States prestige in India and Pakistan is extremely high and could play a decisive role in a peaceful solution;
8. that the present Indo-Pakistan Joint Defense Council is not a useful mechanism to use because of its limited terms of reference and the fact that the Governor-General of India is Chairman.

In giving the United States attitude on the case, Mr. Lovett made the following points:

1. that although the United States wished to be helpful and the possibility of our giving concrete assistance should not be excluded, we shall have to give this matter the most careful consideration;
2. that the United States is spread out very thinly in its present commitments and must of necessity bear down on the European Recovery program now before Congress;
3. that marked initiative by the United States in this dispute might attract undesirable Russian attention and make a solution more difficult;
4. that we could not be sure of Russia taking a quiescent attitude in this matter merely because it did not wish to take sides since it could adopt an obstructionist role merely in order to keep the pot boiling.
5. that previous experience with the Security Council made it doubtful that quick and effective action could be obtained there.
6. that India and Pakistan have in the past themselves taken an obstructionist role in the UN with respect to United States objectives; reference was made in this connection to previous UN meetings in which Mrs. Pandit \(^2\) seems to have worked rather closely with the Russians.

In the general discussion some of the US representatives expressed the thought that perhaps the British were setting their sights too high as to what could be done in a short time in the Security Council.

\(^2\)Vijaya Lakshmi Pandit, Chairman of the Indian Delegation to the second session of the UN General Assembly, 1947.

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501.BC/1−1345 : Telegram

The United States Representative at the United Nations (Austin) to the Secretary of State

SECRET  PRIORITY  NEW YORK, January 13, 1948—7:15 p. m.

45. Dr. P. P. Pillai brought Dr. Gopalaswami Ayyangar, who will present India's case on the Kashmir question before SC, in to call on me this afternoon.

Ayyangar was very moderate in expressing his views. He alluded to the "right end" India would have under international law in crossing Pakistan territory as a measure of self-defense against raiders penetrating Kashmir. However, GOI realized that under present state of affairs, this might precipitate war with Pakistan. In an earlier day there was no international organization, no SC to which matter could be referred. Since we now have SC, the GOI preferred to bring matter to the Council and avoid thereby, if possible, risk of conflict with Pakistan.

Ayyangar said that prompt action by Council was necessary. He said that most important thing was to put a stop to the fighting. He
confirmed that a plebiscite or referendum might provide the ultimate solution. Because of weather and other physical conditions, it would probably not be possible to initiate action looking towards a plebiscite until April. Thereafter, electoral rolls would have to be prepared and this would take some time.

He thought that the Prince would soon establish a government with Sheikh Mohammed Abdullah as Prime Minister. This government, supported by local forces, would be responsible for maintaining law and order during period of preparation of plebiscite; alternatively Indian forces might be employed.

Abdullah was the head of a national party which cut across religious lines. Only other political party in area is Moslem conference organized on fanatically religious lines. Only 10 or 15 per cent of people had the franchise. Under a plebiscite this would, of course, be extended to cover the entire adult population. Taking account of high degree of illiteracy, methods had been devised which could be applied in Kashmir to guarantee effectiveness of the secret ballot.

Ayyangar was moderate in statements to effect that Pakistan nationals might have joined forces with tribal raiders. In any event, principal question was whether Pakistan Government was willing and able to control these raiders. He implied in his statements that he thought the Pakistan Government was willing. He said that the Prime Minister of Pakistan had indicated to him very recently that his principal difficulty was the adverse public opinion reaction in Pakistan, should Pakistan forces be employed against fellow Moslems. There was a good deal to be said, Ayyangar went on, for the idea of an SC order which would give the Pakistan Government a stronger position vis-à-vis public opinion. If the Pakistan Government wanted help in controlling the raiders, the GOI would be willing to assist.

In conclusion, Ayyangar said that it had been possible for the two governments to arrive at friendly settlements of many of their difficulties and this was only problem of a serious character. He had no doubt that if this problem could be solved amicably, there would be no insuperable difficulties in way of solving other problems between two governments. He gave every indication of intending to follow a moderate course in SC.

AUSTIN
WASHINGTON, January 14, 1948—4 p. m.

17. Following views of Dept may be useful to you in SC debate of Kashmir case and in preliminary conversations. Ref is made to memo of conversation between Mr. Lovett and Noel-Baker and other members of UK Del.

1. Leadership in SC. Dept’s views remain as expressed in Deptel 5, Jan 6, which are now fully understood by Noel-Baker in light of conversation with Lovett. Although we wish to cooperate to maximum extent with UK we do not wish to take overt lead in SC consideration.

2. UK plan as outlined by Noel-Baker envisages SC decision to be adopted as soon as possible comprising following points:

(a) Movement of Pakistan troops into tribal areas in northern Kashmir and withdrawal of Indian troops into southern part, Kashmir valley to be occupied by joint GOI and GOP forces.

(b) Appointment by SC of neutral military commander of all Indian and Pakistan troops in Kashmir.

(c) Establishment by SC of UN commission in Srinagar of which military commander might be head to exercise interim governmental administration in Kashmir.

(d) This commission to be composed of individuals from neutral states chosen on basis of competence and to be assisted by Indian and Pakistan officials as well as by a corps of neutral observers.

(e) Use of international police force if possible.

(f) This commission or another commission to be established by SC to make necessary preparation for plebiscite and actual observance thereof.

(g) SC decision to be accompanied or preceded by provisional measure under Art 40 or extension of President’s communication to GOI and GOP.

3. UK are hopeful that agreement can be reached between Indian and Pakistan Delegations in NY on essentials of this plan and that SC can by resolution make decision that it be put into operation.

4. In Dept’s view complexity of UK plan and difficulty of designating military commander, neutral commission, etc. might prolong SC debate and might provide opportunity for obstructionist tactics which would prevent SC decision. However, aside from obvious complications of proposal for use of international troops, some such plan as UK suggests might be feasible if full agreement were reached be-

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1 The Security Council had placed the Kashmir question on the agenda of its 226th meeting on January 6, when the Representatives of India and Pakistan were invited to participate in the discussion. However, consideration of the matter was postponed at the request of the Pakistani Representative, M. A. Hassan Isphahani, pending arrival in New York of the Pakistan Foreign Minister. The official record of the 226th–240th meetings of the Security Council, January 6–February 4, 1948, is printed in SC, 3rd yr., Nos. 1–15.
tween India and Pakistan, including agreement on composition of commission, selection of commander, arrangements for observers, and apportionment of costs on satisfactory basis, etc.

5. In event that agreement between parties directly concerned cannot be reached, Dept believes that SC action might be achieved by a less complicated plan for settlement containing 3 basic elements:

(a) Calling on parties to desist from military action, to arrange truce and to consult with each other as to effective means of implementing truce.

(b) Establishment of commission to assist parties in implementation of truce and in settlement of their dispute by peaceful means.

(c) Calling upon parties to carry out intention expressed by both that plebiscite be held at early date and expressing Council’s readiness through the commission to assist them to that end.

6. In Dept’s view composition of commission might well be established by SC as in Indonesian case where each party selects one member and the third to be designated by the two so selected; in this case, however, choice of parties should not be limited to membership of SC. US unwilling to be member of commission selected by a party but could not decline if it were third member selected.

7. Our less complicated suggestion differs from UK plan in one essential point about which Noel-Baker expressed himself strongly; namely, that the process of conciliation should take place in NY and be supported by SC decision rather than left to SC commission in the area.

8. In outlining less complicated suggestion, Dept does not wish it to be advanced in SC debate in competition with UK plan but rather as something to be considered by UK as perhaps more palatable to parties and other SC members and more in harmony with realities of SC capabilities. Nor does Dept wish to eliminate possibility that parties may reach agreement in NY on a more complicated plan which the SC can endorse and implement by appropriate resolution. In this connection US favors and should support British suggestion that, after opportunity has been given to both parties to present their case in SC, President might appoint two members of SC to work with him as a subcommittee in assisting parties in reaching agreement as to most appropriate and effective action which SC could take to effect a peaceful settlement. Dept does not believe that UK, US or USSR should be on this subcommittee but has no objection to France or China. In Dept’s view optimum composition of subcommittee would be Belgium, China and Canada.

9. If provisional measure under Art 40 is proposed and generally favored in SC, US should support it. Any such provisional measure should be without prejudice to rights, claims or position of parties and should not impute blame to either side. As to Belgian draft Dept

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2 For documentation on United Nations Security Council consideration of the Indonesian question, see vol. vi, pp. 57 ff.

3 Reference here is to an early draft of a resolution being prepared for presentation in the Security Council following the Pakistani statement scheduled for the next meeting.
has specific comments which will be telephoned and believes language
of any such resolution should be carefully considered.

MARSHALL

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Editorial Note

On January 15, at the 227th meeting of the Security Council,
Zafurrullah Khan took his place at the Council table as special repre-
sentative of Pakistan for discussion of the Kashmir situation. Also,
the Council received notice of the appointment of two alternate repre-
sentatives for India in the Kashmir discussions: Sheikh Mohammad
Abdullah, Head of the Administration, Kashmir and Jammu State,
and M. C. Setalvad, Advocate High Court, Bombay. (SC, 3rd yr., Nos.
1-15, page 9.)

501.BC/1-1648 : Telegram

The United States Representative at the United Nations (Austin) to
the Secretary of State

SECRET

New York, January 16, 1948—11:40 p.m.

62. From Thurston. At his urgent request I called on Noel-Baker
(UK) tonight who is obviously deeply concerned outcome present SC
consideration Kashmir case and related issues. He informed me Canada
would not serve proposed subcommittee which he had hoped could be
established frame concrete proposals, and that he and President SC
(Langenhove) (Belgium)\(^1\) had come conclusion that US alone should
be designated by Langenhove as rapporteur with function bringing
Indian and Pakistani representatives together and submitting find-
ings to SC. When asked by [4f] some other third country such as
Argentina could not take place Canada, he replied that subcommittee
thus composed would be too weak, whereas US advice would be taken
very seriously by parties.

After I enumerated various reasons why US not disposed assume
proposed role, Noel-Baker appeared willing reconsider either estab-
ishment three member subcommittee without Canada or perhaps use
President SC in rapporteur capacity. He expressed hope, however, US
would informally participate in conciliation task.

Other important points conversation include:

1. UK hopes US representative will make statement in general de-
bate which will probably begin January 19 or 20. Department may
wish telephone any suggestions this regard earliest opportunity.

1 Fernand van Langenhove, Belgian Representative on the Security Council
and President of the Council in January.
2. Belgian draft resolution regarding UN commission proceeding to area (transmitted mytel 60, January 16) is British-inspired and is based on British view that such commission would play subordinate and symbolic role while real work of formulating settlement continues in New York.

3. British have now concluded independently that best method selecting such UN commission is that followed in Indonesian case with proviso that membership open all UN countries.

4. British will cite League of Nations administration Saar territory as precedent for neutral administration Kashmir preceding and during plebiscite and will fight any Indian proposal having as its objective placing Sheikh Abdullah in position of power before plebiscite.

5. British continue view general situation India and Pakistan in gravest terms and believe it calls for immediate and positive UN action.

NOTES

*Not printed. See editorial note, infra.

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**Editorial Note**

On January 17, the Security Council adopted a draft resolution (S/651) presented by its President and designed to prevent further friction during the Council’s consideration of the matter. For text, see SC, 3rd yr., Nos. 1–15, pages 121–122.

In the same meeting, the Representative of the United Kingdom, Noel-Baker, proposed that the Council’s President meet with the Representatives of India and Pakistan to seek together under his guidance some basis for a lasting settlement. The proposal was agreed upon by the parties concerned and by all members of the Council. This procedure continued during the terms of four successive monthly Presidents, the Representatives of Belgium, Canada, China, and Colombia. The proposals and resolutions on Kashmir placed before the Council during this period were in large part the outcome of these continuing consultations.

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**501. BC/1–1948: Telegram**

*The United States Representative at the United Nations (Austin) to the Secretary of State*

**SECRET**

**New York, January 19, 1948—11:52 p.m.**

66. At 9:15 this morning, at their request, Sir Zafrullah Khan, Ambassador Ispahani, and their counsel, whose name I do not remember, came to my office and said in substance:

The pending negotiations under the guidance of President Van Langenhove, between India and Pakistan, encounter difficulties over
(1) The time when military and political issues will be agreed on; that is, whether now or at separate times.

Pakistan's position is that the principles of both security and political settlement should be agreed upon now, concurrently.

India claims that the principles of security should be agreed upon now, and the political issues later, under the good offices of a United Nations Commission.

(2) The kind of interim government.

Pakistan stands for an impartial head of the government, and is opposed to Sheikh Abdullah.

India stands for Sheikh Abdullah.

On the first point, Sir Zafrullah claims that the security of Kashmir and Jammu ought to be guaranteed by an agreement that all armed forces withdraw from Kashmir and Jammu. This includes Indian forces. This is subject, however, to a proviso that enough joint forces of both India and Pakistan be permitted to garrison Kashmir and Jammu to insure the withdrawal of the tribesmen, and to maintain peace and order.

Pakistan claims that if the principles should be agreed upon now for the political settlement, the tribesmen would accept the assurance of India and Pakistan that it is safe for them to withdraw, and that an impartial interim government would provide a fair and uncoerced method of holding a plebiscite to permanently decide such questions as the accession to either India or Pakistan, and the form of government that would give relative liberty to the population of Kashmir and Jammu.

Other areas are involved in the political issue. Pakistan claims they should be considered also. India claims that only the area of Kashmir and Jammu should be considered now.

They left here to go to a meeting being held by President Van Langenhove, to continue the negotiations.

Austin

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3 On January 15, Zafrullah Khan submitted to the Security Council three documents (8/646) which, in addition to covering the Kashmir question, called attention to India’s alleged mass destruction of Muslims and military occupation of Junagadh and other states. On January 20 he addressed a letter to the President of the Security Council requesting that the Council extend its consideration of the Kashmir question to include these related matters. The request resulted in a decision at the 231st meeting of the Council on January 22 to change the agenda designation of the dispute from the “Jammu and Kashmir question” to the “India-Pakistan question.” For text of the January 15 documents, see SC, 3rd yr., Suppl. for Nov. 1948, pp. 67–87. The letter of January 20 is printed in SC, 3rd yr., Nos. 1-15, p. 146, in context of the record of the 231st meeting.
Editorial Note

A draft resolution (S/654) proposing establishment of a three-member commission of the Security Council and defining its composition and functions was submitted by the Council’s President, the Belgian Representative, and adopted at the 230th meeting on January 20. For text and discussion of the draft resolution, see SC, 3rd yr., Nos. 1-15, pages 129-143.

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501.BC/1-2148: Telegram

The United States Representative at the United Nations (Austin) to the Secretary of State

SECRET

New York, January 21, 1948—4:16 p.m.

76. From Thurston.

1. Noel-Baker (UK) told me last night that Indian attitude re conditions of plebiscite Kashmir had hardened considerably and asked whether the American Embassy, New Delhi, could “soften up” the Indians on this point. He added that UK High Commission until now also engaged in that process.

2. Based on conversations January 20 and 21 with Mohamed Ali (Pakistan) and Abdullah and Ayyangar (India), present Indian position is as follows:

a. Now that UN commission being established, there is very little else to do except await outcome its investigation Kashmir situation which it hopes will lead to withdrawal tribes from Kashmir.

b. India still admits commitment for Kashmir plebiscite but insists that it cannot be held until hostilities stop; popular constituent assembly elected, constitution drafted and popular government elected. At that stage, plebiscite might be held with UN observers invited to watch proceedings. It is contemplated Indian and Kashmir state troops could maintain law and order during this period.

3. Ayyangar (India) outlined plan given above under 2 (b) at some length to Ambassador Austin in conversation January 21. By asking pertinent questions re possibility such plan creating atmosphere for a fair and impartial plebiscite, Ambassador Austin clearly conveyed US doubt that Indian plan could lead to peaceful solution Kashmir problem.

4. I understand Indians and Pakistan meeting again afternoon January 21 under chairmanship Langenhove (Belgium) but it appears extremely doubtful, view wide divergence positions on plebiscite, any agreement will be reached.
5. In the meantime, Nisot (Belgium)\(^1\) has informed US Mission of receipt by SYG (UN) of following letter from Žafrullah Khan (Pakistan):\(^2\)

"I beg to request that a meeting of the SC may be called at as early a date as possible to consider the situation other than the Jammu and Kashmir situation set out in my letter dated January 8, 1948, addressed to the SYG. These situations have led to a very acute crisis with India and Pakistan, more particularly the continued occupation which the armed forces of India of the State of Junagadh, which is part of Pakistan, and the persecution and spoliation of its Muslim population, constituting a casus belli, and may necessitate necessary action on the part of Pakistan unless urgent action is taken by the SC."

6. Above communication probably represents Pakistan counter-offensive against stiffened Indian attitude re plebiscite.

7. Nisot states Langenhove (Belgium) will call SC in session afternoon January 22 to discuss new Pakistan letter and presumably make report on mediation effort. In event SC debate following upon preceding report would appreciate views Department as to whether Ambassador Austin should make statement regarding US position on conditions surrounding plebiscite, also whether US should make any special effort towards concentration SC attention this time on Kashmir dispute in view Pakistan action re Junagadh.

8. Memorandum covering above conversations will be transmitted Department today.\(^3\) [Thurston.]

\(^1\) Joseph Nisot, Belgian Minister in the United States and Alternate Representative to the United Nations.
\(^3\) Not found in Department of State files.

501.BC/1-2148: Telegram

The United States Representative at the United Nations (Austin) to the Secretary of State

SECRET

NEW YORK, January 21, 1948—7:04 p. m.

77. 1. US Mission has just learned that mediation meeting India and Pakistan broke up this afternoon with no agreement as to future course of action Kashmir problem. Sheik Abdullah reported to have played prominent role in expressing adamant India position along lines Mission telegram No. 76, January 21.

2. Reference paragraph 7 Mission’s No. 76, Noel-Baker (UK) will call on Ambassador Austin 9:30 a. m. January 22, and it is understood he will ask US representative make statement in SC afternoon
meeting regarding conditions surrounding Kashmir plebiscite. He is believed have in mind US taking lead immediately after Langenhove (Belgium) reports failure mediation effort on plebiscite issue.

3. In January 22 meeting SC understand first item on agenda will be president's report on mediation effort, followed by general discussion, but that Zafirullah Khan (Pakistan) letter paragraph 5 US Mission 76 will be second item on agenda. This connection informal conversations with British Delegation today indicate that they favor concentration SC attention now on Kashmir dispute.

4. Department's views re foregoing should be telephoned early as possible January 22.¹

AUSTIN

¹A marginal notation on the file copy of this telegram indicates that the Department's views were telephoned to Austin by Rusk on January 22 at 11 a.m. Memorandum of telephone conversation not found in Department of State files.

501.BC/1-2148

Memorandum of Conversation, by Messrs. R. S. Leach and E. F. Fox of the Division of South Asian Affairs

SECRET

WASHINGTON, January 21, 1948.

Participants: H. E. Abdol Hosayn Aziz, Minister of Afghanistan
               Mr. Loy W. Henderson
               Mr. Joseph C. Satterthwaite ¹
               Mr. Ernest F. Fox
               Mr. Richard S. Leach

This conversation took place at Mr. Henderson's house between 8:00 and 10:00 p.m. this evening at the urgent request of Minister Aziz upon his return to this country under instructions from his government. Mr. Aziz stated that his government had noted the terms of reference of the UN-Kashmir commission, which included consideration of issues between the GOI, GOP and others. Since the last category might involve the tribes of the Northwest Frontier Province (Pathans) and the tribal areas, Aziz had received urgent instruction from his government to serve notice to the Security Council as follows: If, in the course of Kashmir discussions, any question involving the future status of the tribal areas should emerge, Afghanistan must be represented and participate therein from the outset on a basis co-equal with the GOI, GOP and other parties. If consideration of problems in this area should take place without such representation by Afghanistan, that country would not recognize any decisions arrived

¹Deputy Director, Office of Near Eastern and African Affairs.
at, would not be responsible for any regime set up there or for relations between the tribal elements and Pakistan, nor for the consequences of procedures adopted in dealing with them.

In answer to a question by Mr. Henderson, Mr. Aziz stated that he intended to bring this Afghan position to the attention of the Security Council in the immediate future. Mr. Henderson stated the interest of the United States in a permanent and equitable solution, as to issues between the two countries, which would not jeopardize peace and which would promote stability in the area. Minister Aziz indicated he was aware that the peace of the area and the stability of Pakistan might be involved in any position taken by Afghanistan, but that principles involved in relations between Afghanistan and related peoples to the eastward did not allow Afghanistan to remain silent at this point. Since the Afghan stand might involve a serious train of developments, Mr. Henderson cautioned Minister Aziz that his historical and legal grounds for injecting Afghan interests into the question should be carefully prepared. Aziz indicated he would not wait to prepare a case but would state the position as soon as possible, and support it in due course.

The major portion of the interview followed the general lines of Public Works Minister Ludin's exposition of Afghan views as set forth in previous memoranda on this subject. Of his general remarks, the following are of principal interest: (1) Seemingly, Ludin’s observations were based upon a briefing and instructions from Aziz. (2) Anti-Pakistan feelings on the part of the Afghan representatives were again in evidence. (3) In addition, Aziz's remarks indicated a strongly anti-British attitude. He said that British military control has not been withdrawn in the frontier area as advertised; that the British in effect guide Pakistan's policy to the northwest; that British political agents, including Sir George Cunningham, were responsible for involvement of tribesmen in the Kashmir disturbances; and that British money and British arms had been supplied to the tribes for this purpose. (4) Afghanistan had nothing to do with this movement, was not interested in the Kashmir question, nor in political issues between Pakistan and India, except as they bear upon the future status of the Pushtu-speaking peoples. (5) If an agreement results between Pakistan and India calculated to suppress and control the tribesmen according to former methods, Afghanistan will resist. (6) Aziz stated his personal view that any consideration of establishing diplomatic relations between Afghanistan and Pakistan must be preceded by settlement of the Northwest Frontier Province question, and that he, personally, was ready to abrogate the British-Afghan treaty of 1921.

* Governor of the North-West Frontier Province, 1937-1946, 1947-1948.
The interview tended to confirm our impression that the Afghans are maintaining an intransigent attitude toward Pakistan in the belief that they have a strong hand. Factors upon which such assurance may rest include the following: (1) Ability to initiate Jihad through the Northwest Frontier Province. (2) Possibility of a coalition with the Abdul Ghaffar Khan faction. (3) Coordination of Afghan activities with possible efforts of GOI to bring about the collapse of Pakistan.

The question how Afghanistan would survive in the event of chaos in Pakistan is unanswered. The implication, of which we are repeatedly reminded, is that this would necessarily involve resort to cooperation with USSR.

Mr. Henderson directed that a careful analysis of the situation be communicated to our representatives at the United Nations at once.

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501. BC/1-2748 : Telegram

The Chargé in Pakistan (Lewis) to the Secretary of State

RESTRICTED

KARACHI, January 27, 1948—noon.

48. Secretary Foreign Affairs advises me Sir Zafrullah Khan has just presented resolution ¹ to Security Council providing for organization holding and supervision plebiscite Kashmir under authority Security Council and expresses hope US will give its full support this resolution. Proposal provides for neutral administration Kashmir and Jammu, withdrawal outside forces both tribesmen and armed forces India, restoration all residents who have been compelled leave Kashmir Jammu since August 1 and holding of plebiscite ascertain free will of people as to whether state shall accede to Pakistan or India. Opinion this Embassy is resolution fair and just.

LEWIS

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¹ This resolution, together with a written proposal by the Indian Representative, was submitted to the President of the Security Council on January 27 and read by him in the 236th meeting of January 28. For texts and discussion, see SC, 3rd yr., Nos. 1-18, pp. 266 ff.

501. BC/1-2748 : Telegram

The Secretary of State to the United States Representative at the United Nations (Austin)

CONFIDENTIAL

WASHINGTON, January 27, 1948—6 p.m.

29. 1. Re possibility that Afghan representative may ask to participate in discussion of tribal question should that arise in India-
Pakistan case, as intimated in letter Afghan representative to President of SC 22 Jan 48 (SC Doc S/6581), Dept would prefer Afghan representative not take part in SC proceedings this stage. If opportunity arises, suggest you endeavor discreetly to discourage Afghan representative from submitting formal request.

2. This position dictated by Dept’s belief that (1) attention of SC in India-Pakistan case be focused on Kashmir question which is only indirectly related to tribal problem proper; (2) question which Afghanistan intends to raise is in essence a problem which would require separate consideration, and (3) Afghanistan hopes to use this occasion to "fish in troubled waters" and agitate for creation of a separate Pathanistan.

3. However, if request is submitted in SC, suggestion might be made by President or by you that SC hear Afghan representative on question of how its interests are specially affected before determining whether invitation to participate should be extended. If convincing argument is presented showing specially affected interest, you should support Afghan participation in accordance with general US policy in these matters.

MARSHALL

1 For text, see SC, 3rd yr., Suppl. for Jan.-March 1948, p. 13.

845.06/1-2848: Telegram

The Chargé in India (Donovan) to the Secretary of State

TOP SECRET

NEW DELHI, January 28, 1948—9 a.m.

82. Embtel 81, January 27. Following substance conversation with Bajpai1 January 27 re Kashmir: GOI objects strongly to proposal withdraw Indian troops since in their absence there will be no one to maintain law and order. If opposing troops withdrew, GOI would reduce number its troops, but Bajpai at no time indicated GOI would consider withdrawal all Indian troops from what GOI considers Indian territory.

GOI cannot repudiate Sheikh Abdullah.

GOI feels national government should be formed on basis adult franchise and, after formation this government, plebiscite should be held with UN assistance, GOI will abide results plebiscite.

Russia has manifested no interest either at Delhi or Moscow in Kashmir.

1 Not printed.
2 Girja Shankar Bajpai, Secretary-General of the Ministry of External Affairs and Commonwealth Relations, India.
GOI will under no circumstances consider partition of Kashmir as “we have already gone through one partition.”

Sent Department as 82, repeated Karachi 37. Department please repeat London 31.

DONOVAN

501.BC/1-2848 : Telegram

The United States Representative at the United Nations (Austin) to the Secretary of State

SECRET

New York, January 28, 1948—10 p.m.

105. Following is an account of conversations this morning with various individuals as indicated on the Kashmir case.

Abdullah, my first caller, initiated our conversation by giving me a brief account of discussions between Indian and Pakistan representatives with President of Council over past few days. He said these discussions had broken down because of Pakistan insistence on two points which were unacceptable to India, namely, the provision of an interim administration and armed forces to maintain law and order. He said that he came to seek advice and guidance; his whole attitude and approach being obviously to seek US support for Indian viewpoint.

He said GOI was committed to a fair and impartial plebiscite to determine whether Kashmir would go to Pakistan or India and so far as he was concerned he would certainly abide by the decision. He indicated he did not see that fairness and impartiality would require interim administration which would set aside sovereignty of the Maharajah. Kashmir was a sovereign state. In acceding to India it had merely delegated to GOI powers over foreign relations, defense and communications. Only question before SC was to put end to fighting inspired by Pakistan. Kashmiri Government would then be in position to carry out fair and impartial plebiscite.

Abdullah was unable or unwilling to see that fairness and impartiality in eyes of world would not be possible with one of parties in control of administration. He was likewise unable or unwilling to see that there was no question of SC imposing against sovereign will of Maharajah a government on Kashmir in contrast with free exercise of sovereign will of Maharajah in establishing an interim administration which would command respect of entire world for its fairness and impartiality.

Abdullah pressed for my ideas of what kind of interim administration there might be. I made clear to him I was not advising him nor expressing a US position. A possibility, however, would be a balanced administration including representatives of two major parties in Kashmir together with three man commission already provided for.
In this way UN would hold a balance and fairness and impartiality would be assured. On other hand a UN commission charged with responsibility for fair and impartial plebiscite but without any administrative control could readily be a sham.

Abdullah hedged in reply to our question whether his forces were able to maintain law and order in event raiders were withdrawn on one side and Indian army withdrawn on other. The clear implication of his remarks on this question indicated the feeling that Indian army should stay, in effect that he had no other effective forces to rely on.

Abdullah replied with considerable heat to a question regarding possibility of Pakistan troops sharing in military administration of country during plebiscite period. He said he would fight to his dying breath to prevent entry of any Pakistan troops into Kashmir.

It is possible that principal purpose of Abdullah’s visit was to make clear to US that there is a third alternative, namely, independence. He seemed overly anxious to get this point across, and made quite a long and impassioned statement on subject. He said in effect that whether Kashmir went to Pakistan or India the other dominion would always be against solution. Kashmir would thus be a bone of contention. It is a rich country. He did not want his people torn by dissension between Pakistan and India. It would be much better if Kashmir were independent and could seek American and British aid for development of country.

I, of course, gave Abdullah no encouragement on this line and I am confident when he left he understood very well where we stand on this whole matter.

Ibrahim accompanied by Tameer came in immediately after Abdullah’s departure. Ibrahim represented himself not only as head of Moslem Conference Party but also as President of Free Kashmir Government. He claimed authority over two-thirds of area and stated that all of Moslems in state (more than three million) supported him. Abdullah has no backing at present except among the non-Moslems. Territory claimed by Ibrahim to be under his control includes all of northern Gilgit area, the provinces on western border to and including Mirapur; his capital was at Tarrarkhad in Poonch. He claimed an army of one hundred thousand.

Ibrahim’s idea of an impartial administration to prepare for and supervise a plebiscite would be one in which neither India nor Pakistan, Moslems or non-Moslems, would participate. On other hand, he had considered possibility of a joint administration with a neutral as Prime Minister. His concept of a neutral would be possibly a Swiss, possibly an American, certainly not any representative of a “colonial” power. He emphasized Indian reluctance to agree to an impartial administration and withdrawal of Indian
army was based on a certainty that if these two objectives were accomplished the plebiscite would unquestionably be in favor of accession to Pakistan. Personally he is in favor of accession to Pakistan; however, in unlikely event that plebiscite should go other way he would accept verdict.

Ibrahim seemed wholly disposed, in contrast with Abdullah’s attitude, to submit wholly to any decision by SC.

In course of our conversation and in response to our question Ibrahim emphatically said Kashmir could not remain independent; it could not stand on its own feet. This led him and Tameer to considerable discussion of fact that Kashmir in north borders on Russia through caravan routes in a “no-man’s land” at extreme eastern end of Afghan boundary. Sadig, Abdullah’s deputy, is a Communist. Abdullah, they implied strongly, is next door to one.

Zafrullah Khan followed Ibrahim. He gave us report on consultations with President of Council, bringing out clearly two fundamental points of difference, namely, Indian objection to combined Pakistan and Indian forces and Indian objection to interim impartial administration.

He had pointed out in consultations that no impairment of Maharajah’s sovereignty was involved. In first place interim administration would be temporary and for a specific purpose. In second place the Indian objection to neutral outsider as Prime Minister did not hold water since present Prime Minister is an outsider. Ayyangar himself who was Prime Minister of Kashmir for some eight or nine years was an outsider and there have been other illustrations.

I asked Zafrullah if there were neither Pakistan nor Indian forces in the country whether the Moslem forces claimed by Ibrahim would be able to police the country. He replied quite honestly that this would not do because it would not give security to non-Moslems in country.

Zafrullah said he saw no signs of Indians moving from their first position. Pakistan on other hand is between two fires, their northern border on one side and India on other. Therefore they urgently desire a settlement. They are prepared to request SC to recommend terms of settlement. In response to our question he said he thought there was still room for further consultations with objective of seeing if both parties would not request Council to recommend terms. As in case of Ibrahim and in contrast with Indian position, Zafrullah seemed disposed to go very much further in accepting UN jurisdiction. Before leaving he said our conversation had confirmed him in his intention at SC meeting this afternoon to press in this direction.

Noel-Baker followed Zafrullah and stated his feeling Indians now taking even more stubborn position perhaps as bargaining device. He cited various statements of Nehru both public and in confidential cor-
respondence to show formerly liberal Indian attitude regarding conditions plebiscite and concluded that we should have to bring even more pressure on Indians in SC debate. There was some discussion re desirability introduction formal resolution this stage during which I emphasized that powers of Council re terms settlement were necessarily restricted unless, one, both parties requested SC recommend terms; or, two, Council made finding of threat to international peace under Article 37, Paragraph 2 of Charter. I also informed Noel-Baker re suggestions on Pakistan draft telephoned earlier by Rusk. \(^1\) Noel-Baker stated his colleagues very favorably impressed by Ibrahim.

\(^{1}\) Memorandum of telephone conversation not found in Department of State files.

745F.90E/1-1948 : Telegram

The Secretary of State to the Legation in Afghanistan

SECRET

WASHINGTON, February 3, 1948—6 p. m.

32, Re breakdown Pakistan Afghan negotiations (London 198 Jan 19 rptd Karachi 9 and Kabul 3 \(^1\)), and Afghan letter to SC \(^2\) requesting active Afghan participation in any SC discussions tribal aspect Kashmir case (Deptel 26 Jan 24 rptd London 240 Karachi 26 New Delhi 51 \(^1\)) it may be useful express current Dept thinking on tribal problem to guide informal conversations with foreign officials that may take place at posts to which this message sent.

(1) It is of utmost importance for peace and prosperity South Asia that Afghanistan and Pakistan maintain relations characterized by mutual trust and cooperation. Present unrest in area arising in large part out of transfer power from British to local hands can be alleviated only if responsible political leaders in region exercise restraint and patience, and realize that South Asian peoples can through own efforts best attain maximum degree security and prosperity.

(2) In light foregoing we hope Pakistan and Afghanistan will reach early agreement exchange regular diplomatic representatives without prejudice to, and in order that they may through this normal channel discuss, tribal and other questions mutual concern.

(3) Both Afghanistan and Pakistan have essential interest in tribal activities and welfare. High officials both govts have informed US officials of projected plans for social and economic advancement tribes. Implementation such plans with resultant eventual elimination conditions fostering tribal unrest appears offer best solution frontier

\(^{1}\) Not printed.

\(^{2}\) See telegram 29, January 27, paragraph 1, p. 289.
Security problem now troubling both countries. Geographic distribution of tribes points to joint Afghan Pakistan approach and we hope both govs will follow policy frank consultation and cooperation re tribal problem.

(4) Re Afghan letter to SC present effort SC should be concentrated on peaceful resolution status Kashmir and injection tribal issue in its broader aspects would only confuse what is already extremely complicated and delicate problem. We trust Af Govt will pursue request for participation only if its interests seriously involved and that in latter case its intervention would be restricted to matters directly pertinent to Kashmir case.

Sent to Kabul, rptd to Karachi 35 New Delhi 75 London 351.

MARSHALL

745.45F/2-748 : Telegram

The Ambassador in India (Grady) to the Secretary of State

SECRET

New Delhi, February 7, 1948—5 p. m.

117. I have had two talks with Bajpai in past two days and he in turn has talked to Nehru. GOI (Government of India) is very anxious for settlement Kashmir matter and very anxious to do what our government feels they should do in the circumstances. In my first talk with Bajpai I told him very frankly there was a feeling in Washington and at Lake Success that GOI was most anxious to hold to Kashmir and that the plebiscite offer was eyewash to justify their making the accession to India stick because they know how difficult a proper plebiscite will be and how strong the presumptions are in favor of a verdict for the government controlling the country at the time of the plebiscite. Bajpai communicated this to Nehru and Nehru replied that personally he was most anxious to keep Kashmir in the Indian union but on the other hand he was equally desirous that the will of the people determine the matter, and that he wished to have an honest plebiscite to ascertain people's desires.

In my second talk with Bajpai we discussed the analogy between Kashmir situation and that of Greece. Two situations are not completely comparable, but there are elements in both which make it possible to approach Kashmir question with the Greek experience in mind. In Greece we dealt with interim governments or what were called service governments. It seems to me that the present emergency or interim government of Abdullah is in same category of service governments in Greece. His government represents Kashmir National Conference, the largest and most important political organization in Kashmir and GOI naturally queries what the alternative would be in
terms of an interim government or how it would be set up if Abdullah and his government are to be displaced. It seems to me it would be hardly practicable for a UN commission to set up a service govern-
ment in Kashmir. Service governments in Greece were set up by the Regent who derived his power from the King. Abdullah acquires his power from the Maharaja who is the only one able to exercise such power as well as to exercise the power of determining accession under present circumstances. If plebiscite can be conducted in a manner to give assurances of fairness to Pakistan, question of the service govern-
ment becomes of lesser importance.

GOI is confident that if Pakistan will use its influence on the tribes, GOI can police the country and insure safety of life and property there so that those who have fled Kashmir can return and participate in establishment of parliamentary government. I believe interim gov-
ernment should promptly take necessary steps for a parliamentary election, once the matter of law and order in Kashmir is established. Setting up of machinery for a parliamentary election would take some months but should not be too difficult a task since Kashmir has not in the past ever had a popular election and there would not be the prob-
lems that we faced in Greece where comprehensive election machinery was already fairly definitely set up. Machinery for the election in Kashmir could be simplified and still be effective.

UN commission should scrupulously observe and study the methods and machinery for the parliamentary election and report to the council whether they believe the election was fair and represented the will of the people. Their observation of the methods, etc., would be a definite check on any disposition of the interim government to do other than carry out a fair ballot. If report of the commission to the council is satisfactory, a plebiscite could then be held with the commission again observing. They would again report to council whether they believed plebiscite was fair and representative of the will of the people. It seems to me that if some such plan as this were carried out, natural suspicions of having one of the parties at interest conduct the election would be allayed as the UN commission would be final determinant of legitimacy of the balloting.

Strength of our position in Greece was that the service government in power at the time was most anxious for favorable verdict from the allied observing mission. I think this can be the case in Kashmir. Bajpai has since discussed with Nehru these points which I outlined to him purely in a personal and tentative way and Nehru has ap-
proved. Indian delegate at Lake Success will doubtless be instructed attempt solution Kashmir problem along these lines. Department is in no way committed to these suggestions if it sees any reason for with-
holding support. They will come if they come at all as the suggestions of the Indian Government.

Bajpai after discussion with Nehru stated these suggestions are along lines GOI has proposed to Security Council but Nehru wishes emphasize following conditions for initiation proposals: (a) Cessation of hostilities and departure of raiders from Jammu and Kashmir and (b) return of those people who have either left Jammu and Kashmir or have been displaced.

For Department's information Bajpai advised me that there are now 76,000 tribesmen fighting in Kashmir.

Department please repeat London if deemed advisable.

GRADY

501 BC/2-948

Memorandum of Conversation, by the Assistant Chief of the Division of South Asian Affairs (Thurston)


Mr. Noyes 1 telephoned this morning to report that the Security Council consideration of the Kashmir case had taken a turn for the worse. He went on to say that over the weekend the Canadian President of the Council (McNaughton) and the Belgian rapporteur (Langenhove) had met with the Indian and Pakistani delegations and had placed before them alternative drafts of resolutions 2 which might take the form of either an appeal to the two parties or of a joint agreement between the two parties with respect to certain principles. Mr. Noyes did not have the exact texts which were placed before the parties but understands that the proposals were quite similar to those embodied in the enclosed draft. 3

The upshot of the negotiations has been a letter 4 just received by the president of the Council from the Indian delegation stating that the proposals put before them are so different from those which they have submitted in previous negotiations that they wish to suggest an adjournment of Security Council consideration of the case so that the Indian delegation could return to New Delhi to consult with their Government.

1 Charles P. Noyes, Adviser to the U.S. Deputy Representative on the Security Council (Herschel V. Johnson).
2 Reference here is to Security Council document S/667 submitted to the delegations on February 6 but dated February 10. For text, see SC, 3rd yr., Suppl. for Jan.-March 1948, pp. 24-25.
3 Not printed.
4 For text of letter dated February 8, signed N. Gopalaswami, and an answering letter dated February 9 from McNaughton, see SC, 3rd yr., Suppl. for Jan.-March 1948, pp. 26-27.
Mr. Noyes stated that Ambassador Austin and he both strongly felt that the Indian request for an adjournment should be turned down, and he wanted to have the Department’s concurrence on this point. However, the principal need for guidance is with respect to what steps the Department believes the American representatives should now take in regard to future action by the Council on this case. Mr. Noyes and I discussed five possibilities as follows:

1. Permitting an adjournment for a few days only in order that the Indians might have an opportunity to get fresh instructions from New Delhi;

2. Proceeding to discuss and to pass a resolution draft as an appeal to both parties to conclude a settlement along the lines of the enclosed document;\(^5\)

3. Proceeding at once to a finding of fact with regard to the threat to peace involved in this issue and passing a resolution embodying detailed terms of settlement somewhat along the lines of the enclosed document;

4. Taking whatever action may be necessary to activate the Tripartite Commission authorized by a previous resolution\(^6\) and passing on to that Commission the possibility of working out on the spot the terms of a settlement; or

5. Agreeing to meet at least some of the Indian terms of settlement along the lines of the Indian memorandum presented to the Council some days ago.\(^7\)

Mr. Noyes said that he and Ambassador Austin were considerably dismayed by the contents of telegram No. 117 of February 7 from New Delhi in which Ambassador Grady, while taking at the outset a firm stand on the Kashmir question, ended up by giving his support to a procedure which is almost exactly like the original Indian position in the Security Council. This action by Ambassador Grady might, Mr. Noyes thought, be one factor in the apparent Indian refusal to continue discussing the question in the Security Council. Mr. Noyes hoped that our Embassy in New Delhi was getting full information with respect to the proceedings at Lake Success and pointed out that Ambassador Austin was rather far out in front on the question of an interim question in Kashmir before and during a plebiscite, whereas Ambassador Grady has taken an entirely different attack. Mr. Noyes hoped that we would straighten New Delhi out in this respect.

Mr. Noyes stated that the text of the proposals put before the Indians and Pakistanis this weekend as well as the text of the Indian

\(^5\) Not printed.
\(^7\) Presumably the Indian proposal introduced as document No. 2 in the 231st meeting of the Security Council, January 28, 1948. For text and discussion, see SC, 3rd yr., Nos. 1–15, pp. 266 ff.
letter, would be telephoned down as soon as received. In the meantime he hoped that the Department would give urgent and serious consideration to the problem presented by the Indian letter and would communicate its recommendations to New York today.

Editorial Note

At the request of the Indian Representative, the Security Council adjourned consideration of the Kashmir question on February 12 to allow the Indian delegation to return to New Delhi for consultation. In the interim before the Jammu-Kashmir case was reopened on March 9th, the Council considered other aspects of the India-Pakistan question. The discussion of these matters may be found in SC, 3rd yr., Nos. 16–35, pages 189 ff.

745.45F/2–748: Telegram

The Secretary of State to the Embassy in India

SECRET

WASHINGTON, February 17, 1948—5 p.m.

101. Your proposal that plebiscite to determine future status of Kashmir be preceded by parliamentary election (urteil 117 Feb 7) virtually identical with scheme put forward by GOI delegation SC Jan 27 with exception UN observation contemplated therein only for plebiscite itself and not for parliamentary elections. Indian scheme provided that parliamentary elections would take place under interim government headed by Sheikh Abdullah.

US position throughout SC debate has been that to bring about termination of fighting by pacific means there must be assurance to all parties concerned that question of Kashmir accession will be determined at earliest possible date by fair and free plebiscite supervised by UN under impartial administrative arrangements. This stand has been taken without prejudice to claims of either GOI or GOP and without intent discriminate between the parties. It does not exclude SC making recommendations that GOP take action re tribal invaders and material assistance in order expedite termination of fighting. US position fully in line with Nehru’s stated desire have will of people determined by honest plebiscite and is based on assumption that to achieve this end GOI and Kashmir Govt would cooperate with SC, majority of whose members are not convinced that Indian plan in present form will bring about peaceful settlement. Indian insistence on maintaining Sheikh Abdullah in power in critical interim period and on limiting supervisory powers UN in plebiscite has created doubts
re GOI good faith and these doubts strengthened by sudden departure Indian delegation for New Delhi to consult re Kashmir question with GOI.

US thinking re nature administrative arrangements to insure impartiality plebiscite and maintenance law and order in interim period not yet fully developed. We believe that delaying plebiscite by holding parliamentary elections first would unnecessarily complicate peaceful solution and furthermore that UN role in plebiscite must be more comprehensive than merely observing and reporting, particularly in view internal conditions Kashmir and apparent necessity SC guarantee fair plebiscite as prelude withdrawal invaders and cessation hostilities.

Kashmir interim administration could be given impartial flavor either by establishment of a "service government" composed of technically qualified administrators, or of a coalition government composed of representatives main political parties. View Abdullah's fierce partisan attitude as displayed in SC debate, he would not appear the suitable head for "service government". He might, however, fit into picture of a coalition government.

With return GOI delegation Delhi any change Indian position will obviously crystallize there. Dept would appreciate full information any developments this regard.

Sent Delhi, repeated to USUN New York 67.

MARSHALL

501.BC Kashmir/2-2048: Telegram
The Secretary of State to the United States Representative at the United Nations (Austin)

SECRET
WASHINGTON, February 20, 1948—6 p. m.

79. Having examined British suggested plan covering Kashmir question (UNMIS 5 Feb. 13 1), and having discussed it at length with members UK-UN delegation in Washington Feb 16, the Dept offers following preliminary comments:

1. We believe it highly doubtful that GOI will acquiesce in or assist in implementation of Brit plan in present form contemplating as it does virtual UN trusteeship of Kashmir for indefinite period.

2. By providing no alternative to acceptance by India of Pakistan troops in Kashmir and by setting up UN interim government which would completely supersede present regime Kashmir, British exclude any possibility compromise solution in which both parties would cooperate.

1 Not printed.
3. Aside from GOI attitude we question advisability UN at present stage attempting assume such broad responsibilities for interim civil and military administration Kashmir as envisaged British draft as well as task of establishing “popular” government after plebiscite and transferring power thereto.

4. From attitude various representatives during SC debate as well as their informal comments to USUN it appears questionable that British scheme would receive necessary minimum of seven votes in SC; nor should possibility Soviet veto be overlooked.

5. We further believe that section on “procedure for stopping the fighting” should be given more prominent place than is accorded it in British plan; also that accent given therein to communal aspects should be eliminated. This connection Hadow (UK) has informed us that 26% Kashmir population including considerable non-Moslems probably support Abdullah. It would also be essential include under this heading provision for GOP to withhold material assistance tribal elements and Kashmir insurgents as part general procedure for termination hostilities.

6. Despite grave doubts re above fundamental features British plan we believe that many provisions are acceptable and could be kept intact in revised draft.

Dept will continue study British draft as well as resolutions and suggestions made by other representatives during SC debate with view preparation rather detailed proposals Kashmir settlement to be used by USUN as basis for informal discussion with other SC delegations during present interlude. Dept hopes that these proposals might emerge in an amended form after discussion with other interested delegations as draft resolution which could be put forward by president SC with majority support when consideration Kashmir question resumed.

We are particularly anxious avoid presentation competitive formal proposals by British and ourselves and hope that recommendations may be devised which both we and British can support. We must take care not to be responsible for adoption recommendations which British from wealth of their experience might consider unworkable and to which they would not give their full support.

Pending completion Dept study which may require several days you may be guided in your informal talks by following tentative principles on which your comment would be appreciated:

[The principles that comprise the remainder of this telegram are here omitted because they appear in somewhat altered form in telegram 124, February 25, to New Delhi, page 304.]
SECRET

NEW DELHI, February 21, 1948—noon.

148. Reference Deptel 101 February 17. I saw Bajpai yesterday and he expressed a desire which he said had full concurrence of Nehru that our govt take initiative in attempting to find a solution for Kashmir problem. GOI recently received a wire from Attlee which irritated Nehru and Bajpai very much. It was patronizing and pressed the India Govt (and undoubtedly the same wire went to Pakistan) to stop being “bad boy” and to straighten out Kashmir matter with Pakistan. Gordon Walker, deputy to Noel-Baker in CRO (Commonwealth Relations Office) arrived New Delhi yesterday en route from Ceylon. He saw Nehru last night and is to see Bajpai today. Bajpai said both he and Nehru would give Walker a “piece of their mind” on the general attitude of HMG on Kashmir dispute.

Abdullah talked with me later in the day and also stressed importance of USG initiative. He expressed opinion our delegation was blindly following British lead and that we should independently and energetically take the leadership.

Bajpai said that he and Nehru had been giving further thought to Kashmir problem since my conversations with him before leaving for Ceylon and outlined new proposals. In order to have them exact, I requested him to commit them to writing and quote verbatim his letter to me written after our conversation:

“As I explained to you in the course of our conversation this morning, we do not propose, when our delegation returns to resume discussion of the Kashmir issue before the SC, to put forward any fresh suggestions ourselves. We shall, however, be willing to consider a solution which may be put forward by, or on behalf of a member of the SC, and which modifies the proposals already made by us on the following lines.

a. Interim govt: Sheikh Abdullah may include one or two members of the Muslim Conference. Such persons must, however, not be outsiders nor shall their selection be dictated from outside.

b. Election of National Legislature: The commission of the SC which it has been proposed should come out, or some other body on the council’s behalf, may advise and observe in respect of this election. However, if, in order to save time, it is desired that the election be dispensed with, we shall have no objection. As you will recall, the idea of a general election before the holding of the plebiscite on the question of accession was principally put forward on our behalf in order to give the electorate in Kashmir an opportunity, if it so wished, to set up a govt of its own choosing.

c. Plebiscite: The plebiscite machinery (and that alone) may be placed on the executive charge of an officer, with an adequate number of top deputies—to be appointed by the govt of Jammu and Kashmir
state. On the nomination of the SC, or to be lent by the SC, from the United Nation's staff, for service with the state govt for this purpose."

Bajpai's verbal statement was somewhat more "liberal" than his written. For example, he said with reference to point (a) two or three members of the Muslim Conference instead of one or two. He again stressed the fact that no one has come forth with practical suggestions as to how and by whom an interim govt could be set up if Abdullah were eliminated. In any case it is clear to the Embassy that there is little possibility of getting Abdullah eliminated and I am convinced that it would be equally impossible to get the Indian Govt to accept the suggestion in your telegram 101 of February 19 [17] that Abdullah might fit into the picture of a coalition govt other than as head. The suggestion of a coalition govt in paragraph (a) assumes that it will function with Abdullah at the head.

With regard to (b) he said that suggestion of Indian delegation with respect to a parliamentary election prior to plebiscite was designed to give people of Kashmir opportunity to "throw out" Abdullah if they wished to do so. They are not now pressing the matter of a parliamentary election before the plebiscite.

With regard to (c) whole machinery can be worked out by SC or administrator and deputies which will be appointed by Govt of Jammu and Kashmir state. However he said that appointment in this manner was to preserve constitutional proprieties. He assured me that any administrator and his assistants that SC would recommend would be formally appointed by Govt of Jammu and Kashmir. I asked him if report to the SC on plebiscite which would be made by administrator would receive whole-hearted support of GOI if plebiscite went against India. He replied very emphatically that it would because GOI is committed to accept verdict of people based on plebiscite.

Dept please repeat London if deemed advisable.

Grady

Telegram

The Ambassador in India (Grady) to the Secretary of State

SECRET

NEW DELHI, February 21, 1948—3 p. m.

150. Embtel 148 February 21. I had talk with Sheikh Abdullah yesterday evening re Kashmir problem during which he made several observations of significance.

First he said GOI would never accept suggestion GOP forces replace raiders during interim period. He went on to express his opinion GOI and GOP would never be able reach agreement re accession Kashmir either dominion. He said that irrespective of result of
plebiscite re accession India or Pakistan there would be large minority—he said 40 to 45 percent—in opposition majority view. Consequently he offers as suggested solution Kashmir problem that state be independent so far as internal affairs concerned and that defense, foreign affairs and communications of state be administered jointly by GOI-GOP. He considers joint GOI-GOP defense administration would insure security Kashmir against aggression from north. When asked if GOI would agree such a proposal Abdullah replied he did not know but felt it would accept provided US Government took lead in presenting suggestion. He said he would be glad furnish any elucidation this proposal should US Government desire more details.

Abdullah also indicated he would not be returning US as member GOI delegation to SC.

Sent Department 150, repeated Karachi 54. Department please repeat London as 48.

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745.45F/2-2548: Telegram

The Chargé in Pakistan (Lewis) to the Secretary of State

SECRET

KARACHI, February 25, 1948—3 p. m.

107. Sheik Abdullah's estimate of opposition in event accession Kashmir to Pakistan far exceeds any figures we have heard here. His proposal re joint defense GOI GOP against aggression from north sounds attractive (Delhi's 150, February 21 to Department) but in view unwillingness GOI accept GOP forces Kashmir during interim period, it seems questionable whether atmosphere is such two Dominions could later agree on joint defense or effectively implement it. In any case, it seems to us undesirable for US take lead in presenting any such proposal at this time.

Sent Department 107; repeated London 3; New Delhi 19.

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745.45F/2-2148: Telegram

The Secretary of State to the Embassy in India

SECRET

WASHINGTON, February 25, 1948—7 p. m.

124. Dept has found urtels 148 and 150 Feb 21 most useful in its consideration Kashmir problem. For your strictly confidential info and not for discussion with GOI or GOP Dept exploring possibility that settlement may be based on following tentative principles on which your immediate comment would be appreciated:

1. SC recommendations for Kashmir settlement should be based on assumption that both parties have requested such action. It is believed...
record SC debate supports this assumption and recommendations
might be made under Articles 37 or 38 of UN Charter. Agreement or
at least acquiescence of both parties to proposals and their cooperation
with UN for implementation thereof are essential.

2. Cessation of acts of hostility and violence (truce) in Kashmir to
be brought about by cooperation between GOI and GOP under obser-
vation and with assistance UN Commission. GOP to take all possible
peaceful steps to bring about withdrawal tribal invaders, cessation of
fighting by insurgents, and also to withhold material assistance to any
of these elements not cooperating in truce. Concurrently GOI to
arrange progressive withdrawal its forces from combat zones but not
necessarily outside Kashmir territory.

3. To insure fair plebiscite SC to recommend that present Kashmir
administration be reorganized as interim government in consultation
with UN commission to include:

(1) responsible representatives of principal political elements
in the state; and

(2) one or more ministers chosen on basis their technical quali-
fications, possibly from panel proposed by UN Commission or by
some other method, without regard to nationality, race, religion,
or creed, to exercise jurisdiction over electoral machinery, police,
courts, and other subjects bearing on maintenance of law and
order in the state.

4. Interim arrangements for maintenance of law and order would
be put into effect by interim government in consultation with UN
commission.

5. If interim government wishes use Indian or Pakistan troops, or
both, to supplement local forces it may do so in agreement with the
two dominions.

6. The relationship between this interim government and the pro-
posed plebiscite commission (see below) to be based on understanding
that restoration of law and order and conduct of normal government
business will be in hands of interim government subject to exercise by
the commission of those powers delegated to it for the period preceding
and during the plebiscite. Relationship between all troops in the state
and plebiscite commission to be based on understanding that commis-
sion through plebiscite marshal (see below) will be authorized issue
orders through competent commanders to these forces in situations
relating to maintenance of conditions for fair and impartial plebiscite.

7. The SC commission authorized on Jan 20 to act as the plebiscite
commission with comprehensive functions and powers relating to
preparation for and conduct of plebiscite. These powers would in-
clude right of interference in local governmental machinery when
necessary for proposed plebiscite. The commission would be authorized
employ numerous advisers and specialists. Attached to commission and
subject its general supervision there would be plebiscite marshal and
plebiscite magistrate appointed by SC or by some other method.
Former would exercise powers commission relating maintenance law
and order while latter would have appellate jurisdiction over questions
arising in state judiciary which relate to plebiscite. Both these officers
would require special staffs.
8. Upon the receipt of a report from the commission of the successful completion of a fair plebiscite and of the arrangements between Kashmir interim government and appropriate dominion for accession, SC would authorize termination activities commission.

Please cable expected date return GOI delegation New York.
Sent Delhi rept Karachi, New York,¹ and London.

MARSHALL

¹As repeated to New York, this message contained the following concluding paragraph:

"USUN will note some changes in foregoing from principles outlined Deptel 79 Feb 20. These changes based on Dept conversations with British Feb 23 (memo covering conversations being transmitted separately) as well as info contained in Delhi cables mentioned. In conversations with Brit they indicated willingness to revise their position re civil administration generally along lines our proposals for strong plebiscite commission instead but they remained adamant re use Pak troops. Our proposals believed compatible with Chinese suggestions contained USUN memorandum Feb 19 covering conversation between Noyes and Shu and may be discussed with Chinese on informal basis, except for point 5 re Pakistan troops which is still under discussion with British."

The memoranda referred to are not printed.

501.BC/2-2748
Memorandum of Conversation, by the Assistant Chief of the Division of South Asian Affairs (Thurston)

SECRET

New York, February 27, 1948.

Subject: Exchange of Views with British Representatives with Respect to Kashmir

Participants: British Delegation
Mr. B. R. Curson, Commonwealth Relations Office
Mr. B. Cockram, Commonwealth Relations Office
Sir Cecil Griffin, Commonwealth Relations Office
Mr. M. E. Bathurst, Legal Adviser to UK Delegation to the UN

American Officials
Mr. Dean Rusk, UNA
Mr. Charles Noyes, USUN
Mr. Hare, SOA
Mr. Thurston, SOA
Mr. Sparks, SOA

It was agreed at the outset that we should begin the discussion by further exchange of views with respect to the use of Pakistan troops during interim period. The US representatives pointed out that they were disturbed by the possibly far-reaching implications of a Security Council resolution recommending the use of foreign troops from one.
party to a dispute in the territory of another party to the dispute. Reference was made to possible analogous situations in Turkey, Iran, Greece, and China. The British representatives at first attempted to minimize such an analogy by asserting that Kashmir was "territory in dispute." The US representatives agreed that Kashmir was a state about which a dispute had arisen between India and Pakistan but stated that they found it difficult to deny the legal validity of Kashmir's accession to India. In the end, the British representatives agreed with the US point of view that we had to proceed on the assumption for the time being at any rate India had legal jurisdiction over Kashmir.

When it was pointed out that a second objection to a SC recommendation that Pakistan troops be used in Kashmir was that it was extremely doubtful that India would permit the implementation of such a recommendation, the British hastened to state that, of course, they had assumed that India would in the last analysis agree to the use of Pakistan troops but only if "morally compelled" to do so by virtue of a UN recommendation. The US representatives said that they wished to make it clear that they agreed with the British that the entry of Pakistan troops into Kashmir would be in itself a desirable thing in that it would no doubt help to bring about a better psychological situation both for the withdrawal of the tribesmen and for the holding of an impartial plebiscite. We felt, however, the farthest [sic] we could go would be to envisage the use of Pakistan troops as a result of an agreement between the Government of Kashmir and the Governments of India and Pakistan. When the British asked what provision we had in mind for the maintenance of law and order in areas where fighting had taken place (and from which presumably both Indian troops and irregular forces had withdrawn), we stated that it was our thought that local militia could be set up in these areas on a provisional basis.

At the end of the discussion of Pakistan troop question, we referred to several other features of our proposals for an interim regime in Kashmir. The British appeared to be more favorably inclined to the concept of a coalition government than they had previously and they were particularly interested in the proposal for the placing of an outsider in the Kashmir Government with jurisdiction over such functions as the police, courts, etc. There was a brief but inconclusive discussion with respect to the role to be played by the plebiscite marshal and the plebiscite magistrate. With regard to the coalition government proposal, the British seemed very reluctant to agree to any scheme whereby Sheikh Abdullah would remain Prime Minister even if only on a nominal basis. On the other hand, the British commented that if we could get an outsider in the Kashmir Government, he would hold the balance of power in any voting.
At the end of the meeting we turned over to the British several copies of our draft resolution, and they said they would transmit it immediately to London. They stated that the Parliamentary Under-secretary for Foreign Affairs was returning from Ceylon via New Delhi and Karachi and that he would be in London during the early part of the first week of March with the latest information on Indian and Pakistani thinking. They promised to give us the reaction of their government to the US proposals by March 2nd or 3rd.

In response to an inquiry of the British we told them that we had discussed with the Chinese the principles involved in our proposals and that we did not contemplate further discussions with the Chinese until we heard more from the British. The British seemed particularly anxious to arrive at a satisfactory agreement with us before discussion of detailed plans was undertaken with other delegations. The British made it clear that their own proposals, including those with respect to Pakistan troops, were to be considered as extremely fluid and subject to revision.

1 Not identified in Department files.
2 C. P. Mayhew.

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745.45F/2-2348: Telegram

The Ambassador in India (Grady) to the Secretary of State

SECRET MOST IMMEDIATE NEW DELHI, February 28, 1948—noon.

170. Your 124 February 25. During past few days in addition to Abdullah have talked with Jaya Prakash Narayan, Symon acting British High Commissioner, and Kearney Canadian High Commissioner and have several general impressions. First, a feeling which seems to be growing that HMG and USG have taken side of Pakistan. Thursday night Ayyangar publicly accused both governments and the SC of bias and cited statement of Senator Austin with reference to the necessity of satisfying the tribal invaders in connection with any solution of the Kashmir problem. He said to his “astonishment” British delegates concurred in statement of Senator Austin. Nehru likewise has bitterly criticized SC without singling out HMG and USG. On other hand, Dawn newspaper frequently indicates belief in successful outcome for Pakistan of Kashmir dispute at UN. Kearney returned on plane recently with Pakistan official who had been at Lake Success and who indicated growing confidence of Pakistan victory before SC.

GOI feel their case badly handled and there is some tendency criticism GOI circles of Ayyangar. Also public criticism GOI for

1 Leader of left-wing elements of India’s Congress Party.
2 Statement by Austin not identified.
submitting question to SC. Nehru says privately as justification for submission he felt case so strong there could be no doubt of outcome. GOI feel matter a simple one of invasion with the demonstrable assistance of Pakistan and that SC should only have considered evidence this point and enjoined Pakistan to desist its aid to tribesmen and make every effort to get them out of Kashmir. Kearney feels that a defeat for Nehru before SC might well lead to fall his government and I agree. Plebiscite defeat would not have this effect. As indicating possibility Pakistan being effective in helping keep law and order in Kashmir, Abdullah stated his belief tribesmen would shortly be returning home for the sowing their spring crops. Once they leave, problem of keeping them out, especially if Pakistan made clear to them it would not continue assistance from West Punjab, would be greatly simplified.

Referring your suggestions 1 to 8 inclusive, would stress the importance from standpoint GOI of maintaining strictly constitutional procedure. As you know, GOI case based primarily on legal grounds. I have little doubt GOI can control Maharaja ² and Abdullah and they will accept whatever program GOI agrees to. They would wish the appointment of administrator and his assistants to be formally made by emergency coalition government. I am convinced GOI will continue to insist Abdullah remain head of any coalition government that might be set up. General feeling here is Abdullah has the confidence of people of Kashmir as no other Kashmiri could possibly have. I believe if authority of administrator and staffs is entirely confined to the plebiscite and matters directly connected with the plebiscite and the absolute authority of the emergency coalition government is recognized, that GOI might accept your suggestions.

Drawing analogy Greek situation, I believe coalition government would have every reason to wish to have favorable verdict rendered as to fairness of the elections by the UN Commission and therefore meticulous in its conduct. This should be reassurance to Pakistan. I believe your plan the basis upon which a solution may be worked out keeping in mind the points I have made in my endeavor to appraise the situation.

Ayyangar leaving for Lake Success end of first week in March. Will cable exact date when definite. Abdullah not returning with him.

Sent Department 170, repeated Karachi 58. ⁴ Department please repeat London 50, and New York.

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³ H. H. Maharaja Sir Harisingh.
⁴ Commenting on this cable, Ambassador Alling in Pakistan informed the Department in telegram No. 125 of March 2, not printed, that he seriously doubted whether India would have the slightest confidence in the fairness of a plebiscite as long as Abdullah remained head of the Kashmir Government (745.455F/3-248).
SECRET MOST URGENT NEW DELHI, March 1, 1948—4 p. m.

178. ReEmbtel 148 February 21 and 170 February 28. When Kearney talked with Bajpai several days ago, Bajpai outlined to him same plan as covered in his letter transmitted to you in telegram 148 February 21.

Kearney asked Bajpai if GOI would consider an alternative which would be agreement two dominions for plebiscite solely on question of Kashmir independence, and second plebiscite on preference accession if vote was against independence. Bajpai expressed interest and said he would discuss matter with Nehru. Kearney saw Nehru last night and has just talked with me. Nehru said he favored plebiscite for independence based on joint guarantee both dominions maintenance independence of Kashmir. Nehru stated he preferred what we may call plan two (plebiscite on independence) as against plan one (my telegram 148 February 21) because it would take the heat out of the situation and form a basis cooperation two dominions. When matter first mentioned to me by Kearney, the other day, I expressed my fears of northern aggression through infiltration of independent Kashmir. Nehru minimizes such danger. When asked by Kearney what he thought outcome of a plebiscite on independence in Kashmir would be, Nehru replied he thought it would be favorable. Kearney wired today his government giving comprehensive report his conversation with Nehru. Department will doubtless wish to discuss this matter with Canadian Delegation.

Have unofficial intimation Bajpai going as consultant with Ayyangar. Will advise as soon as can confirm.

Sent Department 178; repeated Karachi 60. Department please repeat London if desired.

GRADY

SECRET

WASHINGTON, March 4, 1948—6 p. m.

143. For background use on Kashmir question Dept offers following comment on recent useful cables from Delhi and Karachi this subject:

1. In formulating proposals for Kashmir settlement we do not have in mind US formal initiative in SC but have rather attempted to incorporate suggestions made by various members SC as well as GOI and GOP reps which might serve as basis of formal resolution to be
put forward by president SC or of joint resolution several interested
delегations representing majority sentiment. This connection we have
collaborated closely with British on basic assumption that Anglo-
American split this question must be avoided. Informal conversations
with Chinese rep ¹ who is now president SC have also been most useful.
We have no intention putting forward proposals on behalf either GOI
or GOP but are directing efforts toward equitable settlement in working
out of which each dominion would be asked to give full cooperation
even though certain features of plan might not be entirely satisfactory
from GOI or GOP viewpoint.

2. Nature of informal proposals contained Deptel 124 Feb 25 to New Delhi are such that concessions and cooperation from both sides
would be required.

(a) GOP would be asked give full cooperation in truce arrange-
ments calling for withdrawal tribesmen, withholding material assistance
from tribesmen and insurgents, etc. despite obvious political embarrassments involved. GOP must also recognize that SC cannot impose settlement under Chapter VI UN Charter but can only make recommendations to parties. Such recommendations must necessarily be made in light of India’s present legal jurisdiction over Kashmir which makes complete civil and military neutralization of kind envisaged by Jinnah impracticable unless with Indian consent. Even if latter given, project for neutral army unrealistic. Obvious conclusion is that only available facilities for civil administration and maintenance of law and order in interim period are those which can be found locally. Hence our proposals for interim coalition government from which it would be difficult even if considered desirable to exclude Abdullah by SC action.

(b) Indian attitude toward plebiscite arrangements has apparently become more reasonable in that GOI now willing have plebiscite machinery in hands neutral official who would, however, be constitutionally part Kashmir coalition government. We believe that such a neutral official might serve very useful purpose inside Kashmir Government (along lines para 3 Deptel 124) but that majority members SC will insist on control and supervision plebiscite by agency directly responsible SC. Since powers and functions such UN agency would be prescribed in terms of plebiscite, which GOI has already agreed should be held under international auspices in order to insure impartiality, we find it difficult to conclude that such an arrangement would violate constitutional proprieties.

3. Re various proposals for Kashmir independence we have in the past, as you know, followed line that princely states should be incor-
porated in either India or Pakistan on assumption that Balkanization of Indian subcontinent would jeopardize and complicate political and economic transition and create conditions of instability ultimately ad-

¹ Tingfu F. Tsiang.

429–027—75—21
verse to broad US interests that area. Our current thinking re Kashmir is influenced by these considerations subject to proviso that should concept of independence appear to be basis for GOI-GOP peaceful settlement Kashmir issue, we would probably not oppose such a solution, but certainly would take no initiative in supporting it.

4. Re suggestions for partition of Kashmir between GOI and GOP we shall certainly take no initiative this regard but would carefully consider proposals calling for partition by agreement between GOI and GOP.

5. We have noted Mountbatten’s view that possible alternative this stage would be despatch SC Commission to area with mediatory powers as means bringing about eventual bilateral settlement GOI and GOP. Should efforts reach more comprehensive settlement New York fail, we believe Mountbatten’s idea has possibilities, particularly since it is based on assumption that last analysis GOI-GOP agreement is essential prerequisite to peaceful settlement Kashmir issue.


MARSHALL

*Governor General of the Dominion of India.

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**Editorial Note**

The Security Council resumed discussion of the Jammu-Kashmir question at its 266th meeting on March 10, 1948. India and Pakistan were again represented in the Council debate by N. Gopalaswami Ayyangar and Mohammed Zafrullah Khan, respectively. For text of the proceedings, see SC, 3rd yr., Nos. 56-51, pages 66 ff.

On March 18 in its 269th meeting, the Council resumed the discussion with presentation of a draft resolution (S/699) by Security Council President Tsiang. For text, see SC, 3rd yr., Suppl. for Jan.-March 1948, pages 38-40.

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745.45F/3-1948 : Telegram

**The Ambassador in Pakistan (Alling) to the Secretary of State**

SECRET IMMEDIATE

KARACHI, March 19, 1948—1 p.m.

167. I should like stress my conviction that any plan for solution Kashmir problem which does not have both appearance and substance providing strictly impartial plebiscite under neutral control is almost certain make matters worse. Given such plan, I believe GOP can with good hope success prevail upon tribesmen and Kashmiris cease fighting. On other hand, if plan does not provide above elements, GOP
will be unable bring its influence bear and real danger exists tribesmen, perhaps extent 300,000 or more, marching through Punjab toward Delhi. Jinnah only day before yesterday characterized tribal situation “million times more dangerous” than it was a few months ago. Sent Department 167; repeated New Delhi 28.

Alling

501. BC/3-1948: Telegram

The Secretary of State to the United States Representative at the United Nations (Austin)

CONFIDENTIAL

WASHINGTON, March 22, 1948—6 p.m.

158. 1. While we doubt if Chinese resolution (urtel 314, Mar 19 1) is acceptable to both parties and could not vote for it in present form unless it were, we believe it constitutes framework within which fair settlement can be achieved.

2. In informal conversations with other delegations comment on Chinese draft resolution may be made as follows:

a. There should be more definite indication of role of SC Commission in observing implementation of provisions for terminating the fighting and holding the plebiscite.

b. Draft lacks provision as to how law and order to be maintained in areas from which Indian troops and tribal fighters withdrawn; we believe that this problem can be met by stipulating that local personnel in each district be utilized insofar as possible for this purpose, subject to additional requirements which may arise from the holding of the plebiscite.

c. There are no provisions giving the Plebiscite Director and his staff such powers for maintenance of law and order as the Plebiscite Administration considers necessary for the purpose of holding a fair plebiscite, including judicial powers.

d. It fails to provide Director with authority to report to the Security Council Commission and through it to SC.

3. As to tactics to bring about desired changes in Chinese draft resolution, we are still anxious avoid formal and overt initiative. In view President’s invitation to parties for them to submit amendments in writing, suggest that you use friendly influence with Pakistan representative to encourage him submit amendments along lines indicated above and also discuss with Chinese representative possibility his amending his own resolution in these respects.

4. We believe that whether or not above procedure has successful results it would be desirable for President SC to ask for assistance representatives of Belgium, Canada and Colombia to constitute in-

1 Not printed.
formal drafting committee (thus consisting all SC members who have submitted formal proposals). You may suggest this move to President earliest opportunity. Such of US proposals set out under paragraph 2, above, as had not been incorporated in Chinese draft by time this drafting committee met could then be informally intimated to the members thereof.

5. Foregoing discussed informally with Sir Paul Patrick (UK Del) in Wash Mar 20. US and UK thinking found to be virtually identical. It was agreed that US and UK dels should take separate but parallel action along above lines.

MARSHALL

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No memorandum of this conversation has been found in the Department files.

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501.BC Kashmir/8-2248

Memorandum of Conversation, by Mr. Charles P. Noyes of the United States Mission to the United Nations

SECRET

[NEW YORK,] March 22, 1948.

Participants: Mr. Ayyangar, Indian Delegation
Mr. Bajpai, Indian Delegation
Mr. Velodi, Indian Delegation
Ambassador Austin, United States Mission
Mr. C. P. Noyes, United States Mission

After a short discussion on Palestine and a few remarks regarding Korea in which Bajpai noted that we had asked their Government to support us on the Korean case, we got down to a discussion of the Kashmir question. Ambassador Austin told them that we thought the Chinese proposals with a certain number of amendments to strengthen it up might form the basis of a settlement of the case, which we were very anxious to see happen. He referred to the four points in the telegram of March 22 as points in which we would like to see a strengthening of the resolution. The Indians agreed to point a without any difficulty. As regards item b in respect to forces being constituted locally, there were several objections. The Indians raised the difficulty of anything which would give any recognition to the provisional Azad Government or which would in any way give authority to such a Government or its forces. Bajpai said this was like asking the poacher to turn into the gamekeeper. He repeated several times that after law and order had been established, the Indian forces would be perfectly agreeable to withdrawing from the areas concerned and making appropriate arrangements so as not to interfere with the Plebiscite. He

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1 Telegram 158, supra.
stated that they were making plans to reorganize the State troops and that of course they would be made up, as they had been, of elements all over the State. He also referred in this connection to the desirability of the police in the State taking over the responsibility in local areas for law and order. Ambassador Austin indicated that we had two things in mind on this point:

First: That elements from outside the Azad area might not be welcome if they came in there and attempted to maintain law and order; and
Second: That the Plebiscite Director should have the powers with regard to the maintenance of law and order. (Item c in our list.)

Not much headway was made on the first point. On the second, however, many protestations were made that the Indians were quite willing that the Plebiscite Administrator should have certain functions with relation to law and order. They said that of course if he requested the Indians to help him maintain law and order they would be very glad to make their troops available to him. Ayyangar also made it quite clear that they would not wish to use their troops in any way which the Plebiscite Administrator felt amounted to action adversely affecting the fairness of the Plebiscite. I do not recall that any specific reference was made to the Plebiscite Administrator's powers over the police or the State troops. This may well have been implicit in the Indian remarks.

Bajpai did, however, to my mind, water down the value of Ayyangar's remarks by referring to the fact that if the Plebiscite Director needed an additional staff to observe—in addition to the eight regional directors—the Indians would of course have no difficulty whatever in agreeing to his having as large a staff of observers as he required. My impression was that he made a clear distinction between a regular staff to run the Plebiscite and to control the police, and simply observers who would report what was happening.

As far as our item d was concerned, there was no difficulty. They agreed entirely.

Ambassador Austin asked them about the position when they first brought up this case. Ayyangar indicated that there might well have been real trouble between India and Pakistan if the Security Council had not been available. Ayyangar also referred in this connection to the present situation, saying that the Indian Army was fighting and that it was of the greatest importance that a political settlement should be reached before any substantial change in the military situation could take place. He intimated that the fighting could result in a clinching crisis which might settle the issue.

Charles P. Noyes
Memorandum of Conversation, by Mr. Charles P. Noyes of the United States Mission to the United Nations

SECRET

[NEW YORK,] March 22, 1948.

Participants: Zafrullah Kahn, Pakistan Delegation
Ambassador Austin, United States Mission
Mr. C. P. Noyes, United States Mission

Zafrullah Khan said he was very disturbed about the present situation before the Security Council. He said that apart from the substance of the Chinese amendment, he felt he had been very unfairly used in the matter of procedure. On March 11 he had lunch with Tsiang who had discussed generally with him the concept contained in his resolution with respect to the Plebiscite Administrator. Zafrullah Khan had made no substantial comments or commitments. On March 18 he was again asked to see Tsiang at 12:15, to have lunch and drive out with him. This was the first time he had seen the Chinese draft. The placing of this draft before the Council with this background, he thought, was most unfair; was a method different than followed by the previous Presidents who had taken great pains to present a draft to both parties at the same time and to ask for their comments in front of each other. In this case he was convinced that the Indians had had a great deal to do with preparing the draft. Tsiang had told him that he understood the Indians would accept it except for certain minor details. In spite of British protestations, he knew they had been in consultation with Tsiang on the draft. Tsiang had, in front of Zafrullah Khan, told Noel-Baker that one of the provisions was put in at the suggestion of Noel-Baker. He was concerned at the close parallel between the newspaper story which appeared in India early in March and the President’s draft resolution.

Zafrullah was worried about the English position. He said they had changed their tone. He had had a talk with Attlee\textsuperscript{1} in London who had tried out on him some of the ideas contained in the Chinese draft. He was personally convinced that Mountbatten also had a hand in it and indicated that Mountbatten was concerned that Britain by her previous stand had come close to forcing India to renounce her dominion status.

Zafrullah Kahn handed Ambassador Austin a copy of a telegram from the Azad Government\textsuperscript{2} to the Security Council. (Copy attached) He said that the Chinese resolution was entirely unacceptable to him as a basis of discussion. He had passed it along to his Government

\textsuperscript{1} British Prime Minister Clement R. Attlee.
\textsuperscript{2} Telegram from the Free Kashmir Government, infra.
presumably with this comment. He said if his Government felt differently about it he would not resign but would carry on loyally.

He wanted to emphasize one particular aspect of the matter to us. In looking at the map it was quite clear that Kashmir was essential to the strategic defense of Pakistan and was of vital interest to it. From many points of view, the people of Pakistan had a great interest in the State. He suggested there were three possible outcomes of the present situation:

First that an arrangement for a truly fair plebiscite should be agreed upon. Under these circumstances if the plebiscite verdict went to India, the people of Pakistan and the Government would accept it and that would be the end of the issue.

Second that a plebiscite should be held which the people of Pakistan could not accept as fair and that the verdict in such a plebiscite should go to India. Under these circumstances the dispute would remain and the people of Pakistan would be smarting under a feeling of having been done out of what was legitimately theirs. The situation might easily deteriorate to the point of war between the two dominions which might spread and be a danger to other States.

Third that there was no settlement at all. In this case again the situation might deteriorate and result in fighting between the two dominions. However, if Pakistan had to choose between the latter two, Zafarullah Khan intimated that it might well choose the last course since it would have nothing to gain from a plebiscite which it considered would be a farce. He said that a Pakistan which was not satisfied and whose people were thoroughly upset about a situation as vital to them as Kashmir would constitute a serious danger to India not only in itself because Pakistan essentially was the only protection of India from the northwest—meaning the Russians. Zafarullah Khan made a strong statement of the position of Pakistan with relation to the U.S.S.R. He said that Pakistan was not sympathetic with Communism and that their position was taken in the event of any major struggle. They could not go along with the U.S.S.R. If, however, Pakistan lost a plebiscite which it considered unfair, he asked whether the Pakistan people would have any heart to fight against the U.S.S.R. If the U.S.S.R. cross through the Khyber Pass into Kashmir, the Indians would have no defense whatever unless Pakistan was with them. He said that throughout history the Moslems had not cherished luxury. They were not rich people. If a conflict arose between their honor and their desire to obtain their worldly goods, they would undoubtedly choose their honor. However, they did not wish to be driven to that choice.

Zafarullah Khan then came back to the Chinese resolution. He said that the main objective was Abdullah. He pointed out that the main reason for talking about safeguards was that the Chinese resolution allowed Abdullah to remain and therefore placed the entire governmental machinery in the hands of a very partial person. If Abdullah were taken out, very few safeguards, if any, would be necessary, but
having made this concession to the Indians it was obvious to everyone that very substantial safeguards would be necessary.

Ambassador Austin then outlined the four points contained in the draft telegram of March 22. Zafrullah Khan said again that the main difficulty was Abdullah and that if he is left in his present position Pakistan would not attempt to persuade the Azad Government that they should enter a coalition with him. If the Azad Government (which he doubted) was able to reach agreement on their own hook with Abdullah on a coalition, Pakistan would not raise any particular objections. Zafrullah Khan also remarked that it would be essential to keep the Indian Army out of the situation so that it could not affect the result of the plebiscite.

Zafrullah Khan said that he had received no word from his Government and doubted whether he would receive any in the immediate future as the Governor General was in East Pakistan and was not expected back immediately. He said he had sent him the Chinese draft with the request that they do not issue any wild public statements which might make matters more difficult.

Ambassador Austin said we were working on the case as a whole and we thought we would probably be talking with Zafrullah on details before taking any final position.

C. P. Noyes

[Enclosure]

Telegram Dated March 20, 1948 From President Azad Kashmir Government to President Security Council

China’s Resolution on Kashmir as put before the Security Council is absolutely unacceptable to the Azad Kashmir Government. We have always affirmed unequivocally that we will accept any proposal which will lead to a fair plebiscite under a neutral and impartial administration but the Chinese proposal gives to India what India has failed to achieve in the battlefield. It is a preposterous idea that the Hindu Army of India is necessary for the maintenance of law and order in our country. We know the peace that the Indian Army can bring to Kashmir; it [is] the peace of the grave. We will fight to the last man to resist such a dishonourable peace the very presence of Sheikh Abdullah at the head of the administration and of the Indian Army on the soil of Kashmir will make the free exercise of vote an impossibility and any plebiscite held under such conditions will be an utter farce in the eyes of the Azad Kashmir people. It will not end war. We warn the members of the Security Council that they will defeat the very aim which they seem so anxious to achieve by coming to any agreement to which the Azad Kashmir Government is not a party.
Pakistan cannot deliver the goods on our behalf and we will not submit to any coercion from any quarter. It is a matter of life and death for us. The Indian Army has acted so brutally, it has violated provisions of international law as regarding prisoners of war civil population and political prisoners so flagrantly that their proposal is totally unacceptable to us in all its details.

501 BC Kashmir/3-2348

Memorandum of Conversation, by Mr. J. Wesley Adams, Jr., of the United States Mission to the United Nations

CONFIDENTIAL

Participants: Mr. Henry Carter, Canada
Dr. Ting-fu Tsiang, China
Dr. Shuhsi Hsu, China
Joseph Nisot, Belgium
André Wendelen, Belgium
Sir Paul Patrick, United Kingdom
Robert Curson, United Kingdom
Mr. Ray Thurston, United States Mission
Mr. J. Wesley Adams, United States Mission

At the request of Dr. Tsiang, as President of the Security Council, the above representatives met this morning in Tsiang’s offices to discuss the Chinese draft resolution on the Kashmir question introduced in the Security Council on March 18. Invitations to participate in the meeting were extended to those Delegations which had presented resolutions regarding the India-Pakistan question or which had submitted suggestions to the President of the Council in connection with his resolution. On this basis, Mr. Lopez (Colombia) was invited to attend but presumably because of pique over the scant attention given his resolution by the Council did not attend the meeting.

The only paper was that submitted by the British which, as Sir Paul explained, contained several United States suggestions. The British document, in fact, incorporated the amendments on which informal agreement had been reached between ourselves and the British in discussions in the Department on March 20.1 Discussion on the British paper was virtually restricted to the representatives of China, United Kingdom, and the United States. In general, Tsiang expressed his agreement with the amendments suggested but appeared to be somewhat reserved with respect to British amendments dealing with the distribution of Indian troops.

1 Memorandum of conversation not found in Department of State files.
In connection with the proposed amendments expanding the powers of the plebiscite administration with reference to maintenance of law and order, Tsiang explained that he had discussed this question with the Indian Delegation and that the latter had expressed its willingness to place at the disposal of the plebiscite administration both such troops and police as might be necessary for any powers granted him in this category.

After completion of the discussion regarding the detailed amendments, Tsiang raised the question of how he should proceed in endeavoring to obtain the support of the parties to this resolution. In this connection, he emphasized the importance of broadening the base of support for his resolution as amended and inquired whether the Delegations represented at the meeting would be willing to join him in sponsoring the amended resolution. At this point, the Canadian Representative said that he had been instructed to state that Canada must enter a reservation regarding its position, that he could not make any commitment whatsoever, and that the Canadian position had always been that we should strive towards the achievement of an agreement between the parties. He clearly indicated that Canada did not wish to join in the sponsoring of a resolution to which one of the parties was not willing to give its approval. Thereupon Nisot (Belgium) stated that his position was very much like that of Canada, and he entered a similar reservation. The British representatives mentioned that they did not wish to participate formally in the sponsorship of the resolution, and Nisot then turned to the United States representatives and said that while he could understand the British reluctance, he did not see why the United States could not give its formal support to a resolution. He clearly implied that if the United States was willing to take such a step, Belgium might follow suit. Mr. Thurston said that he also would have to reserve the position of his Government on the amended resolution but that the possibility of United States joining like-minded Delegations in a formal support of such a resolution as the one under consideration was not entirely excluded.

The question of sponsorship was left unsettled, and it was agreed that representatives of China, United Kingdom, and United States would meet in the afternoon to work out refinements in the wording of the draft resolution. The representatives of Belgium and Canada stated that they would be unable to attend because of a shortage of personnel. Mr. Tsiang, indicating that he would not need to have the formal approval of the Governments of those representatives, stated that he would undertake to discuss the resolution, as amended, with the representatives of Pakistan and India in an effort to obtain the greatest possible measure of agreement. Earlier in the meeting, Tsiang
had emphasized that while it would probably never be possible to obtain complete agreement of both parties, the effort of the Council should be directed toward narrowing the area of this disagreement to the end that the parties would at least acquiesce in a settlement along the lines under discussion.

In a brief discussion with the British after the completion of the meeting in the offices of the Chinese Delegation, it was agreed that there could be no objection to the Chinese representative approaching the parties with his amended resolution, and telling the parties, if necessary, that his resolution, together with the changes made therein had the informal approval of the United States and the United Kingdom Delegations.

In the afternoon meeting, attended by representatives of China, United Kingdom, and United States, proposed amendments to the Chinese resolution, as contained in the attached draft, were tentatively and informally agreed to. Dr. Hsu indicated that he would have to discuss certain of the amendments with Tsiang, particularly those relating to the disposition of troops, before he could undertake Chinese sponsorship of them. Mr. Thurston stated that he entertained some doubts regarding the necessity of stipulating detailed provisions with respect to the disposition of Kashmir State troops in view of the other safeguards on this point contained in the draft resolution.

*Not printed. This draft, and later amendments to it, were discussed in the week that followed in similar, semiformal meetings with a varying list of individual and country participants. Memoranda of conversations of March 26, 28, 29, and 30 are in Department of State file 801.00 Pakistan.*

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845.00/3-1043: Agram

The Secretary of State to the Embassy in India

CONFIDENTIAL

WASHINGTON, March 29, 1948.

A-40. Urdes No. 218, Mar 10, 1948 entitled "Comments of Secretary of Ministry of States on Hyderabad Negotiations" which requested views of Department of treatment to be accorded Agent General of Hyderabad should such an officer be sent US.

In view India-Hyderabad standstill agreement of Nov 29, 1947 under terms of which foreign affairs, defense, and communications will continue on same basis as before Aug 15, 1947, US Government in its treatment of representative of Hyderabad will avoid any act which might be interpreted as a recognition of Hyderabad's sovereignty or of right to conduct external affairs independently of GOI. While the treatment accorded Hyderabad Agent-General will depend on terms

*Not printed.*
under which he comes to US as well as on arrangements made between Hyderabad and GOI for coordinating his activities with Embassy of India and/or Indian Consulate New York, he will probably be regarded as having status analogous to that of trade commissioner. It is likely that he would not be permitted to communicate direct with Department, but, like Consular Representative or foreign trade mission, would be obliged to use regularly established diplomatic mission, that is, Embassy of India, as channel for correspondence with US Government.

US policy re princely states remains unchanged, and Department will avoid encouraging aspirations of princely states for independence and the further political division of the Indian sub-continent. All matters of political or diplomatic nature or questions with political overtones which concern princely states which have associated themselves with Dominion of India will continue to be dealt with by Department through Embassy of India in Washington or US Embassy, New Delhi.

A copy of this airgram is being sent the Embassy at London, with the request that London also inform Department re treatment accorded the Nizam's representative in the United Kingdom.

MARSHALL

745.45F/4–148: Telegram
The Embassy in India to the Secretary of State
SECRET
NEW DELHI, APRIL 1, 1948—5 P. M.

255. Iengar \(^1\) asked to see me \(^2\) last evening and stated that Prime Minister wished him to convey to Department following:

GOI is most anxious to have Kashmir issue settled as soon as possible. People of Kashmir are suffering as result of delay. In their anxiety to get agreement on resolution they have accepted one amendment after another to Chinese resolution and after each concession Pakistan delegation has rejected it.\(^3\) GOI feels that urging to accept amendments is primarily on their delegation. It is determined to make no further concessions. On other hand it does not intend to withdraw its case from SC. GOI feels GOP delegation has been delaying in order to get Dr. López \(^4\) as President as his proposed amendments to Chinese resolution seemed more favorable to GOP. GOI may have

\(^1\) H. V. R. Iengar, Principal Private Secretary to the Indian Prime Minister.

\(^2\) Presumably Ambassador Grady.

\(^3\) The representatives of India and Pakistan were kept informed of the various revisions of the Chinese resolution. Their reactions were reflected in the revision process, and they participated in the meeting of March 29. See footnote 2, p. 321.

\(^4\) Alfonso López, Representative of Colombia on the Security Council and President of the Council during April 1948.
to cut down its delegation and let its regular representative stand by until SC gets something worked out that they can accept. In meantime GOI will probably have to take military action to protect people in certain areas of Kashmir. They are particularly incensed with Pakistan because they have recently captured some howitzers that could only have been brought into Kashmir over bridges. On questioning Iengan as to whether what he said meant intensification of military operations by Indian Army, he said “no but military steps would inevitably have to take place”.

Iengan apparently desired to impress upon me that change in policy he was describing should not be construed as any sort of threat or ultimatum. Nevertheless it is difficult for me to interpret his statement other than as warning India intends to pursue military campaign in Kashmir energetically in future.

Sent Department 255; repeated Karachi 76.

[Grady]

501.3C/4-248: Telegram

The United States Representative at the United Nations (Austin) to the Secretary of State

CONFIDENTIAL

NEW YORK, April 2, 1948—7 p.m.

371. For SOA-Thurston from Ross. Referring to our phone conversation this noon, Zafarrullah Kahn at his request, came in to see Ambassador Austin at noon today and spent about an hour with us discussing the current situation in the Kashmir case. He allowed us to read two telegrams he had received from Jinnah. The first long telegram he had received two or three days ago on the basis of the first Chinese draft resolution. It was very strongly worded and developed the following line: discussion of this whole matter in SC to date was more than sufficient to indicate all the facts and requirements of the situation. If the Council were to act on the basis of the Chinese resolution, it would be performing a complete about-face. This resolution was the product of a small and willful group instigated by the British. Whenever a situation reached the point of crisis the British abandoned Pakistan in favor of India because they somehow felt that Indian support in the world was more important. Pakistan could not agree to any solution of this problem that did not involve the complete withdrawal of Indian troops and the replacement of Abdullah.

The second very brief telegram of instructions was dated March 81 after the meeting of the Pakistan Cabinet on this question and was received here that night. This telegram in effect repeated what the longer telegram had said but in a somewhat milder language. It was
based on consideration not only of the original Chinese draft but also of the first revised draft.\footnote{This draft, not printed, is the first of many revisions of the March 18 Chinese draft resolution.}

Zafrullah’s attitude towards these instructions was that they of course stated an extreme position and [if] he in his position here at the moment, reminding us that he had quite wide latitude, was to find a way of dealing with the practical political realities of the situation, some formula must be found to deal with these essential points.

As the situation was developing Pakistan would be obligated to perform three tasks. They must make arrangements for cessation of fighting, they must get the tribesmen out of Jammu-Kashmir, and they must keep them out. In order to get the tribesmen out and keep them out it was essential that Pakistani troops be permitted to go into the Azad-Kashmir area.

The second point Zafrullah made was that any troops in Jammu and Kashmir, whether Pakistani or Indian, must be under the control of the Commission.

As a matter of practical politics, Pakistan could no more expect their view to prevail than the Indian view. They consider that Jammu and Kashmir are economically and strategically far more important to Pakistan than to India. They could not expect the Indians ever to agree to this principle, however, so he was trying to find ways of equalizing the situation. He then went on to discuss some of the specific language of the draft resolution dated March 30.\footnote{The March 30 draft was, according to a summary statement by Tsing in the 284th meeting of the Security Council on April 17, the third revised draft resolution since the one he had submitted on March 18. (SC, 3rd yr., No. 59, pp. 4–5) A copy of the March 30 draft, not printed, is in Department of State file 501.B0/4-1248. It was followed by further revisions and was not presented in the Security Council.}

In the course of the discussion with Zafrullah, the Senator asked him how much chance he thought there would be of the Indian Government accepting the changes along the lines of those indicated. Zafrullah replied quite frankly that he thought it might be difficult but that he did not know. Before leaving, Zafrullah repeated that he would send us this afternoon revised language which he also said, in response to my question, he planned to present to President López this afternoon. He did not think any useful purpose would be served in having a Council meeting at this stage. [Ross.]

\textbf{Austin}
SECRET

NEW YORK, April 6, 1948—5:56 p.m.

388. At a meeting today called by the President1 in his office at which representatives of the UK, China, Belgium and Canada were also present, the President reviewed the position in the Kashmir case. He had talked separately with each of the two delegations. He had received a letter from the Indian delegation containing a statement of their position together with changes which they stated would be required in the March 30 Chinese revised draft resolution before they could accept it.2 In this letter which he read, the Indians stated their position very flatly and seemed to have withdrawn certain concessions which they previously made. The delegate of Pakistan had also submitted to the President a redraft of the Chinese proposal, a copy of which has been forwarded to the Department.3 The President thought the parties’ positions were further apart at this time than previously and he was very pessimistic. This view was shared by several other members present. The consensus of opinion was that the Indians over the weekend had substantially hardened their position. They were no longer talking about acquiescing in a SC recommendation.

There was a discussion as to what should be done and the following decisions were reached:

(1). The President would ask Pakistan, which had not seen a copy of the Indian letter, to provide the President with a similar letter4 indicating the changes it required in the March 30 Chinese draft.

(2). The President would circulate to those delegations present both the Indian letter and the Pakistan letter.

(3). The President would meet with both parties and show them each other’s draft.

(4). The President would state to the parties that it was his view that the stage of negotiations between the parties should be brought to an end in view of their inability to reach agreement and that he would recommend to the SC that the Council should start a new stage of preparing a recommendation to the parties (presumably under Article 37).

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1 President of the Security Council, Alfonso López.
2 This letter, and one of similar import from the Pakistan delegation, was referred to by López in the 285th meeting of the Council on April 19. López informed the Council that he had received them on April 5 and 7, respectively. For his remarks, see SC, 3rd pr., No. 69, p. 51. The Indian letter, not printed, is not found in Department of State files. However, Indian thinking on the latest Chinese draft was presented by Ayubgan at the 285th meeting of the Council, ibid., pp. 2–19. For presentation of Pakistan’s letter of April 7 at the same meeting, see ibid., pp. 43–47.
3 Not found in Department of State files.
4 See footnote 2 above.
(5). The President stated that there was no commitment as to what action those present should take after that point.

The Chinese representative stated that he would be unable under his present instructions to propose the March 30 redraft of his resolution by himself. It would be necessary that other delegations join in sponsoring this draft resolution. No other delegations offered to sponsor the resolution. I said that all the other delegations present should consider this question of sponsorship and should be ready at an early date to inform their colleagues whether they were or were not in a position to sponsor this resolution or some modification of it. The British representative, Noel-Baker, said that if the parties did not agree this would place his government in a peculiarly delicate position. He already had, however, asked for instructions on this point.

The Chinese representative seemed to be expressing the consensus of opinion when he said that the March 30 draft seems to be about halfway between the positions of the two parties and that from that point of view it was an excellent draft to be placed before the Council as a basis for its proposed action.

There was also agreement that time was an important factor; that the parties seemed to be drifting apart and with the spring weather it was quite possible that they would turn to other solutions of the problem. The Chinese delegate urged strongly that the Indians might well give up hope very soon that they could get any solution from the Council, and turn to unilateral measures. The President expressed his view that time was on the side of India because she, so to speak, had possession. It was unanimously agreed that some decision before April 16 when the special session 5 on Palestine starts was essential. Noel-Baker said that if it was not done, it would be impossible to hold a plebiscite before the snow falls in October.

The Chinese suggested that it would be necessary in undertaking this new course for the members of the SC to do some real missionary work not only with the delegations of the parties here in New York but also through diplomatic channels in India and Pakistan in order to persuade the two governments to acquiesce in any recommendation which the Council makes. He suggested that we should not finally pass a resolution in the Council until we had through these channels satisfied ourselves that the two parties would be likely to acquiesce in a specific recommendation.

It was also agreed that the parties should not be asked at this stage to come before the SC to state their positions publicly as this might commit them to fixed positions.

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5 Second Special Session of the United Nations General Assembly.
In our view we must now proceed with a recommendation under Article 37 of the Charter. For this purpose it will be important to reach agreement on the introduction of a resolution along the lines of the March 30 Chinese draft. I believe it likely that if the US indicates its willingness to be a co-sponsor of this draft, the British, Canadians and Belgians will do so as well. This may mean some difficult negotiation, particularly with the British. I therefore recommend that I be authorized to be a co-sponsor of the March 30 draft. My intention would be to use this authority to obtain the agreement of the other three, also to be co-sponsors. I have in mind taking a particularly strong line with the British on the ground that this is their problem and that they must face up to the responsibilities involved.

Austin

501.254/4-648: Telegram

The Acting Secretary of State to the United States Representative at the United Nations (Austin)

SECRET

WASHINGTON, April 7, 1948—2 p.m.


1. Though Dept believes informal draft resolution Mar 30, which is revised version Chinese original resolution, represents fair basis settlement Kashmir issue, it is believed inadvisable for US join with Chinese alone in formal sponsorship this resolution. Such sponsorship by US in view strongly pro-Indian flavor original Chinese resolution would either too closely associate this Govt with pro-Indian position or, alternatively, give impression that US is representing Pakistan interests and China continuing represent Indian views.

2. If, however, representatives UK, China, Belgium, and Canada, who participated in preparation Mar 30 draft resolution, will agree joint formal sponsorship US rep may also participate.

3. However, should final effort by President SC (López) to achieve agreement among parties on terms of a resolution fail, it is believed for following reasons that before proceeding to Art 37 recommendation effort should be made to persuade parties to request SC recommendation under Art 38: (a) if they could be so persuaded the parties would be morally stopped from refusing to carry out terms so recommended; (b) by proceeding first under Art 38, possibility that one or both of parties might refuse to accept terms recommended under Art 37 would be delayed and, if successful, entirely avoided; (c) procedure

1 Not found in Department of State files.

429-027-75—22
under Art 38 is more in line with our basic approach of attempting to obtain largest possible measure of agreement among the parties; (d) the parties are doubtless aware of large measure of support for March 30 draft and so would realize that in requesting recommendation under Art 38 they would be requesting a formal recommendation of substance of March 30 draft. Quite possibly they may be willing accept such a recommendation when proposed formally which they have not been able to accept in informal negotiations where their approval of disagreeable, but not necessarily unacceptable, provisions has been required.

In any event it is believed that parties should first be given opportunity of requesting recommendation under Art 38 and that López at time of meeting with parties should put question squarely before them in order that they may make definite affirmation on this point.

4. In expressing willingness US jointly sponsor Mar 30 draft resolution with other reps mentioned above, door should not be closed to consideration appropriate amendments either at suggestion parties or other members SC. Joint sponsors should of course agree to hold informal consultations re any proposed amendments, in order to present and maintain united front in SC.

LOVETT

501.BC/4-1048: Telegram

The Ambassador in Pakistan (Alling) to the Secretary of State

CONFIDENTIAL

KARACHI, April 10, 1948—1 p. m.

213. Jinnah asked me to see him today and said he wished once again discuss Kashmir, particularly Chinese resolution.1 I said I had no recent information on subject but that toward end of March our attitude had been that although we could not vote for resolution in its then existing form since we thought it unacceptable both parties, we did consider it offered framework within which fair settlement could be reached (Depintel March 25).

He said all Pakistan wanted was fair plebiscite but that impossible if Abdullah government continued in power and Indian troops remained in occupation. Pakistan had agreed to plebiscite orly save India’s face since it was foregone conclusion overwhelming majority Kashmiris, if given free choice, would favor Pakistan. However, GOP in spirit accommodation was quite agreeable go through formali-

ties of vote. Jinnah considered earlier draft resolution ² before UN as fair both parties and could not understand "somersault" proposed by Chinese resolution. He attributed change to British wire-pulling instigated by Cripps ³ whose operations, he said, had many "wheels within wheels". He hoped US would not be misled by British arguments that they knew situation here better than we did.

He inquired what did Pakistan get out of Chinese resolution and replied it certainly did not get fair plebiscite which was sine qua non of settlement. It did receive honor of requesting tribesmen withdraw and asking 60,000 embattled Kashmiri troops lay down their arms. He said he was leaving for NWFP (Northwest Frontier Province) tomorrow and did anyone seriously believe he could, while there, propose any such thing without being laughed out of town or thrown into lunatic asylum? Before he could induce Kashmiris and tribesmen stop fighting, he must convince them there would be fair and honest plebiscite, and that he could not do since they knew meaning Chinese resolution as well as he did.

He continued, suppose Chinese resolution passed and tribesmen and Kashmiris refused stop fighting: he could not use force against them since he did not have such force. Suppose further he then said to India "I can't stop them. You come and do it." Did anyone suppose Indian Army was in position to take on half million tribesmen when well armed and officered British had not dared attempt such feat? He stressed Pakistan policy not oppressing tribesmen by force but endeavoring civilize them through education, economic and social development, and said he was convinced that was surest way keep them quiet. Using force against them in Kashmir dispute would open Pandora's box, result of which no one could foresee.

He ended by appealing to sense fairness and justice influence rapid decision for really impartial plebiscite under really neutral control. Given such decision, he was confident he could influence tribesmen and Kashmiris cease fighting. Given anything less he could accomplish nothing.

I reiterated throughout discussion our desire for prompt and peaceful settlement on basis fair to all and stressed responsibility we all

² Jinnah was probably referring to the Canadian proposal (S/667) dated February 10 which was submitted to the Indian and Pakistan delegations on February 6, discussed in the 243rd meeting of the Security Council on February 10, and substantially accepted by Pakistan. For text, see SC, 3rd yr., Suppl. for Jan.-March 1948, pp. 24-25. An alternative possibility, a Colombian draft resolution of February 11 (S/671), was not well received by the Pakistan delegation. For text, see ibid., pp. 27-28. The Colombian draft was introduced as a memorandum in the proceedings of the 241st meeting of the Security Council on February 5 and formalized and discussed as a draft resolution in the 245th meeting of the Council on February 11. For proceedings of the 241st-245th meetings, see SC, 3rd yr., Nos. 16-33, pp. 1-131.

³ Sir Stafford Cripps, British Chancellor of the Exchequer.
bore toward that end. His last word was beg us not be misled by UK. 
Sent Department 213 ; repeated London 15, Delhi 31.

501.BC/4-1048 : Telegram

The Acting Secretary of State to the Embassy in India

SECRET

WASHINGTON, April 10, 1948—2 p. m.

211. Re Kashmir dispute SC reps China, UK US Belgium and 
Canada have informally and privately prepared a revision dated 
Mar 30 of Chinese resolution formally introduced SC Mar 18. Revised 
draft embodies following principal procedures for settlement:

1. GOP to do utmost effect withdrawal tribesmen and Pakistani 
intruders and prevent further intrusion such elements; also to prevent 
furnishing material aid thereto.

2. In consultation SC Commission GOI to put plan in operation for 
progressive reduction GOI troops and stationing remainder in such 
fashion as not to afford any intimidation to inhabitants of state.

3. Reestablishment law and order insofar as possible to be effected 
by personnel recruited locally in each district.

4. If local forces inadequate SC Commission to arrange the agree-
ment GOI GOP for use such forces either Dominion as deemed 
necessary.

5. GOI to ensure that Govt Kashmir invite participation major 
political groups in administration at ministerial level.

6. Safeguards re victimization, freedom of speech, political pris-
oners, etc.

7. GOI to see that Plebiscite Administrator headed by neutral ad-
ministrator appointed by SGUN be established Jammu and Kashmir 
to hold plebiscite on question accession and to exercise such powers as 
Administrator considers necessary for holding a fair and impartial 
plebiscite including control and supervision of state forces and police.

8. SC Commission to certify to SC whether or not plebiscite really 
free and impartial.

GOI and GOP reps have not agreed to settlement along foregoing 
lines but reps govt mentioned first para, believing plan represents 
practical solution problem, will probably introduce a formal resolu-
tion SC at early date embodying substance thereof in hope that parties 
will accept it and cooperate in implementing it.

When formal resolution introduced SC it may be desirable for you 
to discuss merits thereof with GOI and GOP but such discussions 
should be deferred pending further instructions,

Full texts original Chinese resolution and March 30 revision being 
airmailed. You will be informed by cable of any substantial changes 
in March 30 draft.
During the course of a conversation I had with the Afghan Minister¹ this afternoon, he handed me the attached document, which he said was a copy of a document which he had given to the British Delegation to the Security Council during the course of the discussions with regard to the future of Kashmir. The Minister said that he had given this paper to the British Delegation in order that it would be clearly understood that Afghanistan considers itself to have a vital interest in the future of the tribal areas.

L. W. H[ENDERSON]

[Enclosure]

A. Afghanistan is naturally concerned with her internal peace, tranquillity, security and the economic well-being of her people.

B. Because of inextricable and inseverable racial, linguistic, geographical, blood, cultural and economic ties existing between the Pashtoon people on both sides of the Durand Line, our internal peace, tranquillity, security and economic well-being are closely tied with such peaceful conditions as may prevail amongst these Pashtoons.

C. Whatever factors will affect peace and tranquillity amongst the independent tribes will inevitably affect the internal peace, tranquillity and internal security of Afghanistan.

D. In the discussions which are taking place before the Security Council concerning the current Kashmir question, between Pakistan and the Indian Union, the representative of the latter has claimed that Pashtoon tribesmen have passed through the Dominion of Pakistan and have invaded Kashmir. The representative of the Dominion of Pakistan, admitting this fact, disclaims any responsibility for it, and infers that Pakistan is unable to prevent these tribesmen from passing through Pakistan.

E. The representative of the Indian Union, even though he does not accept Pakistan's explanation, nevertheless expresses India's con-

¹ Abdul Hosayn Aziz.
cern, and states that under such circumstances India is "... quite willing to cooperate with Pakistan to get rid of these tribes".

F. If solution of the present situation should develop into negotiations that might lead to and perhaps reach some kind of agreement, which might affect the independent tribes within their tribal areas, Afghanistan cannot afford to remain out of the picture.

G. Further, Afghanistan realizes that administration of the affairs of the tribal areas, though not really beneficial and of permanent usefulness for the cause of peace, and much remained there to be desired, was carried out by qualified and experienced British personnel, and the expenses involved by their methods of control were sustained by the financial resources of the Indian Empire, none of which is in the possession of our southern neighbor. Therefore, we are justified to have our grave doubts and anxieties over any arrangements in this area, to which we will not be a party, because our peace, tranquillity, internal security and economic well-being, more than those of any other nation, are susceptible and involved.

845.00/4-1248: Telegram

The Ambassador in India (Grady) to the Secretary of State

CONFIDENTIAL

NEW DELHI, April 12, 1948—3 p.m.

287. Embdesps 374 December 3, 270 March 28, 340 April 10.\(^1\) Nizam’s Agent-General New Delhi sent Embassy note April 6\(^2\) which referred standstill agreement provisions authorizing Hyderabad appoint Agents-General and stated Nizam wished appoint Ahmed Mohiuddin, former general manager Hyderabad State Bank Bombay Branch as Agent-General Washington. Note expressed hope US Government would extend “all reasonable facilities to Agent-General on his arrival in US” and said GOI had been informed selection Mohiuddin.

Agent-General’s note was discussed External Affairs Ministry. Embassy has now received note from External Affairs\(^3\) setting forth GOI views on scope of function of Hyderabad Agents-General in foreign countries. Note states GOI must consider “whole position afresh” as Hyderabad Government has committed breach several provisions standstill agreement and that “any action taken re appointment by Hyderabad Government of Agents-General abroad might well lead to further difficulties”. Note suggests Embassy inform Nizam’s Agent-

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\(^1\) None printed.
\(^2\) Note 178 dated April 6, 1948, not printed.
\(^3\) Note 350-PA/48 dated April 10, 1948, not printed.
General that matter will be dealt with by GOI. Texts of notes follow airmail.4

Embassy believes only course of action is to advise Nizam’s Agent-General that GOI has informed Embassy GOI will deal with matter and that until question is settled between Hyderabad and GOI Embassy will defer consideration Hyderabad request for appointment Agent-General Washington. Embassy will await Department’s telegraphic instructions this point before communicating with Nizam’s Agent-General Delhi.5

Department please repeat London if desired.

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4 Notes transmitted to the Department in despatch 350 from New Delhi, April 12, 1948, not printed.
5 The Acting Secretary, in telegram 221 of April 15, not printed, replied as follows: 'Dept agrees (Emt tel 287, April 12) Nizam’s Agent-General should be informed Emb deferring consideration Hyderabad request for appointment Agent-General Washington pending GOI-Hyderabad clarification nature his status. Refer Depts Airgram A-40, March 29' (943.00/4-1248).

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501.BC/4-1348 : Telegram

The Ambassador in India (Grafty) to the Secretary of State

SECRET

NEW DELHI, April 13, 1948—10 a.m.

289. When I called on Iengar today in response to his request he said GOI had received wire Bajpai reporting conversation Senator Austin Friday evening. Bajpai stated Senator Austin proposed administration be divided equally between representatives Kashmir Muslim Conference, Azad Kash group and Abdullah. Bajpai pointed out such govt could not function and Senator Austin replied that during plebiscite it might be well to have govt that did not function. Nothing in Deptel 211, April 20[10], which Embassy had received before I saw Iengar but which I did not discuss with him, to indicate plan reportedly proposed by Senator Austin but I told Iengar I would communicate concern of GOI this matter.

Grad

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501.BC/4-1348 : Telegram

The Ambassador in Pakistan (Alling) to the Secretary of State

CONFIDENTIAL

KARACHI, April 13, 1948—11 a.m.

217. I think plan outlined Deptel 182, April 10, 2 p. m.2 offers reasonable possibility acceptance GOP. In talking last night Secretary-General Azad Kashmir government who here for few days, he

2 Printed as telegram 211 to New Delhi, p. 330.
indicated as acceptable to Ibrahim\(^2\) coalition government with equal number ministers from Azad and Abdullah group with neutral administrator and plebiscite director. He felt it would take several months prepare plebiscite during which time Indian troops could be reduced to minimum or withdrawn entirely, order being kept by locally recruited police or troops. He thought it might be necessary however bring in few battalions Pakistan troops. He claimed Azad forces were keeping good order area they occupied, including Gilgit which territory he said USSR was watching closely. Secretary-General added Azad forces would have no objection visit American military officer their sector.

\(^{2}\) Sardar Mohammed Ibrahim, President of the Azad Kashmir Government.

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501.BC/4-1748: Telegram

The Acting Secretary of State to the Embassy in India

SECRET

WASHINGTON, April 17, 1948—3 p. m.

236. Full text SC resolution Kashmir being transmitted separately OIE wire. This resolution sponsored by UK US China Colombia Belgium Canada and to be introduced SC April 17.\(^{3}\)

Emb will note this resolution retains all of major points contained Mar 30 draft as summarized Deptel 211 (132 to Karachi). It differs principally in that present preamble places emphasis on good offices role of SC Commission in bringing about cooperation parties for termination fighting and holding fair plebiscite while at same time expressing SC view as to measures which in its opinion are most likely to lead to these objectives. In view enhanced role Commission, provision also made for enlarging it to five members.

March 30 draft on other hand was straightforward recommendation to parties of articles of settlement.

Considering resolution in entirety following points are emphasized:

1. Resolution is a new one and while drawing in part on Chinese resolution Mar 18 is not to be considered mere revision that resolution. It is joint product work six SC delegations.

2. Resolution does not endeavor judge merits respective complaints.

3. Resolution is responsive Indian complaint in provisions designed stop fighting and in calling upon Pakistan cooperate that end, and to Pakistan complaint in its provision that future status Kashmir be

\(^{3}\) For text of this resolution (S/728), adopted at the 286th meeting of the Security Council on April 21, see SC, 3rd yr., Suppl. for April 1948, pp. 8–12. The record of the proceedings of the 284th, 285th, and 286th meetings, in which the Resolution was presented, discussed, and approved, may be found in SC, 3rd yr., No. 59, No. 60, and No. 61.
decided by people of state through plebiscite and in safeguards provided ensure impartiality plebiscite.

4. Resolution framed in terms suggested procedures of settlement and so depends entirely for success on cooperation parties with each other and with commission and plebiscite administrator. In particular, disposition of troops, police and state forces and constitution and operation coalition government will require utmost cooperation and good will.

5. Phrase "to share equitably and fully" in para 6 of resolution does not have any specific numerical significance and negotiation this point will presumably be among first problems facing commission upon arrival in area.

Dept informed Attlee has communicated direct with Nehru and Jinnah stressing gravity situation and desirability full and dispassionate consideration resolution; also that no immediate action required other than cooperation with SC Commission. In view strong terms Attlee's message and peculiar position British vis-à-vis two dominions British desire any approach we make those govt not appear to be concerted. We agree fully with British this point but as one of co-sponsors resolution naturally desire encourage acceptance by GOI and GOP of proposals embodied therein. Dept leaves to your discretion and subject your appraisal local situation nature and timing your efforts this regard.

Sent Delhi as 236, rpted Karachi 148, London 1377, Usun 226.

LOVETT

501.1C/4-1748 : Telegram

The Ambassador in Pakistan (Alling) to the Secretary of State

CONFIDENTIAL

KARACHI, April 17, 1948—7 p. m.

225. Prime Minister asked me call today discuss Kashmir. Since I had not received text Chinese resolution (Depel 132, April 10 1) and since Prime Minister's version was telegraphed from New York and somewhat garbled we lacked authoritative text. However, Prime Minister was definite that resolution was unacceptable GOP. He said it showed complete lack understanding Oriental psychology, that as long as Abdullah remained in charge Kashmir Government populace would not dare risk voting against him since they would consider he would remain in power wreak vengeance on them. This plus presence Indian troops made impartial plebiscite impossible.

I pointed out that presence new Ministers Abdullah Government presence SC commission and possibility Pakistan troops being invited help maintain order Kashmir gave reasonable guarantees fair vote.

1 Same as telegram 211, April 10, p. 330.
He replied this might appear be case to western mind but it would not impress Kashmiris who were to be asked lay down their arms. He was certain they would refuse stop fighting on such flimsy guarantees, particularly since they now felt they had military advantage which they would not give up for “vague promises”. I asked what sort settlement he considered would be acceptable GOP and Kashmiris within framework Chinese resolution. He replied (1) definite statement in resolution that Pakistan forces were to be invited help maintain order not vague procedure outlined point 4 Deptel 132 April 10 and (2) that government to have representation Kashmir Cabinet equal that Abdullah with neutral outside administrator head of coalition. I pointed out that this was not far different from what I understood revised draft resolution provided since plebiscite administrator had broad powers. He replied if SC really intended such solution let resolution clearly show intention. I urged that confidence be placed fair intentions SC commission. He was willing do so, he said, if the instructions were clear and unequivocal on two points mentioned above.

Finally he pointed out that GOP had been extremely patient Kashmir case. It was only with greatest difficulty he had been able induce members Constituent Assembly refrain from raising issue at recent session. In contrast he claimed India had made Kashmir public political issue which he considered improper when case was sub judice before UN.

Sent Department 225, London 17, Delhi 33.

ALLING

845.00/4-1848: Telegram

The Ambassador in India (Grady) to the Secretary of State

CONFIDENTIAL

NEW DELHI, April 18, 1948—noon.

299. GOI-Hyderabad talks have again ceased and both Governments have agreed make no statement re status negotiations which according Hyderabad spokesman have reached “delicate stage”. Following is substance information given Donovan by Layard of UK High Commissioner’s Office:

GOI has told Hyderabad responsible government must be introduced immediately and that constitution must be framed by elected Constituent Assembly, also that communal armies must be dissolved. Symon ¹ believes GOI will force matter and that if Hyderabad is compelled to accede by undue pressure, serious civil disturbances will occur. V. P. Menon ² told Mountbatten recently that if Mountbatten

¹ A. C. B. Symon, Deputy High Commissioner, India.
² Secretary of the Ministry of States, India.
were not here, question of Hyderabad would have been settled by this
time. Layard interprets Menon’s remark to mean GOI has refrained
from drastic measures because of Mountbatten’s presence.

Layard said 300 British residents in Hyderabad city had worked
out their own defense scheme which includes 14 Americans residing
there. UK High Commissioner\(^3\) is working out plans for evacuation
by air to Madras or Bombay in case trouble occurs.

UK High Commissioner is sending radio operator with small trans-
mitter to Hyderabad today.

Layard believes there will be lull in situation for few days at least
and he admits that even if riots occur, foreigners might not be molested
but points out and Embassy agrees that population of Hyderabad at
such times frequently reacts in violent and unpredictable manner.
Further information will be available afternoon twentieth re evacua-
tion scheme.

Bombay Madras informed. Department please repeat London if
desired.

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\(^3\) Sir Archibald Nye.

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501.BC/4–2048: Telegram

The Ambassador in Pakistan (Alling) to the Secretary of State

CONFIDENTIAL

KARACHI, April 20, 1948—1 p. m.

230. Saw Prime Minister today and handed him copy draft resolu-
tion\(^1\) Kashmir. I explained some of points in Deptl 148, April 17,\(^2\)
and told him in my opinion resolution offered all necessary guarantees
protect GOP position and afford fair honest plebiscite. I said if I had
responsibility for Pakistan, I would immediately inform UN resolu-
tion was acceptable and that GOP would cooperate fully with SC
Commission. Prime Minister made no commitments and I judged he
had received no instructions from Jinnah who is still NWFP. I
gathered, however, that Prime Minister’s attitude was much more
favorable than it was when I last talked with him April 17. He still
objected idea troops remaining Kashmir and speculated whether GOP
would be able under such conditions induce Azad forces lay down
arms.

Sent Department 230, which please repeat London if desired. Delhi
informed.

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\(^1\) Resolution of April 21 (S/726). See telegram 236, April 17, p. 334.
Same as telegram 236 to India, p. 334.
CONFIDENTIAL

WASHINGTON, April 26, 1948—5 p. m.

257. 1. Dept considers that Kashmir Plebiscite Administrator must be man outstanding qualifications with established reputation India and Pakistan. This would seem limit choice to Brit nationals or US nationals known to India and Pakistan leaders through military or other service in area. In view delicacy Brit position designation Brit national probably impracticable. Dept is therefore willing have US national designated Plebiscite Administrator.

2. In event SC Pres must appoint member or members to complete Commission, Dept does not wish US to be so appointed and Pres should be so informed. If Pakistan does not appoint its nominee within ten day period, Dept believes Turkey would be sound choice for appointment by SC Pres as fourth Commission member. New Zealand or Scandinavian state would be appropriate fifth member whether appointed by Pres with Turkey or singly as a result of India and Pakistan nominees failing to agree on fifth member.

3. As exception to first sentence, para 2, Dept considers US could scarcely refuse appointment by SC Pres as neutral fifth member Commission if it is clear that US national is not to be designated Plebiscite Administrator.

4. If Pakistan does appoint its member Commission and if that member and Czechoslovakia choose US as fifth member Commission, Dept considers that US responsibilities as UN member would require acceptance.

5. Dept does not consider it desirable for US national to serve as Plebiscite Administrator and for US to serve also as Commission member. However, if US is chosen Commission member pursuant to para 4, it may be necessary for US fill both posts.

MARSHALL

501.BC/5–548 : Telegram

The Secretary of State to the United States Representative at the United Nations (Austin)

CONFIDENTIAL

WASHINGTON, May 5, 1948—7 p. m.

283. Kashmir case (1) Despite failure thus far GOI and GOP to indicate acceptance recommendations for settlement Kashmir dispute SC resolution Apr 21,² Dept believes that SC Commission established

² See telegram 236, April 17, to India, p. 334.
under that resolution should in accordance with operative provisions thereof proceed to Indian sub-continent earliest possible date to perform good offices functions; (2) establishment Commission and directive to proceed to area are SC decisions which UN members cannot ignore under Article 25 of Charter. Failure or undue delay in Commission’s proceeding with assigned task, particularly in view wide approval this step in SC and lack any apparent conflict between US and USSR in matter, would seriously damage prestige SC and UN; (3) While it is possible that GOI and GOP might reach peaceful bilateral settlement re Kashmir, recent history GOI–GOP relations and experience bilateral conversations NY both point to strong probability that two governments will not reach peaceful accord except with assistance good offices Commission of nature established SC resolution Apr 21; (4) Emphasis upon good offices functions SC Commission does not necessarily mean rejection detailed measures recommended SC resolution Apr 21 and care should be taken not to disavow these measures. Realistic appraisal situation, however, does point possibility that alternative procedures may eventually be found, but it is difficult envisage any means finding such alternative solution other than through dispatch SC Commission to area; (5) Re Deptl 257 Apr 26 Dept now inclined view that US could probably make greater contribution settlement Kashmir dispute by serving as member SC Commission than by merely acquiescing in choice US national as plebiscite administrator. If, therefore, USUN is approached regarding US willingness to serve as fifth member Commission, you should indicate that we are willing to participate in Commission but that if selected, we should prefer that someone other than US national be appointed as plebiscite administrator; (6) Role of plebiscite administrator at present time is highly problematical in view GOI–GOP disapproval many recommendations SC resolution Apr 21. Membership in SC Commission on other hand offers possibility for constructive leadership by US but with responsibility shared with four other governments. Sent to USUN, repeated to Delhi and Karachi.

Marshall

Editorial Note

The United Nations Commission for India and Pakistan was composed of the following members:

Czechoslovakia—nominated by India, February 10.
Belgium—appointed by the Council, April 23.
Colombia—appointed by the Council, April 23.
Argentina—nominated by Pakistan, April 30.

United States—designated by the President of the Council, May 7, in the absence of agreement between Argentina and Czechoslovakia on the member to be designated by them.

743.45F/5-848: Telegram

_The Ambassador in Pakistan (Alling) to the Secretary of State_

SECRET

KARACHI, MAY 8, 1948—1 a.m.

265. Chamberlain from Hoskot. Information received this morning indicates possibility armed conflict India Pakistan imminent unless present conditions change drastically, quickly. Pakistan has three regular Pakistan Army battalions Kashmir now, one vicinity Uri, one vicinity Poonch, one vicinity Mirpur, all lying well back present fighting but on war scale prepared immediate action event India advances any above three places should cause serious withdrawal Azad forces. Two ack-ack guns on Pakistan side Kohala bridge have instructions fire and have fired at Indian planes attempting bomb bridge. One ack-ack gun on Pakistan side suspension bridge near Palandri which is supply line for Pakistan battalion near Poonch. Indian drive northwest from Naushera towards Mirpur would result headwaters Jhelum which feed large irrigation canals western Punjab coming under their control and possible shut off this water. Same true headwaters Chenab which canal controls located in Kashmir southwest Akhmur. Shut off this water could precipitate local action by residents area which turn bring about invasion Pakistan by India forces. Baridoab canal which has headworks and controls in east Punjab and which has been dry for four weeks causing serious crop damage eastern part of west Punjab now full water supposedly due agreement between east west Punjab provincial governments. Actually Indian Army had blocked Ravi flow water into canal vicinity Basanpur and diverted it to east Punjab. Back-up water so high interfering construction military bridge for military road running from Palankot to Basanpur thence to Jammu, and only reason water flowing in canal is lower level allow completion bridge. Upon completion of bridge water will again be blocked leaving thousands acres west Punjab dire straits. Pakistan Army on practical war footing along entire Indo-Pakistan border Bahawalpur State to Domel. 10th Division Lahore with brigade[s] Lahore, Sialkot, Rawali [Rawalpindi?] has complete war plan ready to be put into action. By bringing 7th Division which

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1 Presumably Lt. Gen. Stephen J. Chamberlin, Director of Intelligence, General Staff, War Department.

is mobilized on war footing in Pindi into action sending 3rd Armored Brigade from Rimalpur into positions along border north of Jhelum and robbing 9th Division Peshawar, Pakistan can throw at most corps into action. Lack supplies and reserves would mean short but bloody engagement with India certain and quick victor. Ammunition ordered from UK report arriving Karachi by sea next couple of days but problem transport to west Punjab difficult. Shipment includes 303, mortar and 25 pounder stuff. Governor General India told Commander-in-Chief Pakistan recent defense meeting Delhi that India converting 12 C-47's a month at Hindustan aircraft [airfield?] Bangalore with bomb racks and machine guns. This report confirmed by American who saw actual work being performed. Event hostilities, position British officers both Dominions presents delicate situation. Unquestionably UK order their immediate withdrawal but reliable sources here feel many British officers with Pakistan might refuse obey withdrawal order due firm belief Pakistan's cause and continue their service. Pakistan Defense Council meeting today and tomorrow consider ways and means further combatting this threatened possibility and requesting aid from UK and US not remote if threat materializes or danger of possible Indian aggression increases.

A (2). Rumor that India stated airborne invasion Hyderabad for 5 May current here. Movement cancelled last minute by demand HMG and Sir Walter Monckton, Constitutional Advisor Hyderabad, who had just returned to UK, immediately flew back to India and now further consultation Hyderabad India taking place effort avert Indian armed entry into Hyderabad. Felt that India actual aggression into Hyderabad would be calculated risk and would necessitate withdrawal many Indian troops from internal defense duty. However, if does occur, predict large-scale riots in India and consequent minority suffering which unquestionably break to Pakistan. Necessity for UN Commission presence here immediately most obvious. Developments being closely observed this office and writer has appointment Commander-in-Chief Pakistan Army at termination Defense Council meeting on ninth. Further report be submitted.

Department please pass to War from Hoskot, MA, Pakistan, CLN 46 Crypto War pass to MA London and Delhi. [Hoskot.] ALLING

745.45F/5-848

The Secretary of State to the Embassy in Pakistan

SECRET

WASHINGTON, May 12, 1948—6 p. m.

180. As member SC Commission we shall exert maximum effort assist in speedy organization and despatch Commission to area in
belief that with cooperation from GOI and GOP Commission will be able play constructive role in peaceful solution Kashmir dispute. Urteil 264 May 8.

If either GOP or GOI should prior arrival Commission take precipitate action, military or otherwise, possibility Commission's assisting in settlement Kashmir question by pacific means would be seriously jeopardized. Developments reported urteil 265 May 8 may have such effect. Info contained therein discussed informally with Brit Emb who disclaim any knowledge but are cabling London urgently. Emb Delhi will appreciate that utmost care should be taken to avoid any leak to GOI through US source of reported GOP military plans. Sent to Karachi as 180 rptd to Delhi as 293, London 1720, USUN 300.

Marshall

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1 Not printed.

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501 BC/5-1348

The Ambassador in the United Kingdom (Douglas) to the Secretary of State

SECRET

LONDON, May 13, 1948—1 p. m.

2093. Patrick CRO (Commonwealth Relations Office) spoke Embassy officer May 11 as follows re Kashmir Commission:

1. Since parties are not agreed re SC resolution, chairman, rather than administrator, is number one job. Patrick hopes and expects American to be elected chairman and believes chairman should proceed by air to Srinagar at earliest possible moment without stopping either at Delhi or Karachi. He thinks chairman should depart if necessary before other commission members ready to go and later convene commission Srinagar. Presence chairman, preferably with personal guard 10 or 20 US Marines to build up his prestige would in Patrick's view, go far steady situation. Another prestige builder would be to fly chairman Srinagar in US military or presidential airplane.

2. For post of administrator CRO has asked Australian Government make available Judge Kirby.

3. Patrick said CRO has been hoping US Government could spare Lieutenant General Wheeler 2 for post chairman. However he was sure anyone USG could produce quickly would do good job.

Sent Department 2093, repeated Karachi 40, New Delhi 34.

Douglas


Mr. V. P. Menon, Secretary of the Ministry of States, told an officer of the Embassy that the GOI was prepared to receive and cooperate with the United Nations Commission and that the Indian Government had great hopes that the Commission would be able to offer a constructive plan for the solution of the Kashmir problem.

Mr. Menon said that the Government of India would be willing to accept a solution based upon the partition of the State. According to him the GOI would be willing to let the areas of Mirpur and Poonch go to Pakistan. In reply to a question he said that Gilgit could also go to Pakistan, which would make that Dominion responsible for the defence of this area of the world against Soviet aggression. He expressed his great fear of Soviet infiltration through Gilgit and expressed doubt that Pakistan would effectively prevent such infiltration. Mr. Menon said that the GOI would never suggest the partition of Kashmir as outlined above but would accept such a solution if it should be made by the United Nations Commission. He anticipates that if a solution is arrived at on the basis of partition no plebiscite would be held.

In reply to a question, Mr. Menon admitted that it was true that there were some Communists in the Kashmir National Conference but that he was certain that their influence was not extensive.

In the opinion of the Embassy, Mr. Menon’s statement that the Government of India would accept a solution of the Kashmir problem based on partition is significant since in their past utterances both Pandit Nehru and Sheikh Abdullah have declared that they were unalterably opposed to partition. The Embassy believes—particularly since Mr. Menon emphasized that, if the solution of partition is adopted, no plebiscite will be held—the GOI is beginning to doubt that it would win a plebiscite of all the inhabitants of the State on the question of accession of the State to India or Pakistan.

GRADY

1 Despatch 524 not printed. The message it transmitted to the Department was a copy of a letter from the Indian Prime Minister which was read at the 290th meeting of the Security Council on May 7. The letter (S/734) stated that it was not possible for the Indian Government to implement certain parts of the Resolution of April 21 but that if the Council should still decide to send out the Commission, the Government of India would be glad to confer with it. For text, see SC, 3rd yr., No. 64, p. 37.
CONFIDENTIAL

WASHINGTON, May 25, 1948—6 p. m.

324. With reference next SC discussion India-Pakistan question now scheduled May 26 Dept understands that of the three inter-Dominion issues other than Kashmir now before SC Pakistan intends press for discussion only of Junagadh question. While Dept appreciates strategic value Junagadh issue to Pakistan in connection latter’s endeavor obtain fair plebiscite in Kashmir Dept believes no useful purpose will be served by further inconclusive debate Junagadh issue in SC. Dept remains of opinion that satisfactory settlement Kashmir issue will facilitate resolution other outstanding issues bilaterally.

Principal alternatives to continued SC discussion appear to be: (a) agreement by SC to defer consideration Junagadh question pending developments in Commission efforts to settle Kashmir question; or (b) reference Junagadh issue by SC to SC Commission in accordance provisions para (D) SC resolution Jan 20. 1 Of these Dept prefers latter in belief it would be partially responsive Pakistan request for consideration this matter and also that it might prove useful to SC Commission as counterweight to possible Indian recalcitrance in Kashmir negotiations.

Accordingly, it is suggested you support but not propose resolution referring Junagadh question to SC Commission with same terms of reference as those set forth in para (C) of SC Resolution Jan 20. Dept opposed US sponsorship such proposal believing that in view US membership on Commission US motives might be impugned. Any such resolution should, of course, incorporate understanding that SC Commission would concentrate its efforts initially on Kashmir issue taking up Junagadh question in its discretion.

MARSHALL

1 For text of resolution (S/654), see SC, 3rd yr., Nos. 1–15, pp. 130–131.

745.45F/6–346 : Telegram

The Secretary of State to the Embassy in India

SECRET US URGENT

WASHINGTON, June 3, 1948—7 p. m.

MACT (DELHI ONLY)

346. Emb Karachi reports Pak battalion vicinity Uri engaged active combat Indian army and military situation developing such manner that continued advance Indian army and resulting contact
with Pak seventh division vicinity Mirpur could force official public recognition hostilities between Ind-Pak troops in Kashmir which might result open declared war. Emb believes in view seriousness situation unless urgent action taken Kashmir question may be settled by military decision prior arrival SC commission.

Delhi please cable appraisal situation. London please discuss fore-going with Brit Govt and cable Brit views.²

Sent New Delhi 346 London 2065 Karachi 213.

MARSHALL

² Ambassador Douglas, in his telegram 2509, June 7 from London, not printed, advised that Gray and Tull of the Southeast Asia Department of the British Foreign Office said on June 3 that the Office was unaware of any active conflict between India and Pakistan, though it considered it possible at any time (501.BC Kashmir/6-748).

745.45F/6-948: Telegram

The Chargé in India (Donovan) to the Secretary of State

NEW DELHI, June 9, 1948—4 p. m.

464. Deptel 346, June 3. Both British and American military attachés summoned to general headquarters yesterday afternoon and informed by Chief of Staff Kalwant Singh that GOI now possesses conclusive evidence presence Pakistan battalion in Kashmir west of Uri. Battalion identified as first 13 frontier force rifles. Apparently Indian troops in latest advance west of Uri came in contact Pakistan battalion which according Kalwant Singh retreated toward west.

Kalwant Singh also said he “believes” there were two or three other Pakistan battalions in Kashmir. It is as yet too soon determine what action GOI will take re this development. Department will be kept informed.

Sent Department 464; repeated Karachi 102. Department pass London.

DONOVAN

Editorial Note

The first normal meeting of the United Nations Commission for India and Pakistan was held on June 16 in Geneva. The delegations of the five countries which constituted the Commission were as follows:

(1) Representatives:

Argentina
Belgium
Colombia
Czechoslovakia
United States

Minister Ricardo J. Siri
Minister Egbert Graeffe
Minister Alfredo Lozano
Ambassador Josef Korbel
Ambassador J. Klahn Huddle
(2) Alternate Representatives:

Argentina    Minister Carlos A. Leguizamon
Belgium      Mr. Harry Graeffe
Colombia    Mr. Hernando Samper
United States  Mr. C. Hawley Oakes

(3) Advisers to the Representative of the United States:

Mr. J. Wesley Adams, Jr.
Major Francis M. Smith (U.S. Army)

The Secretary-General of the United Nations, in compliance with
the Security Council resolution of January 20, 1948, designated the
following personnel to assist the Commission:

Mr. Erik Colban  Personal Representative of the Secretary-General
Mr. Arnold V. Kunst  Principal Secretary
Mr. Henry S. Bloch  Deputy Principal Secretary
Mr. Richard Symonds  Personal Adviser and assistant to Mr.
                   Colban

*For greater detail on the composition of the Commission, see SC, 3rd yr.,
Suppl. for Nov. 1948, pp. 21–22.

501.BC Kashmir/6–2348: Telegram

The United States Representative on the United Nations Commission
for India and Pakistan (Huddle) to the Secretary of State

CONFIDENTIAL         GENEVA, June 23, 1948—3 p.m.

744. Comkas 6.1 With approval texts 3 letters to be sent GOI 2 of
which will also be sent GOP Kayum [Comkas? Kabul?] on June 22
completed preparatory work and will despatch advance officer, Richard
Symonds June 24 to Karachi and Delhi to make necessary local
arrangements. Comkas requesting assistance American Embassies
Karachi, New Delhi. Committee [Commission] which has yet to dis-
cuss program in sub-continent tentatively plans leave Geneva for
Karachi first week July.

Since preliminary meeting June 15 Committee has held 8 meetings.
Ambassador Huddle 2 unanimously elected temporary chairman at
first meeting. Committee then proceeded adopt after discussion and
amendment provisional rules procedure proposed by Secretariat.3 Of

1Telegram 6 from the United Nations Commission for India and Pakistan.
2J. Klahr Huddle, Ambassador to Burma, was appointed in early June to serve
concurrently as United States Representative on the Commission for India and
Pakistan.
3For the rules of procedure, adopted at the 4th meeting of the Commission
on June 18 in Geneva and amended at the 11th meeting on July 3, see SC, 3rd
these perhaps most important is Rule 9 [Section IX] providing in
effect that substantive decisions be taken by majority not less than 3
concurring votes. Election of rapporteur to prepare and present com-
mittee report before SC was deferred.

Committee adopted official title of “Security Council Committee for
India and Pakistan”* but agreed adoption this title should be given
no special publicity, its general acceptance to be gained rather by
usage.

Besides drafting letter to Nehru in compliance June 9 letter from
SC president,* committee prepared letter of notification to be sent
both governments concerning travel and related arrangements. As
adopted both letters expressed committee’s desire be of service both
governments “for the settlement of the situation in the state of Jammu
and Kashmir”.

This phrase followed in both letters by sentence reading “with
regard to its further dispositions the committee has reserved its de-
cision.” Committee adopted this formula after long deliberation as
most suitable answer to Nehru’s expressed and implied reservations.

Notification letter sent both governments also contains following
paragraph:

“The committee travel arrangements will probably require that it
fly to Karachi and from there to New Delhi. This should give oppor-
tunity to pay compliments to the Pakistan Government before proceed-
ing further to New Delhi, where conversations with the Indian
Government will begin in due course. The committee will return to
Karachi for conversations with the Government of Pakistan. Subse-
quently it is its intention to proceed to Kashmir.”

Committee also prepared letter both governments inviting them in
accordance Paragraph 16 SC resolution April 21 designate liaison
representatives to be attached committee.

Secretariat telegraphed all 5 letters June 23. Copies these letters
and rules procedure being airmailed Department.

At beginning discussion chairmanship US representative introduced
draft resolution providing for rotation on two week basis. Belgian
representative then proposed, and representatives other than US sup-
ported idea US representative serve as permanent chairman or at least
until end first phase committee work, presumably with submission
committee report to SC in Paris during October. In opposing this
suggestion Ambassador Huddle emphasized that election permanent

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* This title was subsequently changed to “United Nations Commission for India
and Pakistan.”
* For texts or descriptive information on the Commission’s correspondence and
action in the first five months of its existence, see the November 0 “Interim
report of the United Nations Commission for India and Pakistan,” SC, 3rd yr.,
Suppl. for Nov. 1948, pp. 17-144.
chairman would lead almost inevitably to conviction work of committee being dominated that representative. He also said prestige element could not be ignored since number of countries and individual delegates were making notable effort to afford appropriate representation and also that participation each representative as chairman would stimulate and sustain his interest. In course discussion representatives both Argentina, Czecho stated they intended participate as impartial and objective members committee and not as advocates countries by which they were chosen answering suggestion by Belgian that there might be tendency on part some to raise this point. Although Belgian advanced his suggestion with considerable force he finally withdrew it in view strongly stated position US representative this matter and 3 week rotation adopted.

To date committee has worked harmoniously and expeditiously in friendly atmosphere and unanimity in decisions has been achieved although only few matters real significance. Ambassador Colban personal representative SYG brings to commission long previous experience and knowledge technique and indicates every desire be helpful committee deliberations.

US representative has designated Oakes to serve as his alternate. [Huddle]

501. BC Kashmir/7—1448: Telegram

The Secretary of State to the United States Representative on the United Nations Commission for India and Pakistan (Huddle), at New Delhi

SECRET

WASHINGTON, July 14, 1948—11 a.m.

430. Kascom 14.1 Brit again fear India and Pakistan near open hostilities. UK cites following threatening factors:

1. India has clear evidence presence regular Pakistan troops in Kashmir which have already clashed with Indian troops.
2. India trying very hard improve military position before UN Commission enters Kashmir.
3. India believes Pakistan plans air attack on Indian bases Kashmir.
4. India may undertake military action against Hyderabad.
5. RIAF may attempt intercept planes allegedly running arms between Pakistan and Hyderabad. In view foregoing Brit hope Commission will proceed Kashmir in immediate future without protracted discussions Delhi or Karachi and Dept also considers this advisable. Please report Commission’s plans.

1 Telegram 14 to the United Nations Commission for India and Pakistan. The Commission was at this time in New Delhi after a stop in Karachi from July 7 to 9.
Brit fear GOI may endeavor impose conditions on Commission’s entry into Kashmir. In latter connection Dept would welcome your evaluation present attitude GOI toward Commission. 

MARSHALL

501.BC Kashmir/7-1548: Telegram

The United States Representative on the United Nations Commission for India and Pakistan (Huddle) to the Secretary of State

SECRET

NEW DELHI, July 15, 1948—6 p. m.

574. Comkas 11. Kascom courteously received arrival both Karachi and New Delhi when paying formal calls on Prime Ministers and Foreign Secretaries Pakistan 9th and India 12. Pakistan Governor General absent but delegates were guests his house. Foreign Minister Zafrullah Khan invited delegates second interview 9th when he repeated substance his representations previously made SC adding that Pakistan now has about three brigades at front in Kashmir territory but insisting troops for defense only, holding line and preventing conditions ensuing which threaten very existence Pakistan.

At Commission’s first business session New Delhi 13th Bajpai who has been named liaison for Indian Government with Vellodi made forceful ex parte statement India’s case saying state undeclared war existed which, unless Pakistan forces withdrew, would be decided India. He denied all Pakistan allegations at same time protesting alleged Pakistan activities. Said no possibility plebiscite until Pakistan forces withdrawn. However, Bajpai offered Commission collaboration Indian Government in efforts find solution.

At meeting 14th Bajpai was handed copy Commission resolution delivered same afternoon Pakistan High Commissioner Delhi requesting parties take all measures improve situation and refrain making or causing be made statements aggravating situation. Text being telegraphed separately. Commenting Bajpai said GOI could not muzzle press and Indian military action within its constitutional moral obligations. He reviewed military situation briefly but urged Commission hear Indian military experts. On possibility cease-fire gave personal opinion minimum Indian condition would be withdrawal Pakistan troops Kashmir but said would refer question his Government for official comment.

Commission following cautious policy which thus far seems to be achieving some results and reception by Indian officials was more

1 M. K. Vellodi, a member of India’s delegation to the Security Council meetings on the Kashmir dispute, January–May 1948.
2 For text, see SC, 3rd yr., Suppl. for Nov. 1948, p. 127.
wholehearted than expected. Tone press previously tending to unfriendly and cynical has softened somewhat and while it is too early to attempt forecasts Commission has not at least been confronted with cold opposition which might have been looked for. Reconcilement diverse views remains baffling problem. Commission’s attention currently devoted discovery way achieve cessation hostilities and situation this respect not without hopes.

Sent Department 574, repeated Karachi 118, Department pass London from Comkas.

[HUDDLE]

745.45F/7–1948 : Telegram

The Chargé in India (Donovan) to the Secretary of State

SECRET

NEW DELHI, July 19, 1948—8 a.m.

583. Following Embassy’s evaluation threatening factors in Indo-Pakistan relations mentioned Deptl 430, July 14.

1. Presence regular GOP troops in Kashmir, widely publicized by GOI in recent weeks, has strengthened GOI determination demand withdrawal raiders and GOP troops before accepting cease-fire order.

2. There has been intensification Indian military action Kashmir during past few months with obvious objective pushing western front approximately to Pakistan Kashmir border. GOI cannot hope, however, clear all Kashmir of hostilities in near future and Embassy doubts that campaign was primarily undertaken to strengthen GOI position for UNCIP deliberations.

3. According information from UK High Commissioner, GOI has received “assurances from Pakistan” that latter government will not make air attacks on GOI Kashmir bases.

4. There is school of thought in Cabinet which feels military action by GOI is only solution Hyderabad problem and there is always possibility outbreak hostilities. Embassy considers unlikely, however, GOI will initiate military operations for time being. In conversation with Embassy officer July 16, V. P. Menon, Secretary, States Ministry, said although he personally was convinced military solution would be necessary his government felt there was still chance for peaceful settlement and was working toward that end. Embassy agrees with UK High Commissioner that Hyderabad situation has deteriorated markedly past few days.

5. It would be extremely difficult RIAF intercept night flying planes allegedly running arms between Pakistan and Hyderabad, which could vary their routes from time to time.

While Embassy believes UNCIP should visit Kashmir during its stay in India, it does not see that its presence Kashmir would materially lessen chances open conflict GOI–GOP, or greatly contribute solution Kashmir problem at this time. During stay UNCIP Srinagar, Sheikh Abdullah will attempt prove his overwhelming support by
Kashmir people by organizing parades, etc., and will submit evidence atrocities by raiders. Peaceful solution Kashmir problem, if found at all, will be found Delhi and Karachi, and not in visit UNCIP to Srinagar at this time.

Commission plans remain Delhi until all available information is obtained and then proceed Karachi. Commission is exploring possibility which may lead in effect to cessation hostilities and has approached both governments that connection. Commission is endeavoring not to confuse issue of Hyderabad with Kashmir.

M. K. Vellodi, ad hoc Indian liaison officer to Commission, categorically stated to Embassy officer that GOI had no objection to UNCIP visiting Kashmir and would impose no conditions on Commission’s entry.

Regarding GOI attitude to Commission, Embassy feels GOI would sincerely welcome any settlement satisfactory to itself which UNCIP could arrange. Embassy also believes GOI attitude towards Commission has been adequately courteous and helpful. No indication, however, GOI will retreat from its position that present Kashmir difficulties result solely from incursion raiders encouraged if not actually instigated by GOP. Clear-cut evidence presence GOP troops Kashmir, moreover, has resulted hardening Indian attitude and GOI will probably refuse accept any solution suggested by UNCIP which does not voice open approval Indian legal and moral position and clearly recognize Pakistan complicity in present conflict.

Sent Department 588; Department pass London; pouched all offices India, Pakistan.

DONOVAN

501.BC Kashmir/7-2148; Telegram

The United States Representative on the United Nations Commission for India and Pakistan (Huddle) to the Secretary of State

SECRET

NEW DELHI, July 21, 1948—2 p. m.

594. Comkas 14. In pursuance efforts find basis agreement parties on cease-fire (Comkas 11) Commission despatched Lozano, Adams Karachi July 17 discuss subject Pakistan Foreign Minister. Informally Zafrullah indicated three minimum conditions cease-fire (1) withdrawal Indian troops, (2) consideration views Azad forces, (3) protection Moslem population in areas evacuated Indian troops. Zafrullah agreed endeavor obtain views Azad forces and suggested that following withdrawal Indian troops law and order be maintained Moslem areas by Moslem troops and non-Moslem areas by non-Moslems, both forces officered by neutral.
Zafrullah said GOP categorically denies legality Kashmir accession India and stated Pakistan troops had more right enter Kashmir in support majority population than had Indian troops. Said Pakistan troops entered Kashmir to prevent occupation by Indian Army strategic points essential defence Pakistan; to prevent occupation all Kashmir by Indian Army so as to present Commission fait accompli; and to forestall mass influx refugees fleeing advance Indian Army. Zafrullah said GOP absolutely would not agree partition saying possession Jammu by India would create exposed flank Pakistan frontier. Zafrullah said Pakistan Army would withdraw Kashmir if Indian Army would do likewise.

In informal conversations, Nehru has indicated Indian troops would withdraw some distance if Pakistan troops evacuated Kashmir but would insist holding certain strategic points against tribal incursions. He also wants announcement by Commission withdrawal Pakistan troops as minimum recognition guilt Pakistan and validity Indian complaint. While he would not insist area evacuated Pakistan troops be occupied Indian troops Nehru has indicated he wants authority state government over all Kashmir recognized. Czechoslovak representative reports Nehru unwilling delay settlement one year as probably required by plebiscite and appears inclined accept partition along present line Indian troops.

Formal Indian statement conditions cease-fire expected shortly. Meanwhile Commission adopted resolution twentieth requesting GOP designate representative come Delhi discuss cease-fire.

Commission currently thinking cease-fire along present front opposing forces or slight withdrawal both sides. In anticipation agreement Commission adopted resolution twentieth requesting SYG UN be requested supply observers. Resolution also requested SYG appoint third country officer high rank as military adviser Commission. Commission informing SYG it believes appointment General Lloyd this post questionable in view announcement his consideration plebiscite administrator.

Military subcommittee consisting Lozano, Captain Graeffe, Major Smith, Samper with Symonds adviser had prepared list questions on military situation Jammu Kashmir before and after cease-fire to clarify actual conditions. Indian Army officials who on sixteenth appeared before Commission to give summary military events Kashmir endeavored establish presence Pakistan troops Kashmir which GOP had not yet admitted GOI. Commission planning inform SC presence these troops Kashmir but primarily on basis Zafrullah's admission to delegates.

1 For text, see SC, 3rd yr., Suppl. for Nov. 1948, p. 129.
2 Harry Graeffe, Belgian Alternate Representative on the Commission.
US Rep planning propose Commission that military subcommittee proceed Kashmir soon as feasible. Full Commission expects proceed Kashmir following discussions Karachi.

Sent Department 594; repeated Karachi 123 Department pass London from Delhi.

[HUDDLE]

501 BC Kashmir/7-2148: Telegram

The Chargé in India (Donovan) to the Secretary of State

SECRET

NEW DELHI, July 21, 1948—4 p. m.

595. From Chairman UN Commission Ind-Pak for President SC UN. UN commission India-Pakistan during official conversations in Karachi was informed that three brigades Pakistan troops are inside Kashmir frontiers. India has not been notified of this. Indian representatives strongly insist these troops be withdrawn as essential condition cease-fire with which commission concerned. Commission is informally sounding both governments concerning various solutions to dispute. Competent Indian officials indicate plebiscite this year impracticable and that whole years prolongation present crisis dangerous. Karachi officials favor plebiscite having thus far made no reservations regarding possible delay. Begin joint discussions with both governments still premature. List of questions to both governments on military situation prepared. Commission intends go Karachi after preliminary talks with Pakistan special representatives invited from Karachi to Delhi. No objections going Srinagar, when appropriate, expected. Commission cordially and courteously received in Karachi and Delhi. Commission asks to treat this message highly confidential for your internal information.

Sent Department 595, repeated Karachi 124, and London.

DONOVAN

845.00/7-2148

The Chargé in India (Donovan) to the Secretary of State

CONFIDENTIAL

NEW DELHI, July 28, 1948.

No. 842

Subject: Conversation Regarding Hyderabad and Kashmir With Secretary of the Ministry of State.

Sir: I have the honor to refer to my telegram no. 577 dated July 16, 1948 quoting excerpts from a speech made by the States Minister, Sardar Patel, on July 15 on the occasion of the inauguration of the

1 Not printed.
Patiala and East Punjab States Union in which he touched upon Indo-Hyderabad Relations.

The Department will recall from this telegram that Sardar Patel stated that the Government of India had now withdrawn its recent offer to Hyderabad and that the State must now accede to the Indian Union under the same conditions as all the other Indian States. One of the officers of the Embassy called upon Mr. V. P. Menon, Secretary of the Ministry of States, on July 17 in order to ascertain definitely if the Government of India had officially withdrawn the terms recently offered to the Nizam. Mr. Menon stated that the offer had been withdrawn because it had been rejected by the Nizam, and the Government of India did not feel that it could hold its offer open for an indefinite period. Mr. Menon added however that if the Government of India considered it advisable it might offer the Nizam equally advantageous terms in the future. It is the belief of the Embassy that Mr. Menon’s remark can be interpreted only as an indication that the Government of India will not insist that the Nizam must accede on precisely the same terms as that of the other Princely States.

Mr. Menon divulged some significant information regarding the negotiations which took place in connection with the offer made to the Nizam, the text of which was transmitted to the Department with my despatch no. 702 dated June 19, 1948 on the subject “Breakdown of Indo-Hyderabad Negotiations”. In the first place Menon said that he did not “honestly approve” of the terms offered to the Nizam. He also said that the Governor-General at that time, Earl Mountbatten, had obtained Sardar Patel’s approval of the draft agreement before he (Menon) had had an opportunity to discuss it with Sardar Patel. Mr. Menon had planned to reach Dehra Dun, where Sardar Patel was then staying, for the purpose of discussing the draft agreement before Earl Mountbatten arrived. Mr. Menon’s plane was delayed, however, and Earl Mountbatten was able to obtain the Sardar’s approval after stating that Menon concurred in offering such terms to the Nizam. Mr. Menon said that if he had been able to reach Sardar Patel first and inform the Sardar that he did not “honestly approve” of the plan he was certain that the Sardar would have refused to approve it.

Mr. Menon said that he had told Mountbatten that, although he did not object to Mountbatten “obtaining another feather in his cap” by settling the Hyderabad problem, he doubted very much that the Nizam would accept the terms of the offer, favorable as they were to Hyderabad. Mr. Menon also stated that Sir Walter Monckton had been

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2 Reference here is to the terms of settlement worked out during the preceding month between Hyderabad and the former Governor-General of India, Earl Mountbatten, who relinquished that position to Shri Chakravarti Rajagopalachari on June 21.

2 Not printed.
genuinely eager to arrive at an agreement. He said that Sir Walter had personally drafted every provision of the offer made to Hyderabad and that he himself “had not touched a pen” to the paper. According to Mr. Menon, Sir Walter considered the terms offered as most generous and told Earl Mountbatten and Mr. Menon that in his opinion India was entitled to demand accession and the establishment of responsible government in the State.

It is the firm view of Mr. Menon that Razvi* exerts a controlling influence over the Nizam and consequently over the policy of the Hyderabad Government. Mr. Menon said that during the course of the Indo-Hyderabad negotiations the Government of India had intercepted a letter from Razvi to a “Pakistan authority” informing the latter that he did not have to worry about the possible conclusion of an agreement with India as Razvi would always “remain loyal” to Pakistan. When this letter was shown to Mountbatten he expressed doubts regarding its authenticity. Mr. Menon believes, however, that the refusal of the Nizam to accept terms drafted by his adviser is clear evidence of a close relationship between Pakistan policy and Hyderabad intransigence. Another evidence which Mr. Menon cited of the dependence of the Nizam on the counsel of Razvi was the fact that Sir Walter had been unable to see the Nizam alone for the past four months. According to Mr. Menon either Razvi or one of his followers was present at all interviews between the Nizam and Sir Walter.

With reference to the future trend of Indo-Hyderabad relations Mr. Menon expressed the opinion that the economic sanctions now being applied by the Government of India against Hyderabad would not be effective in compelling the Nizam to come to an agreement with India. Mr. Menon believes that economic sanctions are effective only when they are applied against a modern industrial state and not against a feudal unit such as Hyderabad in which the standard of living is extremely low; food resources are adequate; and the average inhabitant is almost self-sufficient from the economic point of view. As reported to the Department, Mr. Menon stated that although he felt that military action against the State would afford the only solution to the Hyderabad problem, his Government still believes that a peaceful settlement may be achieved and is working towards that end.

Mr. Menon then began on his own initiative to discuss the Kashmir problem. He expressed the hope that the United Nations Commission for India and Pakistan would be able to achieve a peaceful settlement of this problem. Mr. Menon believes that the Indian psychology must be taken into consideration by the Commission in solving the Kashmir problem. According to him the Indian Government and people are

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*Syed Mohamed Kasim Razvi, President of a politico-religious organization of Muslims in Hyderabad.
convinced that their action in going into Kashmir to defend the people of the State against depredations of the raiders was morally right. They feel that their motives have been impugned and that the United Nations has refused to take this aspect of the problem into consideration in its deliberations, and has deliberately refused to recognize an obvious fact, namely, that the Pakistan Government has been actively assisting the raiders even if it did not directly instigate the invasion. Consequently, Mr. Menon feels that unless the United Nations Commission makes some gesture to recognize the moral motives behind the Kashmir policy of India as well as the complicity of Pakistan in the invasion, there is no chance of acceptance by the Government of India of any settlement terms submitted by the Commission.

Mr. Menon feels that once such recognition is made the Government of India will be willing to accept a solution based upon partition of the State. Mr. Menon requested that this information be treated in the strictest confidence as it would greatly weaken the Indian position vis-à-vis Pakistan if the latter Government discovered that India would accept partition. According to him, the Government of India will accept a settlement based on the cession of Mirpur, Poonch, Muzaffarabad and Gilgit to Pakistan. He also said that the Government of India would accept the results of a plebiscite held in the Vale of Kashmir to determine whether that area would go to India or Pakistan and that it would be willing to withdraw all Indian troops from the Vale during the time that the plebiscite was being held. The only qualification which Mr. Menon made to the acceptance of such a settlement by the Government of India was that the United Nations must ensure the withdrawal of the Pakistan troops and the raiders from the areas which they now occupy before any cease-fire is issued. He said that the Government of India would not take advantage of such a withdrawal by sending Indian troops into the areas concerned and that, if the cease-fire order should break down, Indian troops would not take advantage of the withdrawal of the Pakistan troops to enter the area.

In the evaluation of Mr. Menon's statement it should be taken into consideration that, in opinion of the Embassy, Mr. Menon, along with Sardar Patel, is much more interested in Hyderabad than in Kashmir. Consequently, it is likely that he would be more conciliatory—as the foregoing statements would appear to substantiate—than would certain other Government of India leaders, particularly Pandit Nehru. Nevertheless, the Embassy has been advised by various other key officials in the Government of India, including Mr. M. K. Vellodi, General Bucher and others, that they favor a solution of the Kashmir problem predicated on the partition of the State and the Embassy is therefore inclined to believe that such a solution is the most feasible one at present.
The information contained in this despatch has been brought to the attention of the United States Delegate on the Commission.
Respectfully yours,

HOWARD DONOVAN

845.00/7-2648: Telegram

The Chargé in India (Donovan) to the Secretary of State

CONFIDENTIAL

NEW DELHI, July 26, 1948—noon.

612. Embtel 610, July 26.¹ Delhi press today carried account attack by Razakars on Indian troops going from Sholapur to Indian enclave of Bara. Deputy UK High Commissioner states five Indian troops killed in attacks, made from ambush, cause GOI react strongly as Hyderabad Government had agreed free passage Indian troops across this strip Hyderabad territory.

In view atrocities described by Joshi (Embtel 606 dated July 24)¹ Nehru’s fighting speech Madras yesterday ² and this attack on Indian troops, Embassy considers situation has deteriorated and is no longer completely convinced India will defer taking military action against Hyderabad until expiration standstill agreement November 15. UK High Commissioner’s office also considers situation grave. GOI ministers apparently believe they can localize military operations against Hyderabad and do not take in consideration that operations against that state could cause repercussions all over India and particularly Indo-Pakistan relations already strained to breaking point as result failure resolve Kashmir problem. Some sources believe GOI might try take advantage present lull Kashmir operations as result monsoon to march into Hyderabad in expectation that state could be brought under Indian control before resurgence military activity Kashmir after monsoon.

UK High Commissioner’s office is sending Fry, an official Deputy High Commissioner’s Office Bombay, to Hyderabad today so that he can be on spot to take necessary steps for safety British and American residents that state.

Sent Department 612; repeated Karachi 127; Department pass London from Delhi; pouch Bombay; Calcutta; Madras.

DONOVAN

¹ Not printed.
² The speech made by Nehru in Madras on July 25 was bitterly critical of Pakistan’s action in regard to Kashmir. The Chargé in Pakistan, in his telegrams 886 and 889 of July 27 and 31, respectively (not printed), expressed annoyance with Nehru’s words and informed the Department that an editorial of July 27 in Pakistan’s newspaper Dawn considered Nehru’s strong language a breach of the agreement on the U.N. Commission’s resolution of July 14 calling for restraint in the use of provocative statements (745.45F/7-2748 and 7-3148).
NEW DELHI, July 27, 1948—1 p. m.

617. Comkas 16 July 23. Mohammed Ali and Ayub¹ despatched Delhi by GOP response Commission’s request reported no significant changes GOP standpoint reported Comkas 14. Formal statement GOI conditions cease-fire expected shortly. Informally Nehru has indicated these will include (1) formula establishing Pakistan guilt (2) withdrawal Pakistan troops Kashmir (3) Indian army to stand approximately present line plus Domel area considered strategically essential by GOI (4) Kashmir territory evacuated Pakistan troops to be administered local authorities, but theoretically remaining part Kashmir until final settlement.

On eve departure [of Commission] for Karachi must be stated situation has not been appreciably building up to such extent as to forecast satisfactory constructive decisions. Extended conversations with all Indian officials and others give no indication possible withdrawal their self-righteous intransigent stand, nor has press at any time reflected any inclination toward modification. Official and public attitude that Commission is here on sufferance and is more or less under tutelage and benevolent guidance Indian authority is being jealously maintained. Weather is undoubtedly causing let-up activities several Kashmir fronts notwithstanding which Indian press continues publish official communiqués local engagements. Chief of Staff reliably quoted to contrary effect that he quite uninterested in Kashmir front for at least two months to come as activity practically impossible. To check actual situation and as first step undertaking something like productive activity Kashmir, Commission dispatched observer team consisting Smith, Harry Graeffe, accompanied Symonds, which departed Delhi July 27 seven day trip Indian side Kashmir front to study and report military situation. Indian army arranging visits Jammu City, Jhangar, Naoshera, Punch, Chakothi, Baramula, Uri, Tithwal, Srinagar.

Commission proceeding Karachi July 30 for conversations and investigations expected last one week or ten days, expecting thereafter go to Srinagar via New Delhi.

[Huddle]

¹ Mohammad Ayub, liaison officer.
The Chargé in India (Donovan) to the Secretary of State

CONFIDENTIAL

NEW DELHI, July 29, 1948—11 a. m.

622. NR UNIPQ 1 28. For Secretary General UN from Kunst. Please convey following message to President SC: “Commission terminated work Delhi establishing personal contact and ascertaining Indian Government’s present view and now proceeds Karachi with corresponding purpose Pakistan Government. Estimated stay Karachi fortnight or less (Kashmir advance mission now arrived and operating). From Karachi Commission going Srinagar air route through Delhi. Signed Chairman UN Commission for India and Pakistan”. [Kunst.]

DONOVAN

1 Presumably “Number United Nations India Pakistan Question”.

The Chargé in Pakistan (Lewis) to the Secretary of State

CONFIDENTIAL

KARACHI, August 5, 1948—noon.

396. India–Pakistan commission which arrived Karachi Saturday July 31 met mornings August 2 and 3 to discuss program of work in Karachi and possible points for discussion with representatives GOP. First formal meeting with representatives of GOP held yesterday morning. At meeting which lasted more than two hours Sir Zafrullah Khan, who was accompanied by Mohammad Ali, reviewed history Kashmir matter and replied in detail questions from members of commission. Commission formally received August 3 communication from GOP relative to Nehru’s speech at Madras July 25. GOP inquired what action commission proposed take respect this matter. Commission acknowledged receipt communication but made no comment.

LEWIS

1 Secretary General of the Pakistan Cabinet.

429–027—75—24
Memorandum of Conversation, by Mr. W. L. S. Williams of the Division of South Asian Affairs

SECRET

[WASHINGTON,] August 6, 1948.

Participants: Mr. E. G. Mathews
Mr. C. W. Adair
Mr. J. S. Sparks
Mr. W. L. S. Williams

The above officers foregathered in Mr. Mathews' office to discuss the Hyderabad situation in the light of the letter received yesterday afternoon from the Nizam of Hyderabad to the President in which the Nizam appeals to the United States Government to lend its good offices to secure a peaceful settlement between India and Hyderabad. A re-examination was made of various documents relating to the matter, particularly the Indian Independence Act, the Stand-Still Agreement between India and Hyderabad and, from Hansard, a number of pertinent speeches made during the debate in Parliament over the Indian Independence Bill. The purpose of this preliminary re-examination was to attempt to clarify the legal aspects of the matter, particularly the Nizam's contention that with the British withdrawal from India, the Princely States were given freedom to associate with one or other of the Dominions or to remain independent. It was unanimously agreed that on the basis of the Independence Act and the discussions of the question of the future of the Princely States which took place in Parliament that the Nizam did, in fact, have a rather strong argument. Mr. Attlee is quoted on 10 July 1947 as follows:

"With the ending of the treaties and agreements, the States regain their independence. But they are part of geographical India, and their rulers and peoples are imbued with a patriotism no less great than that of their fellow Indians in British India. It would, I think, be unfortunate if, owing to the formal severance of their paramountcy relations with the Crown, they were to become islands cut off from the rest of India. The termination of their existing relationship with the Crown need have no such consequence. In fact, already a large number of the States have declared their willingness to enter into relationships with the new Dominions, and some have been represented in the Constituent Assembly of India. It is the hope of His Majesty's Government that all States will, in due course, find their appropriate place within one or other of the new Dominions within the British Commonwealth, but until the constitutions of the Dominions have been framed in such a way as to include the States as willing partners, there must necessarily be a less organic form of relationship between them, and

1 Vice Consul at Bombay, December 1941 to July 1946.
2 This letter, not found in Department of State files, was dated July 4, 1948 and received via the Nizam's Agent General in London (845.00/8-648).
there must be a period before a comprehensive system can be worked out.

"If I were asked what would be the attitude of His Majesty's Government to any State which has decided to cut adrift from its neighbours and assert its independence, I would say to the ruler of that State, 'Take your time and think again. I hope that no irrevocable decision to stay out will be taken prematurely.'"  

Mr. Harold Macmillan, member of the opposition was also quoted as follows:

"We warmly approve the decision of His Majesty's Government to resist the pressure to transfer paramountcy to the successor governments. They have been very wise in that. I was glad to hear, or think I heard, the Prime Minister say that the States were to be absolutely free in their choice as to whether or not they should join one or other of the new Constituent Assemblies; whether they should subsequently join one or other of the Dominions as they emerge from the Constituent Assemblies, or whether, finally, they will declare themselves free and independent sovereign authorities. I trust that this is true not only in words but in fact, because there have been disturbing rumours reaching us of a good deal of moral and even physical pressure which has been exercised, perhaps by misunderstanding of some of the official statements made in India or elsewhere."

It was suggested that it was these statements and others like them, made by British officials at the time of the passage of the Independence Act, which now cause British officials to say, as they have to our Embassy in London, that if the case of Hyderabad were brought to the UN, the British would be very embarrassed. Following a telephone conversation with Mr. Allen of UNA, Mr. Mathews suggested that the letter of the Nizam to the President as well as the Nizam's letter to the King were quite possibly steps, taken after careful planning by the Hyderabad Government to insure that the case might be given a hearing in the UN. Hyderabad would be able to argue quite plausibly, in the event its appeals for good offices are not granted, that it has exhausted every means except the UN to settle the question. Various approaches to the letter were considered and the ramifications of each approach were explored. It was generally felt quite possible, indeed probable, that the Indian Government had seen the Nizam's letter. It was considered likely that it had been carried by Beaumont who was searched by Indian Customs officials in Delhi on July 22, at which time a letter of the Nizam to the King was opened by Indian officials.

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9 Ibid., col. 2471.

8 Reference to the Nizam's letter to the King, together with information on a similar letter to the Prime Minister and Attlee's reply, was conveyed to the Department in telegrams 3628 and 3636 of August 11, neither printed (843.00/8-1145).
It was agreed that the British Government should be informed of the receipt of the Nizam’s letter. It was also agreed that the Embassy at London should be asked to be informed by the British Government of the nature of the Nizam’s letter to the King, of the official reaction to it, and of British thinking regarding Hyderabad generally.

It was also agreed that probably, but dependent on London’s report, it would be desirable to inform the Indians of the receipt of the letter, particularly since it was felt quite likely that they already knew of its existence and were probably deeply concerned about it. It was conceded by all that the Indian Government would take an extremely dim view of U.S. good offices in the Hyderabad dispute. It was suggested that by conveying to the Indians the fact that the letter had been received and was being given careful study, apparent Indian plans to settle the question by a resort to force might be retarded. Suggestion was made that the U.S. could not, for obvious reasons accede to the request for good offices, unless a parallel request was also made by the Government of India. This development was considered extremely unlikely, and therefore a suggested sequence of events might be (this, again, depends on the nature of the British Government’s view) (1) for the U.S. to inform the Indian Government of the receipt of the Nizam’s letter and the fact of our considering it, and to ascertain the Indian reaction, (2) at the same time taking the opportunity thus afforded to urge the Indian Government to attempt again to reach a settlement through peaceful negotiations. An acknowledgment of the letter from the Nizam might be made verbally by our Embassies at London and New Delhi to the Hyderabad representative at both posts, and the opportunity would be taken to point out our feeling that our good offices would be unavailing unless both parties to the dispute desired them.

The possibility of a Commonwealth meeting or roundtable conference to solve the problem was also discussed. The fact of heavy British responsibility for the Hyderabad situation was noted.

It was suggested that if a written reply were to be made to the Nizam’s letter, it should be sent through the GOI in view of the Stand-Still Agreement in which Hyderabad agreed that GOI would handle Hyderabad’s foreign affairs.

501.BC Kashmir/8–1048: Telegram

The United States Representative on the United Nations Commission for India and Pakistan (Huddle) to the Secretary of State

SECRET

KARACHI, August 10, 1948—noon.

404. Comkas 18. At end first week Karachi Commission endeavoring draft cease-fire proposal acceptable to both India and Pakistan for
simultaneous presentation both governments. Proposal would be
designed effect truce while Commission attempted persuade contending
parties agree long range settlement.

Appearing before Commission fourth Zafrullah Khan concentrated
effort demonstrate illegality Kashmir accession India. He contrasted
GOI refusal accept even provisionally accession Junagadh to Pakistan
and emphasized principle now accepted at India’s insistence that
rulers decision can be considered binding only if in accord popular
will. Zafrullah attributed failure GOP inform SC presence Pakistan
troops Kashmir to anticipated imminent arrival Commission. He left
for answer by Pakistan military representatives scheduled appear
Commission ninth questions on relations GOP with Azad forces and
extent assistance rendered by GOP to Azad and tribal elements.

Commission’s military observers arrived Karachi fifth from
Kashmir reporting weather seriously impeding military operations
all fronts with Indians contemplating no immediate offensive and
conducting patrols largely for morale purposes. During seven day
tour mission encountered no fire from Pakistan side although artillery
shelling reported by Indians one night. Morale and efficiency Indian
forces appeared high. Team expected leave for inspection Pakistan
side front about eleventh.

Commission contemplates obtaining views Azad Kashmir repre-
sentatives informally either in Karachi or through military team
when in area next week. Azad’s aspirations and activities complicates
situation considerably and Commission particularly desirous learn
their attitude toward cease-fire.

Commission members anxious begin consideration final settlement
and on third US representative introduced working paper suggesting
for tentative consideration if overall plebiscite impracticable three
other possible solutions (1) definitive and final partition, (2) parti-
tion except for plebiscite in Vale, and (3) partition with self-govern-
ing status for Vale under joint protection India Pakistan. Members
appear inclined toward partition as most practicable solution. Czechoslovakia opposes plebiscite arguing that those held among more
politically conscious Europeans had doubtful results and would be
more impracticable here. Belgian suggests possibilities independence
and joint protectorate be canvassed. All representatives stress present
thinking highly tentative.

Press both Pakistan India published this week Lahore despatch
quoting Civil and Military Gazette that city to effect GOP had
officially informed Commission presence Pakistan troops Kashmir.
Zafrullah informs GOP not responsible for Lahore story. Publicity
given London this week to presence large number British officers in
armies two dominions was fully repeated India Pakistan. Publication
these two stories has not materially affected Commission's viewpoint since Commission has known both conditions but Commission's endeavors stimulated to formulate cease-fire terms acceptable to contending parties and consensus is that Commission must in some manner publicly recognize fact of Pakistan invasion Kashmiri territory.

Commission hoping complete conversations Karachi around fourteenth and proceed Srinagar via Delhi.

[HADDLE]

501.BC Kashmir/3–1648: Telegram

The United States Representative on the United Nations Commission for India and Pakistan (Huddle) to the Secretary of State

CONFIDENTIAL

NEW DELHI, August 16, 1948—11 a. m.

702. Comkas 21. Proposals for cease-fire agreement transmitted Embtel 701 were presented simultaneously governments India and Pakistan Saturday 6 p. m. American delegation accompanied party Delhi and reports that when Prime Minister read document he stated it would obviously require considerable study and reference his government as well as consultation with Sheikh Abdullah.

American delegation not yet informed of reaction Karachi.

American delegation is not sanguine that proposals will elicit favorable response either government but even if accepted only as basis mutual conversations between [governments] together with Commission result would not be considered entirely unsatisfactory.

Must frankly be stated Commission has received no expression sympathy with agreement principle from either Indian or Pakistan officials collectively or individually or any indication there might be possibility for mutual agreement two governments on Kashmir question. American delegations feeling is that position both governments thus far is precisely same as when they presented their views to SC except that advance Pakistan troops into Kashmir territory may have lessened chances agreement unless they are promptly withdrawn. Majority commission appeared convinced request for simple cease-fire agreement with no conditions would be rejected. Consequently attempt was made to present conditional proposals which might just possibly meet with not too unfavorable reaction both gov-

1 The resolution incorporating these proposals was adopted by the Commission on August 13 and released by the Security Council as document S/995. For text, see SC, 3rd yr., Suppl. for Nov. 1948, pp. 32–34. The text of correspondence on this resolution between the Commission and the Governments of India and Pakistan follows the resolution, pp. 34–49, 129–138. Notes of meetings held by the Commission with the Indian Prime Minister and the Pakistani Minister for Foreign Affairs concerning the resolution are printed in the same source, pp. 94–107.

2 Telegram 701, August 15, not printed.
ernments. Result is document which probably will need considerable clarification and which Indian and Pakistan officials will accept if they consider it at all only as basis for debate in which old arguments will be repeated. At this writing, impossible speculate with any certainty on outcome much less make prediction, though American delegation view not hopeful.

During Commission's 5-week stay Delhi and Karachi position between two governments has not noticeably improved. Inflammatory speeches by Nehru in spite of Commission's request for cooperation worsened matters and in this respect Pakistan maintained correct attitude except for remarks several obscure officials. Press both countries continues play up hostilities but reports exaggerated present time since action reduced to minimum by adverse weather conditions. Rumors of strained relations circulate among observers situation, one of which concerns possibility India severing diplomatic relations with Pakistan unless Pakistan troops withdrawn to Pakistan territory. Another rumor heard by American delegation after return to Delhi says India only awaiting departure of UN Commission before launching all-out blitz attack upon Hyderabad expecting Pakistan at same time attempt big offensive Kashmir. This latter rumor seems extremely improbable and is reported only because source who informed American delegation is well informed and has hitherto proved reliable.

It is of interest to report that on Friday just before departure Commission group from Karachi to New Delhi, Zafrullah Khan demanded hearing before Commission. After some quibbling in which he said he could not be prepared until some time next week, he agreed appear late Friday afternoon, when he made what he termed exposé to Commission of subjects on which he felt Pakistan's and his point of view had not been sufficiently explored by Commission before its decision which he "understood had been arrived at and was about to be presented". Zafrullah's attitude toward Commission has been patronizing and approaching arrogance and he has tended to endeavor to assume position of superiority.

On this occasion he endeavored put Commission in a false position, his purpose evidently being to establish grounds in case he felt reaction Commission's proposals necessary. American delegation was not favorably impressed by his conduct and instead of improving he prejudiced his personal standing. However there is little to choose between Nehru and Apley on one side and Johhan (who was not seen by Commission) and Zafrullah Khan on the other. Competent circles here and in Karachi continue to believe that Kashmir problem is dispute between individuals highly placed rather than between peoples of India and Pakistan.

[HUDDLE]
The Chargé in India (Donovan) to the Secretary of State

CONFIDENTIAL

NEW DELHI, August 21, 1948—noon.

724. Embtel 723.1 I saw Razvi Hyderabad Agent General this morning. He could not confirm that Syria would present Hyderabad case to UN. Razvi said GOI planes had been flying over Hyderabad State for past six weeks in an endeavor to terrify the people; that raiders from India were equipped with Sten guns and rifles of same caliber as Indian Army used (this caliber is prohibited from use except for Army); a 1000 pound bomb made in Glasgow had been found concealed in Hyderabad territory by subversive elements who intended to use it to destroy a bloc.

He said GOI refusal to arbitrate any of the points in dispute made it necessary for Hyderabad to appeal to UN.2

I gave noncommittal reply to Razvi's query re attitude US might be expected to adopt re Hyderabad appeal to UN.

Sent Department 724; repeated Karachi 142. Department pass London from Delhi.

DONOVAN

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1 Telegram 723, August 21, not printed.
2 Hyderabad's appeal to the UN was made in a cable dated August 21, 1948. For text, see telegram 1059 from New York, August 25, p. 370.

The United States Representative on the United Nations Commission for India and Pakistan (Huddle) to the Secretary of State

SECRET

NEW DELHI, August 23, 1948—2 p.m.

732. Comkas 23. India has indicated its acceptance Commission's proposals for cease-fire and truce agreement presented to Prime Minister fourteenth but acceptance is premised on interpretations of certain moot points which do not precisely accord with those of Commission. Commission is therefore now endeavoring establish with India satisfactory mutual understanding but until this is done American delegation considers India's acceptance only provisional though several other delegations hold more hopeful view.

Delegations returning from Karachi were discouraged Pakistan reception of proposals, feel Pakistanis have been offended by Commission, and anticipate Pakistan rejection. American delegation inclined accept this view but nevertheless believes hope eventual qualified Pakistan acceptance may be entertained, if only because after reported
unanimous decision to reject (Karachi telegram 418\(^1\)), Foreign
Minister did not announce rejection and several days later presented
Commission long list of points on which his Govt desired clarification.
Sir Zafrullah’s questionnaire characteristic in some respects needless
and may be intended primarily embarrass Commission (some elements
of Commission feel he is preparing for complaint to SC) or to prolong
negotiations. Commission’s proposals difficult to reject and he may
wish to prepare other grounds for ignoring them.
Some credence may be given report that Pakistan now wants to
delay any decision in Kashmir question to embarrassment India while
Hyderabad problem is being agitated. India undoubtedly is in diffi-
cult position and might wish to dispose of Kashmir matter before
tackling Hyderabad.
Commission may return in body to Karachi later this week if points
of difference with India adjusted and will make every endeavor mollify
Pakistan Govt and procure acceptance its proposals.
If agreement cannot be reached and India and Pakistan cannot be
persuaded work out Kashmir problem together with mutual good will
and good faith, outlook for further constructive effort by Commission
is dim.

\[\text{(Huddle)}\]

\(^1\) Telegram 418, August 19, not printed.

\[845.00/8-1348\]

The Chargé in India (Donovan) to the Secretary-General of the
Indian Ministry of External Affairs and Commonwealth Relations
(Bajpai)

No. 323

New Delhi, August 23, 1948.

Sir: I have the honor to enclose the original of a note dated
August 23, 1948 to the Agent-General of the Government of Hyder-
bad which contains the text of the reply of the Government of the
United States to the Nizam’s letter of July 4, 1948 addressed to the
President of the United States. It would be appreciated if you would
forward the letter to Mr. Razvi.

I am transmitting the letter to Mr. Razvi through you in view of
Article I of the Standstill Agreement concluded between the Gov-
ernment of India and the Nizam.

Accept [etc.]

Howard Donovan
Sir: I am instructed by my Government to transmit through you the following message to His Exalted Highness The Nizam of Hyderabad and Berar in reply to his letter of July 4, 1948, addressed to the President of the United States:

“The Government of the United States noted the information contained in the Nizam’s communication and has given attention to the request of the Nizam to extend the good offices of this Government with a view to effecting an amicable settlement of differences existing between the Nizam’s Government and the Government of India.

“The United States Government has repeatedly supported employment of pacific means in the settlement of disputes and maintains the hope that differences between the Nizam’s Government and the Government of India may be settled peacefully and amicably by direct negotiation or in terms of existing agreements.

“With reference to the question of good offices it should be pointed out that this instrument by its very nature is voluntary and can be successful only if assented to by both parties to the dispute and if the country or countries willing to extend good offices are likewise acceptable to both disputants. Under the circumstances the United States is not in a position to consider the extension of its good offices in the present situation in the absence of agreement of both India and Hyderabad to settlement of their differences in this manner.”

Accept [etc.]

HOWARD DONOVAN

845.00/8-2448 : Telegram

The Chargé in India (Donovan) to the Secretary of State

CONFIDENTIAL

NEW DELHI, August 24, 1948—1 p. m.

737. Deptel 505, August 9 [19]. Embassy transmitted Department’s note to Hyderabad Agent General through GOI August 23. Razvi saw me 10 a. m. today and said he had unexpectedly received orders last night to proceed Hyderabad for consultation. He then said he had received Department’s note from GOI. He inquired whether penultimate sentence of Department’s note implied US would be willing act as arbiter in event both Hyderabad and GOI made such request. I replied that such an interpretation had not occurred to me and that the phrase “good offices” which Razvi had cited in support of his interpretation, was frequently used in diplomatic correspondence without involving any implication of arbitration. I stressed that point. I then said I had no authority to speak for our government regarding its acting as arbiter between GOI and Hyderabad and cautioned

1 Not printed.
Razvi against raising any hopes in Hyderabad that US would if re-
quested act as arbiter.

I am convinced Razvi's visit to Hyderabad is not connected with
Department's note and that his query was based solely on his desire
to clarify in his own mind foregoing point prior to his unexpected
departure. Embassy does not believe GOI would under any circum-
stances consent to arbitration, so point raised by Razvi is not a live
issue.

Sent Department 737, repeated Karachi 145. Department pass Lon-
don from Delhi.

DONOVAN

501.BC Kashmir/8-2448: Telegram

The Secretary of State to the United States Representative on the
United Nations Commission for India and Pakistan (Huddle), at
New Delhi

SECRET US URGENT

WASHINGTON, August 24, 1948—7 p. m.

512. Kascom 21. USUN is informed that SYG is about to ask each
member SC to furnish two observers for Kashmir cease-fire. Circum-
stances surrounding this request are set forth in separate telegram
from USUN to Dept; being relayed to you.

Dept considers question of observers of considerable political im-
portance. Although number now being requested appears small, basis
for meeting present request would become more significant if eventual
number of observers is greatly increased. Important elements in prob-
lem of furnishing observers for Kashmir are: (1) remoteness of
Kashmir and great expense involved in providing large numbers of
personnel and considerable equipment from outside; (2) special ex-
perience of British with area and peoples involved; (3) experience of
Muslim and Hindu troops in operating together prior to partition of
India; (4) conditions in Kashmir exposing it to those whose primary
objective would be to make trouble.

Dept would prefer not to make issue in SC on the selection of
observers and would hope that a workable arrangement could be made
by the Commission itself. Our preference would be to use British ob-
servers, assisted by truce teams furnished by military personnel from
Indian and Pakistani armies. Kashmir Commission might be able to
arrange such observation either on basis of consultation with India
and Pakistan or on basis of decision of Commission itself. As mini-
mum, Commission might ask British to make twenty observers

1 Telegram 1057, August 24, from Ambassador Austin, not printed.
available as a temporary measure pending further development of negotiations on the cease-fire.

We understand that Kashmir Commission has not acted officially on this matter and that Chairman and Secretary of Commission might be acting in anticipation of Commission decision. Please inform Dept. present status this matter in Commission and any comments which might help Dept. in deciding what instruction should be furnished you on this point.

MARSHALL

501.BC Kashmir/8-2548 : Telegram

The United States Representative at the United Nations (Austin) to the Secretary of State

NEW YORK, August 25, 1948—1:43 p.m.

1059. Following cablegram dated August 21 was sent to SC President by Hyderabad:

"The Government of Hyderabad, in reliance on Article 35 (2) of the Charter of the UN, requests you to bring to the attention of the SC the grave dispute which has arisen between Hyderabad and India and which, unless settled in accordance with international law and justice, is likely to endanger the maintenance of international peace and security. Hyderabad has been exposed in recent months to violent intimidation, to threats of invasion, and to crippling economic blockade, which has inflicted cruel hardship upon the people of Hyderabad and which is intended to coerce it into a renunciation of its independence. The frontiers have been forcibly violated and Hyderabad villages have been occupied by Indian troops. The action of India threatens the existence of Hyderabad, the peace of the Indian and entire Asiatic continent, and the principles of the UN. The Government of Hyderabad is collecting and will shortly present to the SC abundant documentary evidence substantiating the present complaint. Hyderabad, a state not a member of the UN, accepts for the purposes of the dispute the obligations of pacific settlement provided in the Charter of the UN.

"It is understood that the submission of the present complaint to the SC does not prejudice the submission of the dispute to the GA." 1

(In circulating cablegram to SC members, SYG said he was not in position to determine whether he was required by rules of procedure to do so, but was bringing it to SC attention for such action as it might desire to take.)

AUSTIN

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1 This cablegram is printed in SC, 3rd yr., Suppl. for Sept. 1948, p. 5.
The United States Representative on the United Nations Commission for India and Pakistan (Huddle) to the Secretary of State

KARACHI, August 31, 1948—noon.

434. Comkas 29. Commission returned Karachi Saturday to resume conversations with Pakistani officials endeavor persuade Pakistan Government to accept its proposals for cease-fire and truce agreement. First indications are that Pakistanis remain firm that it must be either unconditional cease-fire or if conditional then entire program for plebiscite must be worked out and agreed upon.

Commission's standpoint is that latter is not feasible and that unconditional cease-fire would be flatly rejected by India, Thus neither is workable.

India demands withdrawal Pakistani troops from Kashmir territory probably justifiably. Pakistan is equally insistent Indian troops get out of Kashmir perhaps less justifiably. Commission feels its proposals meet Indian demands and at same time satisfy what may be reasonable demand by Pakistan that majority Indian forces be required to withdraw so that they will no longer constitute what Pakistan claims is menace to its existence as state.

Pakistan officials however now claim Commission's proposals do not enable them to assure tribesmen of ultimate fair plebiscite and protection their co-religionists, so they cannot control tribesmen. Commission insists that this is explicitly called for in proposals.

I get impression in going over these and other points that Pakistanis do not want to be convinced; that they wanted some action on Commission's part which would in some way recognize or tacitly approve Pakistan Army invasion of Kashmir and leave these forces there, with result that no plebiscite or any other peaceable measures could ever be worked out; and that they are grievously disappointed at failure. On other hand while India has signified acceptance, it is undeniable that Nehru looks on proposals with great disfavor.

Moreover I feel that Zafirullah Khan finds his government now bearing onus of rejection which he had formerly passed back to Security Council with criticism of its plan but he was not standing alone since India for other reasons had also rejected SC proposals. Refusal to agree to cease fighting and arrange truce so that negotiations for peaceful solution can proceed is not easy to justify. He is therefore resorting to all available devices in effort to evade issue. That he may decide ignore Commission and take issue to SC is possibility. He is not aware of India’s decision so far as I know.

India’s approach is very like that of Pakistan. India originally expected SC decision its favor otherwise would never have presented case and has continued same position. But India’s present troubles have
occasioned increasing desire some influential elements Delhi to end "this Kashmir business". Both Maharajah and Sheikh Abdullah losing favor and former almost completely ignored.

Situation is something like tri-cornered war nerves. Some members of Commission showing strain to certain extent and their judgment and decisions tending to be less wisely considered.

This leads me to suggest that Department and USUN might think of desirability of appointment of moderator to succeed Commission if perchance both governments accept its proposals and also in event of failure. My experience leads me to believe that one man, of international stature, if acceptable to both governments, would be in better position to work out this problem than is an unwieldly commission. He would need small corps expert advisers.

In case Commission does not succeed matter would become urgent, and some action might have to be taken by SC to avert disastrous results. General Eisenhower ¹ presumably would be unavailable but disinterested figure of similar international repute might be able to save situation.

[HUDDLE]

¹ General of the Army Dwight D. Eisenhower, President of Columbia University.

501.BC Kashmir/9-148 : Telegram

The United States Representative on the United Nations Commission for India and Pakistan (Huddle) to the Secretary of State

CONFIDENTIAL

KARACHI, September 1, 1948—11 a.m.

437. Comkas 31. Appreciate action USUN as reported Tuesday's press in opposing discussion SC of Kashmir question. Until Pakistan decision in hand consider unguided publicity may endanger results. Commission had spirited discussion today with FonMin which gave some favorable indications but Pakistan decision still in doubt.

[HUDDLE]

501.BC/9-148: Telegram

The Secretary of State to the United States Representative at the United Nations (Austin)

CONFIDENTIAL

WASHINGTON, September 1, 1948—7 p.m.

570. Re Hyderabad request to SYG to bring dispute with India to attention SC (Doc S/986),¹ Dept agrees that US rep should take no initiative toward SC consideration.

¹ The text of this request was transmitted to the Department in telegram 1059 of August 25, p. 370.
If another Member SC proposes placing it on agenda and question arises as to Hyderabad's right as "state" to present matter under Art 35 (2) you should take following position:

1. There is considerable doubt as to Hyderabad's legal status as "state" within meaning of Art 35 in light of its past position and terms of UK Indian Independence Act and Standstill Agreement;

2. It would be futile to have extended debate on the question of whether or not Hyderabad is a "state" within the meaning of Article 35 (2). It is clear from the known facts that a dispute exists and that Hyderabad is a party to that dispute;

3. Broad intent of Charter and general philosophy of UN is to allow parties to a dispute at least some hearing;

4. On balance, therefore, US should vote in favor of placing matter on SC agenda for consideration without prejudice to question whether Hyderabad is or is not a State within the meaning of Article 35 (2). If motion is not strictly limited to Nizam's communication but in effect can be taken as placing Hyderabad-Indian dispute on agenda, this may be taken as satisfying requirements of Art. 35 (1) and Rules 6 and 7 of SC Rules of Procedure without reference to Article 35 (2).

Similarly, if matter is placed on agenda, Hyderabad should be invited to participate in discussion without deciding whether it is or is not a State within the meaning of Article 32. See Deptel 344 Aug 8 1947 re participation of Indonesian Reps in SC discussion.

In view of unavoidable delays even in most expeditious ICJ procedure and in view fact Standstill Agreement will expire November 29, Dept considers impractical reference to ICJ question of Hyderabad's status.

MARSHALL

2 Not printed.


The Chargé in Pakistan (Lewis) to the Secretary of State

KARACHI, September 1, 1948.

A-352. In a conversation with a representative of the Embassy, Akhtar Hussain, Joint Secretary, Ministry of Foreign Affairs and Commonwealth Relations, declared that Pakistan would support vigorously Hyderabad's case if it were to be considered by the Security Council or General Assembly. Hussain did not indicate whether or not Pakistan would act as sponsor for Hyderabad, although the Embassy's representative did not put this question to him directly. Hussain emphasized the fact that his Government feels there is a close relation between the Kashmir and Hyderabad problems. Pakistan is inclined to think that it would gain considerable advantage in the
Kashmir dispute if India’s arguments in the two cases could be placed side by side. He also remarked on the obvious military relationship of the two problems as far as India was concerned and expressed the opinion that if Hyderabad was out of the way “India would not allow the UNCIP to set foot again in India”. Hussain reiterated the fear that India’s first step in Hyderabad would be the complete liquidation of the Muslim minority which would be accompanied by wide anti-Muslim outbreaks in the rest of the Dominion.

LEWIS

501.BC Kashmir/9-248 : Telegram

The Chargé in India (Donovan) to the Secretary of State

CONFIDENTIAL

NEW DELHI, September 2, 1948—10 a.m.

772. Menon Secretary Ministry States told Embassy yesterday he feared GOP would not accept cease fire proposals submitted to Government India and Pakistan by UNCIP. Menon said he was afraid UNCIP would alter proposals in order make them more nearly acceptable GOP and would press GOI make additional concessions. According Menon GOI will make no concessions in addition those required by present proposals and will not accept alterations unfavorable to India of “even so much as a comma”.

Sent Department 772, repeated Karachi for US representative Kascom, Department pass London.

DONOVAN

501.BC Kashmir/9-448 : Telegram

The United States Representative on the United Nations Commission for India and Pakistan (Huddle) to the Secretary of State

CONFIDENTIAL

KARACHI, September 4, 1948—noon.

442. Comkas 33. Busy week concluded with commission’s proposals under consideration by Pakistan and Zafrullah proceeding quietly over weekend to lay them before Jinnah. After much urging Foreign Minister promised might be possible give oral reply Sunday afternoon. Commission considered urgency increased because Nehru advised us Thursday he proposed expose Kashmir situation Indian parliament before its adjournment fifth. This implied publication commission’s proposals before Pakistan response received and to save Pakistan any possible embarrassment commission has endeavored persuade Nehru delay and sent Belgian representative with personal message.

Intimation has been given to Pakistan of possibility Nehru’s action. They know commission has India’s answer. I suspect however, Pakistan is not much concerned about India’s reception proposals and
that their decision will not be particularly influenced by that consideration and my belief was partly confirmed by their seeming indifference when informed possible developments.

Pakistan effort during whole week of almost continuous conferences has been to obtain either modification of proposals or explanation which would convey meaning other than that actually stated and intended. They particularly endeavored obtain commitments re administration and maintenance law and order in territory under Indian control which we know India would not accept and are determined to find some means whereby they could infiltrate to expand their activity and influence. But they insisted most on commission adding to proposals commitments regarding plebiscite which commission could not consistently undertake. In this both Prime Minister and Foreign Minister especially latter were unreasonable and Foreign Minister resorted to every forensic artifice in his efforts. Their position was that they must have plebiscite program settled so that they could give positive assurances to tribesmen and Azad Kashmir in endeavoring persuade them to lay down their arms.

Commission exercised great patience, satisfied every reasonable demand for hearing, listened to Foreign Minister for hours, and endeavored to give firm well reasoned and logical explanations.

Commission is more than ever convinced that military activity must cease if any plebiscite is to be worked out and that two phases must be handled separately. It would be simply impossibility to comply with Pakistan demand that terms of plebiscite be agreed upon simultaneously with cease fire because such complicated agreement could not be effected in present temper both disputants and meantime fighting would continue with all its dangers of sudden engulfment entire sub-continent.

But Pakistan correct in apprehension that India will be difficult in plebiscite problem if that stage is reached. SC and commission must be prepared to adopt very firm procedure and when required may have to be tough.

As I suggested in my 23 (Emtels Delhi 732) Pakistan like India found proposals couched in such form that they realize responsibility they would assume by rejection. Proposals have therefore not been summarily turned down but on contrary have been thoroughly debated. Now there is at least an even chance of their acceptance but no prediction can be made with any degree of certainty. Perhaps they themselves do not know until they have the decision of their volatile and redoubtable Governor General whose authority in this matter, so intimately related to his empire building, seems supreme.

[Hubble]

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1 Ante, p. 366.
The United States Representative on the United Nations Commission for India and Pakistan (Huddle) to the Secretary of State

REstricted US URGEnt KARACHI, September 6, 1948—5 p. m.

443. Comkas 34. Pakistan reply September 6° to proposals Commission's resolution August 13 received today purports to accept Commission's resolution as clarified to Pakistan Government by Commission but is qualified by proviso which nullifies so-called acceptance and reads as follows:

"Subject to clarifications and elucidations furnished by Commission to Government of Pakistan being accepted by Government of India and elucidations and clarifications if any furnished by the Commission to Government of India being acceptable to Government of Pakistan and provided Government of India accepts conditions laid down in part B (Articles 6 to 15, both inclusive) of SC resolution of 21 April 1948 as explained by sponsors of resolution UN SC for a free and impartial plebiscite to decide whether state of Jammu-Kashmir is to accede to India or Pakistan."

Commission has not required acceptance of Government of India to portions of SC's April 21 resolution specified in foregoing and is convinced introduction controversial details at present stage would simply and needlessly prolong discouraging negotiations while dangerous hostilities continue. Effect, therefore, of Pakistan decision is nonacceptance Commission's August 13 proposals cease-fire and truce agreement.

In addition Foreign Minister's letter September 6 states views of Pakistan Government not binding on Azad Kashmir Government nor do they reflect Azad Kashmir views. This is in contravention to assurances previously given to Commission by both Pakistan Foreign Minister and Pakistan High Command. As now presented Pakistan confronts Commission with necessity obtaining independent Azad Kashmir consent to present and future proposals. In other respects Foreign Minister's communication misstates Commission's standpoint and endeavors commit Commission to future dispositions regarding which it has advisedly held decisions in abeyance pending effectuation cease-fire and truce agreement.

While acceptance by India of Commission's August 13 proposals need not be taken at complete face value, it did express agreement of India to cease-fire and negotiations for truce. Pakistan's proposition introduces subjects for negotiation which have previously been points of controversy and in effect were rejected by both India and Pakistan.

1 Letter addressed to the Commission by Zafurrullah Khan. For text, see SC, 3rd yr., Suppl. for Nov. 1948, pp. 41-45.
This Pakistan fully aware of and it knows, therefore, that injection of controversial features at present stage will effectively obstruct attainment objectives Commission’s August 13 proposals.

Commission today issuing press release correspondence between Commission and respective governments on August 13 resolution which will doubtless create hubbub. Copies all documents have been forwarded Department by airmail with exception Foreign Minister’s letter September 6 and Commission’s reply same date which will be sent earliest pouch. Please repeat USUN Paris.

[HUDDLE]

In this letter to the Minister of Foreign Affairs (8/995), the Chairman of the Commission stated that the Commission was prepared at an early opportunity to consider the questions raised by Pakistan. For text, see SC, 3rd yr., Suppt. for Nov. 1948, p. 45.

501.BC Kashmir/9–1048 : Telegram

The United States Representative on the United Nations Commission for India and Pakistan (Huddle) to the Secretary of State

RESTRICTED

NEW DELHI, September 10, 1948—11 a.m.

809. Comkas 87 (information GA Delegation). While neither Pakistan nor India official or private circles or press ever indicated confidence success mediation efforts commission, general feeling disappointment sensed Karachi and also seems reflected by press from India because Kashmir problem no nearer solution.

In its acceptance commission’s resolution India wins first round but India was not committed re plebiscite arrangements. India flatly rejected SC plebiscite proposals and indicated plebiscite could take place only as India dictated. Commissions hope was that with armies out of Kashmir, India’s position might be modified and plebiscite terms could be agreed upon. Pakistan claims to want plebiscite but not on Indian terms and position now seems to be that Pakistan army will hold positions in Kashmir until plebiscite arranged or failing that would not evade military action to gain Kashmir and its Muslim peoples for Pakistan.

Pakistan Government, however, seems unhappy with prospect. A prominent official made special personal visit to me and also to Colban Wednesday further explain point of view his government, to assure me of Pakistan confidence in commission and said in playing down some of terms Pakistan reply to commission that Pakistan would be satisfied with any plebiscite arrangements which had approval of com-

1 This telegram was relayed to Paris where the U.S. delegation to the United Nations General Assembly was gathering for the Third Session of that body scheduled to open at Paris September 21, 1948.
mission. But suspicion must remain that Pakistan protracting Kashmir settlement hoping profit by developments Hyderabad dispute which has been seriously troubling India.

Nehru’s statement to Parliament September 7 on Kashmir issue charged Pakistan army invaded Kashmir, termed invasion “aggression of Pakistan on Indian union territory” and added “country that was an aggressor nation according to its own showing now rejected and refused proposal for cease-fire or put forward conditions tantamount to refusal.” Nehru repeated previous charges that Pakistan case built upon falsehood and deceit.

Zafrulla responded Nehru at press conference September 8 gave spirited defense Pakistan invasion Kashmir saying Pakistan not bound under any moral or international obligation to inform India and no occasion inform SC which had already committed Kashmir case to commission. Zafrulla said Pakistan under no obligation international or otherwise that prevents her from sending her troops into Kashmir, basing Pakistan position on non-recognition legality accession to India. Otherwise he rehashed for most part old controversy.

Have requested Karachi forward full reports Zafrulla’s press statement for it should be studied as forming probable theme his presentation to SC if Kashmir placed on agenda.

After first shock and 24 hours silence Karachi Dawn and Observer broke out September 9 in rash editorial misrepresentation and distortion facts situation. India is main object of attack of [on] commission but that does not improve matters.

On return to Delhi ninth, commission had interview with Nehru and Bajpai and informed them personally re Pakistan’s qualified acceptance which amounts to rejection its proposals. Nehru plainly disappointed result. Commission asked whether his government would consider first, simple cease-fire; if not, second, codicil or supplement to agreement, giving Pakistan some assurance re plebiscite such as requested by Pakistan; and third, whether India would be willing engage conferences with Pakistan to break present stalemate. Nehru pointed out futility conversations at present stage. He apparently ruled out cease-fire but seems to have thought possibility working out supplement to commission’s proposals to cover plebiscite might just possibly be worthy further consideration. In any event, he did not flatly reject commission’s suggestion.

Conclusion, however, seems almost inevitable that India and Pakistan will not come together on mutually satisfactory terms now; that matter may again have to be aired SC; that SC will have to find some means whereby real pressure will have to be exerted on one or both disputants if peaceful settlement is to be arrived at; and that if this
is not possible India and Pakistan will have to be left to settle problem in own way with prospect of disaster.

Suggestion Comkas 29 that SC appoint prominent moderator might be seriously considered. New terms of reference should be adopted calling upon India and Pakistan as members of UN confer together with him and agreed terms settlement, at same time calling for cease-fire and truce agreement as prescribed by commission.

Sent Department 809, Department pass Paris.

[HUDDLE]

Dated August 31, p. 371.

501 BC Kashmir/9-1048

The Chargé in Pakistan (Lewis) to the Secretary of State

RESTRICTED

KARACHI, September 10, 1948.

No. 409

Subject: Kashmir Dispute: India-Pakistan Commission

Sir: I have the honor to refer to my telegrams No. 446 of September 8 and No. 450 of September 9, 1948 1 with regard to the release for publication by the United Nations India-Pakistan Commission of the correspondence exchanged between the Commission and the Governments of India and Pakistan since the presentation of the Commission’s resolution of August 13, and the comments of Sir Zafrullah Khan, the Minister of Foreign Affairs of Pakistan, at his press conference on September 8 on the statement of Pandit Nehru before the Indian Parliament on September 7.

Ambassador Huddle has furnished the Department copies of the documents released to the press by the Commission. There are enclosed copies of the “Sind Observer” of September 9 which contain an account of Sir Zafrullah’s press conference. It is assumed that the Embassy at New Delhi is furnishing the Department with the text of Prime Minister Nehru’s statement before the Indian Parliament. All of these documents should be read in close connection if a fair understanding is to be obtained of the problems which perplexed the Commission before it finally decided that further effort toward a solution of the Kashmir question would probably be largely useless, or, as indicated in the communiqué which it issued as an accompaniment to the released documents, that “immediate effectuation of its proposal of August 13 is not to be envisaged.”

It was perhaps a foregone conclusion that however impartial, sincere and understanding the members of the Commission might be their

2 Neither printed.
mission was foredoomed to failure because any concessions which the Commission might make to meet the point of view of the Government of India would be unacceptable to the Government of Pakistan and vice versa. The Commission also felt itself obliged to work under the very serious handicap of the presence of regular Pakistan army forces in Kashmir.

The Government of India has held from the very beginning that its quick acceptance of the Maharaja of Kashmir's hasty offer of accession to India was occasioned and necessitated by the invasion of Kashmir by hostile forces from Pakistan, and India's case before the United Nations Security Council was based exclusively on the cry that aggression against Indian territory was being committed by Pakistan although at that time Pakistan had no regular troops in Kashmir and had none in Kashmir until May of this year. India has at no time admitted that there was an uprising of people in Kashmir against the Maharaja and his dictatorial regime, which is more accurately what sent the Maharaja on his hurried way to seek accession to India, and through that medium Indian assistance, in crushing the rebellion. Whatever the true facts may be, however, the Commission accepted the fact of accession as legal, and on that basis the Commission logically followed with the conclusion that Pakistan was, as represented by the Government of India, guilty of aggression in this sense against India because of the presence of regular Pakistan forces in Kashmir. While I have no knowledge that the Commission actually accused the Government of Pakistan of aggression in this sense, I know that the members of the Commission held that view and that the Government of Pakistan felt that there was this implication in the Commission's resolution of August 13, which requires the withdrawal of Pakistan troops, the presence of which "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," prior to any movement for the withdrawal of Indian forces.

The Government of Pakistan has not been willing to concede that it is in any sense guilty of aggression against Indian territory. As Sir Zafrullah points out in his interview with the press, the Government of Pakistan is not even willing to acknowledge that Kashmir has legally acceded to India. The Government here holds that it is strange reasoning on the part of Pandit Nehru that carries him to the conclusion that whereas the accession of Kashmir to India is legal the accession of Junagadh to Pakistan is illegal and that while he cries out against Pakistan's aggression against Indian territory (Kashmir) he sees nothing wrong in India's aggression against Junagadh. Although he searches his soul to put his actions on a high moral plane he sees
nothing wrong in Hari Singh’s\textsuperscript{2} carrying his predominately Muslim state into the Indian Union without any reference to the will of his people (because he was in a hurry) but sees much wrong in the Nawab of Junagadh’s carrying his predominately Hindu state into a union with Pakistan. The Maharaja had the authority to accede but the Nawab had no such authority.

The presence of raiders from Pakistan, and later of Pakistan troops, in Kashmir has sorely troubled Pandit Nehru. He makes a great moral issue of Pakistan’s perfidy and duplicity in this connection but he makes no allusion to the invasion of Junagadh by Indian troops and the complete suppression by India of the former government of that state. Perhaps he, like his colleague Patel, regards Junagadh as no longer an issue, or, at best, it is an irrelevant issue. The feeling in Pakistan is quite the contrary, and the thinking of the Government of Pakistan with particular reference to the Commission’s resolution of August 13 is definitely conditioned by its own conception of Indian perfidy and duplicity in Kashmir, in the matter of Junagadh, and in no small measure in the matter of Hyderabad, and its consequent utter lack of faith in the word and good intentions of Nehru and Patel and, going further, its probable lack of faith not in the good intentions of the Commission but in the ability of the Commission to suppress or control Indian perfidy.

It was for the latter reason particularly that Sir Zafrullah, to the chagrin and perhaps even to the amusement of the members of the Commission, so insistently held on behalf of Pakistan that any “clarifications and elucidations” which may have been given to India by the Commission must be plainly stated for the information of Pakistan and vice versa. The Commission has felt that this has been nothing more or less than quibbling and stalling on the part of Sir Zafrullah, and there may, in fact, be much to support this conclusion, but on the other hand it also seems probable that Sir Zafrullah knows his opponents.

Pandit Nehru says that the Government of India, notwithstanding that there were many matters in the resolution which went against the grain, nevertheless accepted the resolution without reservation. He says that India accepted the cease fire proposal without qualification because of Indian interest in peace and international order and as a gesture of good will towards the United Nations, whereas Pakistan after much delay and the writing of many letters refused to accept the proposal. One has but to read Pandit Nehru’s two letters of August 20\textsuperscript{3} in reply to the Commission’s resolution of August 13 to observe how unconditionally Nehru accepted on behalf of the Government of India

\textsuperscript{2}Hari Singhji Bahadur, Maharaja of Jammu and Kashmir.

\textsuperscript{3}For texts, see SC, 3rd yr., Suppl. for Nov. 1948, pp. 34, 37.
the resolution. Among other reservations Pandit Nehru states twice in his first letter that should it be decided to seek a solution of the future of the state of Jammu and Kashmir by means of a plebiscite Pakistan shall have no part in the organization and conduct of the plebiscite or in any other matter of internal administration in the State. Is it honestly to be expected that Pakistan could accept such a condition? Apart from other considerations, this reservation is hardly in line with the Security Council's resolution of April 21, 1948 and with the spirit of the discussions which clearly indicated the acceptance by the Security Council of a legitimate interest by Pakistan in the holding of the plebiscite.

Actually the position of Pakistan with regard to the Commission's resolution of August 13 is that the resolution is not rejected but that it cannot be accepted without Pakistan being given further "clarifications and elucidations" on the subject of verbal or other assurances given to the Government of India by the Commission. As already stated, the members of the Commission regarded this request as quibbling and stalling, and as their patience had already been worn thin they decided to discontinue further discussions of the problem unless resumption of negotiations may subsequently be found desirable as a result of any change of attitude which may occur on the part of either of the two governments. Inasmuch, however, as it appears to be the determination of the Commission to alter in no particular whatever the terms of its resolution of August 13 or to offer any further clarifications it is freely conceded that in all probability the work of the Commission is finished. The Commission is not necessarily to blame for its failure, and there is no indication that the Government of Pakistan holds any grudge against the Commission, although it does feel that the resolution was plainly unfavorable to Pakistan and involved concessions on the part of Pakistan which could not, for practical reasons as well as for reasons of principle, be conceded.

From a practical point of view the Government of Pakistan was faced, or believed that it was faced, with the necessity of sending its troops into Kashmir to take up a defensive line to meet an offensive which the Government of India was mounting and which if carried through successfully would have had disastrous consequences to Pakistan through the submerging of the northern part of the country with refugees from Kashmir and exposing the rear and flank of Pakistan to an invasion by Indian forces. Pandit Nehru dismisses this explanation out of hand as being false and fictitious and nothing other than a cover for wanton aggression against India. Whatever Nehru's real thinking on the subject may be, and his thoughts might well be different from his words, Pakistan looked at the problem in terms of the estimated danger to its own security and took such measures as it
felt necessary for the protection of that security in what was regarded as a purely defensive sense. There is no doubt that had Pakistan informed the Security Council, as Nehru suggests, of its movement of regular troops into Kashmir, Pakistan’s moral position vis-à-vis the Commission would have been stronger although legally and technically the probabilities are that the Commission would have regarded Pakistan’s position as still being weak and indefensible in that particular. Incidentally it would also have deprived Nehru of one of his crying points at this time, to the advantage of Pakistan, a point perhaps not beyond his appreciation.

One is inclined to wonder what might have happened to Pakistan had the regular troops not been moved into Kashmir. The consequences of its failure to protect itself might then have been better understood by the members of the Commission, for there is no denying that it was the presence of Pakistan troops in Kashmir that broke the back of the Indian offensive which, incidentally, was mounted long after India, like Pakistan, had agreed to the Security Council’s request that neither party do anything to aggravate the situation in Kashmir. In any event, Pakistan feels that it has no apologies to offer for what it did in the above connection, and though Nehru may proclaim to the world, as he does, the guilt of Pakistan there is little or no likelihood that Pakistan will put itself in the position of voluntarily accepting from the Commission what it regards as a proclamation of guilt.

There is another consideration also to be taken into account in explaining why the Government of Pakistan would probably be unwilling, as required under the terms of the present resolution, to withdraw its troops from Kashmir even if the Government of India could be relied upon not to resume its offensive. The withdrawal of Pakistan troops from Kashmir without something very practical and substantial in return, something which the tribal peoples of the North West Frontier and the people of Azad Kashmir could understand in their simple minds as a satisfactory return for this concession, there is little doubt but that these peoples would rise up in holy wrath against the Government of Pakistan for surrendering, as they would regard it, to the Government of India on so vital a matter. There is a serious question in my mind whether the Government of Pakistan feels that it is strong enough to resist any such movement. The tribesmen, being restive about the situation of their brethren in Kashmir, were only partially satisfied when Pakistan finally sent its regular troops into that territory. The three or four hundred thousand already armed fighting men of the North West Frontier area, entirely apart from the inhabitants of Azad Kashmir territory, would be a serious problem for the Government of Pakistan should they decide, as they might
very well decide, to rise against Pakistan if this country should now give the appearance of abandoning the Muslims of Kashmir.

Reference is made to Despatch No. 1005 dated August 28, 1948 * from the Embassy at New Delhi enclosing an “unofficial note” issued by the Bureau of Information of the Jammu and Kashmir government reporting that dissension exists within the Azad Kashmir movement. This Embassy has no information which would support that report. Chaudhry Ghulam Abbas and Sardar Mohammad Ibrahim, who describe themselves respectively as Supreme Head of the Azad Kashmir Liberty Movement and President of the Azad Kashmir Government, appear to be working in close cooperation and in complete harmony, and while there may be, as is natural in human affairs, differences of opinion between these persons and others, no intimation has reached Karachi that there are any serious rifts in the Azad movement, nor does there appear to be any reason to believe, as has lately been rumoured, that there are any differences between the Azad Kashmir leaders and the Government of Pakistan. It is my opinion, however, as previously intimated, that the Government of Pakistan did not dare to make any concessions to the India-Pakistan Commission which would have aroused intense disgruntlement amongst the Azad Kashmir or tribal leaders. In the latter connection it should be pointed out that Chaudhry Ghulam Abbas and Sardar Ibrahim have expressed strong disagreement with Nehru’s statement before the Indian Parliament and have issued a joint statement, published in today’s press, in which they assert that the Commission’s proposals in their present form are totally unacceptable to Azad Kashmir. A copy of this joint statement as published in “Dawn” of September 10, is enclosed as being pertinent, even though the Commission has so far shown what superficially appears to be little interest in the Azad Kashmir Government and its point of view.

Meanwhile, the fighting in Kashmir continues as far as monsoon conditions and the terrain permit. Although aerial attacks by Indian bombers have lately been more frequent the Azad Kashmir forces appear to be holding their own and to be operating in some areas at an advantage.

Respectfully yours,

CHARLES W. LEWIS, JR.

* Not printed.
CONFIDENTIAL

NEW DELHI, September 12, 1948—noon.

822. Embtel 813, September 11 reporting Nehru’s statement that final reply to letter from GOI to Hyderabad demanding facilities for stationing Indian troops at Secunderabad had not been received.

Embassy advised by UK High Commissioner’s office that Hyderabad has now replied in the negative. GOI has also written Hyderabad that, in view of refusal Nizam grant necessary facilities, GOI reserves all freedom of action. Cabinet defense committee meeting to be held today to make final decision. Decision will be political not military as army is convinced its ability carry out campaign successfully but has pointed out certain risks to government, particularly possible intensification military pressure from GOP in Kashmir.

Bucher told me yesterday all British officers with Hyderabad army had resigned. He said Indian army would be in Hyderabad city five days after it crossed frontier taking into account maximum resistance which might be offered. He said Hyderabad had no bombers but that they might use Dakotas to drop bombs; however he does not consider bombing by Hyderabad planes a problem.

He expressed concern over presence in Hyderabad of 5,000 Pathans including civilians and soldiers and said they would be serious problem in event civil disturbances.

Sent Department 822, pouched Karachi, Consulates India. Department pass London.

DONOVAN

\(^1\) Not printed.

\[^1\] Telegram 809 from New Delhi, p. 377.
simple cease-fire agreement, second, unable pursue negotiations regarding plebiscite under present conditions, and finally, could not enter into conversations with Pakistanis since subjects such conversations would be per se ruled out.

Sent Department 824; Department pass Paris info GADel.

[HUDDLE]

845.00/9-1348: Telegram

The Chargé in India (Donovan) to the Secretary of State

CONFIDENTIAL NIACt NEW DELHI, September 13, 1948—4 p. m.

830. Razvi, Hyderabad Agent-General, advises me Mir Laik Ali¹ telephoned him at 10:30 a. m. today stating that GOI troops had entered Hyderabad from Sholapur, Bezwada, and Chanda, Hyderabad troops have clashed with Indian Army at Naldrug in Hyderabad state near Sholapur.

Razvi expects to leave for Hyderabad under safe conduct within next 48 hours.

Sent Department 830. Department pass London.

DONOVAN

¹ Prime Minister of Hyderabad.

845.00/9-1448: Telegram

The Secretary of State to the Embassy in India

SECRET US URGENT WASHINGTON, September 14, 1948—12 noon. NIACt

551. Request early interview Bajpai for discussion Hyderabad following lines:

1. On Sept. 3 Indian Amb¹ informally requested Dept give its views re Hyderabad. Problem given urgent attention but following observations are only of preliminary nature to be made GOI on informal and confidential basis.

2. US believes GOI aware our favoring close association all princely states with one or other Dominion. In specific case Hyderabad we have carefully avoided any encouragement Nizam’s aspirations independence. It has been and continues our opinion general welfare Indian subcontinent best served by close association Hyderabad with GOI and highly desirable this association be brought about expeditiously and in such manner as to promote peace and stability in area.

¹ René Paul Rër. He presented his credentials as Ambassador to the United States on August 5, 1948.
3. Re present Indian military action Hyderabad US has noted with interest press reports of proclamation Indian Army Command to people of Hyderabad stating “As soon as our task is completed, the people of Hyderabad will be given the opportunity to decide their future, both as regards internal government and relations with India”.

4. US not intending sponsor Hyderabad’s complaint UN, but military events may encourage other UN members place Hyderabad issue on agenda either UNSC or UNGA. While US views on legal and other aspects Hyderabad question not formulated, it possible various complex legal aspects could arouse lengthy discussion UNGA or UNSC and perhaps even lead to reference matter ICJ, thus protracting uncertainty Hyderabad status which Indian Amb here states GOI wishes avoid.

5. Bearing in mind reported intention GOI to give people Hyderabad opportunity freely to express their desire re future status their state, we feel that India might derive significant advantages taking initiative in proposing course of action by which UN could contribute to early solution problem without prejudice its position re legal status Hyderabad. For example, GOI might wish consider as first step in this direction making immediate announcement that it would invite UN to undertake, when conditions permit, supervision of free plebiscite Hyderabad accordance its adherence highest principles international peace and cooperation and in firm conviction that its objectives would be more fully appreciated if subjected to moral scrutiny of world.

6. Should Bajpai react favorably foregoing and ask whether US would support such Indian proposal, you are authorized reply in sense that although we cannot give commitment without full info, we would be disposed consider sympathetically such proposal as advanced by GOI.

7. Dept informally conveying foregoing views to Indian Amb here.  

MARSHALL

845.00/9-1448: Telegram  
The Secretary of State to the Embassy in India.

SECRET US URGENT WASHINGTON, September 14, 1948—12 noon.

NIACT

552. Ref Deptel 551, you should bear in mind that if Hyderabad situation comes to SC or if Pakistani-Indian relations already before Council deteriorate significantly because of Hyderabad, US must be free to pursue policy in SC in support of maintenance of international
peace and against use of force for settlement of differences. In discussing Deptel 551 with GOI, therefore, you should not in any way imply that we condone use of force respecting Hyderabad.

MARSHALL

501.BC Kashmir/9-1448: Telegram

The Secretary of State to the United States Representative on the United Nations Commission for India and Pakistan (Huddle), at New Delhi

SECRET

WASHINGTON, September 14, 1948—2 p. m.

554. Kascom 27. Dept believes highly desirable Commission remain Indian Subcontinent and continue negotiations so long as any hope remains inducing agreement, modifying Aug 13 proposals as necessary. This is particularly important present time in view possible effect Jinnah’s death 1 on Pakistan attitude and in view current Hyderabad crisis. Commission decision explain Pakistan reservations GOI and Huddle's decision visit Azad territory (Comkas 35, 37 and 38 2) wisely taken in Dept’s view, showing intention continue efforts and allaying professed disappointment expressed by Zafrullah that Commission was breaking off discussions (Karachi’s 450 3). This feeling perhaps based on interpretation Commission’s press communiqué (Karachitel, Sept 8, unnumbered) 4 stating Commission expects continue negotiations “should it find it desirable”. Dept understands feeling discouragement some members Commission. However, experience Commission to date and experience other good offices commissions shows value as deterrents continued presence such bodies in area and necessity long, patient efforts for successful completion task.

Re Pakistan’s insistence GOI accept Part B SC Resolution 21 Apr (Comkas 34 4), Dept inclined agree best hope appears lie in working out supplement to agreement dealing with plebiscite, as suggested to Nehru (Comkas 37). However, in order avoid involvement in details plebiscite arrangements this stage, it might be possible employ brief, general language effect that such arrangements will be worked out “along general lines of” SC resolution, or “taking Part B SC resolution as working basis” or some similar language.

Re possibility reconsideration matter by SC (Comkas 35 and 37)

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1 Mohamed Ali Jinnah, Governor General of Pakistan, died on September 11, 1948. He was succeeded on September 14 by Khwaja Sir Nazimuddin.
2 Comkas 35 (telegram 447, September 8, from Karachi) and Comkas 38 (telegram 808, September 10 from New Delhi); neither printed. Comkas 37 (telegram 809 from New Delhi), p. 377.
3 Telegram 450, September 9, from Karachi; not printed.
4 Not printed.
5 Telegram 443, September 6 from Karachi, p. 376.
Dept assumes that so long as any chance remains for agreement through negotiation, any interim Report to SC will be merely informative and not call for consideration matter by Council. If, however, situation reaches such complete impasse that Commission feels it necessary seek further SC consideration, Dept believes it essential that Commission submit recommendations for specific SC action. Dept presently doubts advisability requesting SC to replace Commission by moderator with new terms of reference, as suggested Comkas 29 and 37. We feel such recommendation might provoke unnecessary extended debate in Council re desirability Commission vs. moderator and re new terms reference. Also feel such step might have psychological disadvantage of appearing abandon progress reached so far, instead of building on action already taken by SC and Commission. Furthermore selection moderator might raise serious difficulties since Dept doubts advisability appointment US national and practicability of finding acceptable candidate another nationality. Dept would like your further views on this.

If maximum efforts Commission to accomplish results by persuasion prove fruitless, Dept might be able support report by Commission to Council stating it believes Aug 13 proposals, with some indicated modifications, constitute most reasonable basis for restoration peace and order, and recommending that SC call on parties under Art 40 to comply with them. Such action by the SC might be desirable if show of firmness by SC would induce compliance, by enabling both Govts to save face domestically by pointing out that they had no alternative but accept or risk sanctions by international community. Indicate your views.

MARSHALL

* Telegram 434, August 31 from Karachi, p. 371.

501.BC Kashmir/9-1448: Telegram

The Acting Secretary General of the United States Delegation to the United Nations General Assembly (Power) to the Secretary of State

PRIORITY

PARIS, September 14, 1948.

Delga 28. Following text of cablegram from Hyderabad to SC President, dated September 12, circulated as S/998. September 13, with SYG's forward identical to that in S/986 August 24[21].* Cable signed by Zahir Ahmed,² as in S/986.


² Secretary to the Government of the Nizam of Hyderabad and Berar in the Department of External Affairs.
"In view of the officially proclaimed intention of India as announced by its Prime Minister to invade Hyderabad and in view of actual preparations for imminent invasion, the Government of Hyderabad earnestly request that the complaint of Hyderabad against India be put on agenda of SC at the earliest possible date such as Wednesday, September 15. Invasion is bound to cause unrestrained communal war throughout the Indian continent. International peace fundamental principles of the Charter and the duty to prevent widespread bloodshed demand immediate consideration of the matter by SC."

Department please relay New Delhi and Karachi.

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501. BC Kashmir/9-1448 : Telegram

The Secretary of State to the United States Representative on the United Nations Commission for India and Pakistan (Huddle), at New Delhi

SECRET

WASHINGTON, September 14, 1948—7 p.m.

556. Kascom 29. Notwithstanding Commission’s decision Sept 10 proceed Geneva (Comkas 42 and Delhi 828) Dept believes Com should remain Indian Subcontinent (Kascom 27) and requests you seek reconsideration decision on basis that subsequent death Jinnah and invasion Hyderabad represent new political developments which may affect its task. While impossible predict exact effect these developments on Kashmir negotiations and while Dept appreciates reasons that may have prompted decision move Geneva, Dept feels Com should remain available to take advantage developing situation and that its continued presence even more desirable as stabilizing factor in generally troubled area. Additional reason is if Commission decides submit interim report SC with recommendations, Dept believes before any report submitted, Com should inform both Govts proposed recommendations to afford final opportunity voluntary agreement. Suggest therefore Com prepare report some convenient location subcontinent.

Would like detailed summary Nehru’s final reply (Comkas 42) particularly re his statement GOI unable pursue negotiations re plebiscite under present conditions and your evaluation possible openings for further negotiations both govts.

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1 Sent to the Department as telegram 824 from New Delhi, p. 385.
2 Telegram 828, September 13, 1948, not printed.
3 Sent to New Delhi as telegram 554, September 14, 1948, p. 388.
The Chargé in India (Donovan) to the Secretary of State

CONFIDENTIAL NEW DELHI, September 15, 1948—2 p. m.

841. According communiqué issued September 14 by Headquarters, Southern Command, Poona, Indian forces advanced on all fronts since beginning action Monday and have captured important objectives. Points captured include Daulotabad, Jalna in extreme northwest state, and Osmanabad. Communiqué also stated “lightning advances” along Sholapur-Hyderabad Road have brought Indian troops to Rajasur about half way to Secunderabad. RIAF have bombed Hyderabad airfields and have lost two planes.

UK High Commissioner said today he did not consider it beyond bounds of possibility that there was “a deal” between Bucher and El-Edroos. Bucher told Symon that to date Hyderabad State troops had withdrawn when GOT forces appeared. However, Symon emphasizes his comment is pure speculation. He agrees with Embassy that next 48 hours will be critical and that unless Hyderabad resistance increases during that period there will probably be very little trouble.

Fry reported 8:30 a. m., September 15, all quiet in Hyderabad and that 58 Europeans were at Sanatnagar concentration point; so far as known only one American is there (Embdt 840, September 15*).

No incidents in Delhi up to 1 p. m., September 15, and Embassy has heard of none elsewhere in India.

Sent Department 841, pouched Indian consulates, Karachi. Department pass London.

DONOVAN

1 General El-Edroos, Commander in Chief of the Hyderabad army.
2 Not printed.

501. BC/9-1548: Telegram

The Secretary of State to the Embassy in France

SECRET NIAC WT WASHINGTON, September 15, 1948—7 p. m.

3651. For Jessup. Re Hyderabad you should be guided by Deptel 570* on procedural aspects. On merits, US general position based following considerations:

(a) On historical, economic and ethnological grounds and for security and stability Indian Subcontinent, US believes that, subject will Hyd people, accession to GOI on equitable terms is best solution, preferable to either complete independence or accession Pakistan;

2 September 1, to New York, p. 372.

429-027—75—26
(b) Ultimate solution should not be by force and US regrets that situation has arisen leading to use of force, particularly in view provision Standstill Agreement governing GOI-Hyd relations stating that it does not "confer any right on Dominion send troops assist Nizam in maintenance internal order" nor station troops Hyd except in wartime; and provision calling for arbitration.

(c) Practical alternatives to ultimate solution by force this case appear to include: (1) resumption negotiations or (2) reference question Hyd future status to direct vote people under international supervision or observation. Though every effort should be made under (1), circumstances this case indicate (2) more feasible course.

In course negotiations since Aug 1947, GOI has several times expressed view favorable plebiscite and Indian Army command issued proclamation Hyd people Sept 12 stating they will have opportunity decide own future. We likewise understand Nizam agreeable plebiscite, but in any event he would find it difficult oppose such procedure. Believe, therefore, SC decision that plebiscite shall be held offers practical hope solution.

You may discuss problem immediately Cadogan along above lines, informing him sense Deptels 551 and 552 to New Delhi and exploring with him possibility that should no GOI initiative be forthcoming, UK or other friendly delegation might propose that SC recommend that plebiscite will be held under UN supervision or observation and instruct President SC conduct immediate negotiations both parties work out basic conditions under which plebiscite can take place, including cessation hostilities and peaceful deployment troops both govt's to maintain law and order.

You are also authorized informally convey above general lines US thinking in answering inquiries other delegates, bearing in mind Dept does not desire take formal initiative in SC at this time.

Please inform Indian Delegate sense Deptels 551 and 552.

At same time Dept would wish cooperate with any practical movement which may develop in Paris toward mediation or other means pacific settlement in accord with Charter provided question of Hyd statehood is reserved.

Dept initially inclined oppose immediate SC cease fire order on grounds such step not practicable in circumstances and any US support would seriously jeopardize US-GOI relations.

Embassy London requested inform FonOff contents this tel and Deptels 551 and 552 to New Delhi.

MARSHALL
The Deputy Representative of the United States on the Security Council (Jessup) to the Secretary of State

CONFIDENTIAL URGENT PARIS, September 16, 1948—1 p. m.

Delga 52. Hyderabad Foreign Minister neglected opportunity yesterday SC meeting to press for debate and immediate vote on a cease-fire. Now he urges necessity SC requesting immediate cease-fire in view military situation without prejudice any issues involved. Cadogan, SC President, will call meeting tomorrow upon request any member and says UKDe will vote for cease-fire without prejudice any issues involved including Hyderabad’s statehood.

In view Department’s 3651 to me, dated September 15, please instruct.

Jessup

1 The United Nations Security Council was meeting in Paris concurrently with the September opening there of the Third Regular Session of the General Assembly.

The Chargé in India (Donovan) to the Secretary of State

SECRET NEW DELHI, September 17, 1948—noon.

848. In conversation with Bajpai today he read me letter from Liaquat Ali Khan to GOI re intervention in Hyderabad; Ali Khan stressed danger communal disturbances India Pakistan and Srubal areas and said considerable feeling had been aroused in Pakistan by GOI entry Hyderabad. Bajpai read to me GOI reply this note which was conciliatory in tone. It said there had been no communal trouble in India and that GOI had taken every precaution prevent such outbreaks. It also said GOI entry Hyderabad had been prompted by GOI desire stop deterioration communal situation in India created by Razakars raids.

Bajpai was very critical Bevin’s statement in Parliament that “war-like spirit”1 had developed in India. Bajpai said “we have sent him a snorter in reply.” He then remarked “how do they expect us to stay in Commonwealth after such a remark.”

Sent Department 848; repeated Karachi 156. Department pass London from Delhi.

Donovan

SECRET  US URGENT  NEW DELHI, September 17, 1948—1 p. m.

849. Deptels 551 September 14 and 559 September 15.

1. When I advised Bajpai this morning of observations of Department contained Deptel 551 he said any remarks he might make should not be construed as in any way prejudicing GOI position that Hyderabad question is purely internal problem. He said he appreciated friendly spirit in which Department had approached GOI. Before commenting on question UN supervising plebiscite Hyderabad, he wished inquire exactly what role US envisaged for UN. While Bajpai did not commit himself definitely, it is my impression that UN role, according to Indian view, would have to be limited to observation.

Telegram from Rama Rau re his report on conversation with Satterthwaite in which Department’s observations imparted arrived Delhi yesterday afternoon. V. P. Menon then called me his office and expressed his resentment at trend US policy was taking as indicated Rama Rau’s telegram. He apparently did not fully understand contents of telegram as he said GOI would never on principle permit UN interference, but GOI might on own initiative invite UN observer plebiscite when held. When it was pointed out Department envisaged voluntary action by GOI somewhat along these lines, Menon retreated and said while GOI might ask UN, US and Great Britain, furnish observers it would not extend invitation now “on matter of principle” but might or might not do so when preparations plebiscite nearer completion.

Menon reiterated GOI view Hyderabad issue purely internal issue since Hyderabad has no international locus standi. He also said Hyderabad was in identical position as other Indian states and asked if, in case GOI had difficulty with Baroda, UN would feel it should intervene. He also said if principle UN intervention in GOI-Princely state relations accepted, it was possible that whole structure of accession states to India would collapse. He emphasized that Jodhpur, other Rajputana states and Jaipur were waiting for any indication weakness GOI policy before challenging GOI authority and, at least in one case Jodhpur, acceding Pakistan.

Embassy suggests Department give careful consideration following aspects situation before supporting Hyderabad case or insisting

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1 Not printed.
2 Ambassador Rau called on Satterthwaite, Director of the Office of Near Eastern and African Affairs, on September 14. A memorandum of their conversation is in Department files, No. 845.00/9-1448.
UN intervention in GOI-Hyderabad dispute: (1) While V. P. Menon possibly exaggerated danger, Embassy believes Princes would not hesitate take advantage any evidence weakness central government to reobtain former position of power or even attempt establish independence; (2) moreover Embassy feels India will strongly oppose attempt bring Hyderabad dispute within purview UN and would so greatly resent efforts US and Great Britain achieve this objective that friendly relations between India and democracies would be seriously, if not irreparably, damaged. Thus instead of neutral India which despite its neutrality has many bonds friendship and affection uniting it with west, India might become more closely associated with USSR in international field; (3) lack of resistance by Hyderabad troops and speed Indian advance leads Embassy believe UN may find itself dealing with a fait accompli with respect Hyderabad. While Embassy appreciates UN position with respect Hyderabad dispute, there is strong possibility UN intervention will increase difficulties solution Hyderabad problem because of encouragement it will give Nizam not to arrive agreement with India; (4) moreover, Embassy suggests Department bear in mind that disintegrative forces in India are already strong and any encouragement given to Hyderabad, leaders of which interested mostly in maintenance their own power, would to certain degree jeopardize stability India which, with all its weakness, is probably strongest bastion against further advance communism on Asian continent.


DONOVAN

501.BC/9–1648 : Telegram

The Secretary of State to the United States Delegation at the United Nations General Assembly, at Paris¹

SECRET US URGENT WASHINGTON, September 18, 1948—2 p.m.

MIACT

Gadel 20. Hyderabad case:

1. From reports Nizam has ordered his forces cease resistance and has announced intention Hyderabad withdraw its complaint SC it would appear that GOI will be able to present SC and world on Sept 20 with fait accompli. Re Delga 52 Sept 16 we assume problem SC cease fire order no longer exists.

¹ This cable was repeated to the American Embassies in India, Pakistan, and the United Kingdom as telegrams 564, 359, and 3691 respectively.
2. Presumably Nizam already engaged in negotiations with GOI re future internal government Hyderabad and its relationship with GOI.

3. We may therefore anticipate that on Sept 20 Hyderabad and GOI reps will inform SC foregoing developments and request removal Hyderabad complaint from agenda.

4. We feel that dropping item from agenda (without further consideration) would create dangerous precedent by encouraging use of force by aggressive states to induce favorable negotiations on recalcitrant states. Attempt Iran in 1946 remove its case from SC agenda pertinent here.

5. Therefore suggest that your action be along following lines:

a. Discourage presentation formal motion for dropping item from agenda this time.

b. Suggest to Cadogan that following statements both parties he make statement to effect that in view resumption negotiations he believes that prior any consideration by SC their request for dropping item from agenda both parties should inform SC outcome their current negotiations.

c. If statement by President along above lines insufficient and matter comes to vote, you should vote against immediate dropping item from agenda and favor motion taking note statements made and requesting parties advise Council outcome current negotiations.

6. Emb Delhi requested reiterate US view that, whatever outcome SC consideration Monday, if possible for GOI give definite indication intention include UN participation in early Hyderabad plebiscite, such action would have strong salutary international repercussions and would create favorable climate UN. UN participation might take form of UN group assisting and advising in plans for plebiscite and observing and reporting on conduct and results thereof. Suggest GA Del take similar line with GOI rep Paris.

7. Re Menon’s resentment trend US policy (Delhi’s tel 849) Dept believes it important Emb Delhi have early frank discussion with him along lines (a) US suggestions resulted from definite urgent request Indian Amb; (b) US has consistently been in sympathy with ultimate GOI objectives Hyderabad; (c) re his concern over applicability any UN role Hyderabad to states which have acceded GOI you should reiterate our views set forth Para 2 Deptel 551.

MARSHALL

NiACT

860. Deptel 564, September 18. In accordance Department's instructions Embassy will of course reiterate US request that GOI give definite indication intention include UN participation early Hyderabad plebiscite and will point out such action would have favorable effect international attitude towards India. Embassy strongly doubts, however, such representations will be effective and if too strongly pressed may cause definite unfavorable reaction US. GOI elated at successful termination military activities and considers Hyderabad problem finally solved.

In this connection Embassy strongly believes any "association" Hyderabad and India other than accession Hyderabad on terms accession agreement other states would not constitute solution problem but would give continuance unsatisfactory conditions which have existed from August 15, 1947 to present. Situation in India has radically changed during past year as GOI has implemented its policy that full integration of states, for all practical purposes, with Indian union is only method by which strong and stable political unit Indian continent could be achieved.

Embassy feels, although it has no definite evidence in support its conclusion, that whole military campaign and consequent capitulation Nizam was to certain degree prearranged plan between Nizam and El-Edroos on one hand and GOI officials on other. Nizam, interested only in future himself and dynasty and almost helpless vis-a-vis Razarkar extremists, decided there should be no effective opposition to Indian Army by Hyderabad state troops. Razarkars notably oppose organized force. With Indian Army in control, Nizam can now effectively disband Razarkars and come to terms with GOI which under states ministerial policy of benevolence to Indian princes should not be too difficult.

I shall see Menon first opportunity.

Sent Department 860, Department pass London; USGADel, Paris.

DONOVAN

1 Telegram 564 to India was a copy of telegram Gadel 20, supra.
SECRET URGENT

NEW DELHI, September 20, 1948—3 p. m.

NIAC T

564. Deptel 564, September 18.¹ I saw Bajpai this morning. He had just received from Indian Ambassador Washington similar information to that contained paragraph 6 Deptel 564.

Bajpai said it was too early as yet for GOI to give answer regarding form which plebiscite might take or as to what GOI felt UN participation should be. He said GOI had been out of touch with Hyderabad for some months and that Munshi ² and General Rajendra Sinhji would arrive Delhi evening September 22 to report on affairs in Hyderabad and that until GOI had firsthand information re conditions Hyderabad nothing could be said re paragraph 6 Deptel 564.

Bajpai said GOI hoped military administration would not last more than two weeks but that again it was impossible give definite answer this question until extent of guerilla activities in which Razarkars might engage could be ascertained.

He said plebiscite might be held on basis adult suffrage or by election to legislative body but emphasized none of these questions could be answered now.

He said GOI must take into account public opinion in India which is incensed over atrocities Razarkars; for example, Socialists are urging Nizam be deposed while other groups are urging immediate setting up of congress government in Hyderabad. Bajpai said task of GOI in dealing with foregoing groups would not be made easier if impression was obtained in India that pressure was being put on India from outside with respect to dealing with Hyderabad. By this I am sure he meant too much debate on the subject at UN especially at this time. Embassy believes that extended discussion of Hyderabad question at Paris at this time will not make GOI position easier vis-à-vis public opinion in India.

I emphasized that interest of US Hyderabad question sprang only from US position as outlined paragraph 2 Deptel 551, September 14 and repeated that US had at all times carefully avoided encouraging aspirations of states such as Hyderabad and Travancore. Bajpai again said he appreciated friendly spirit of US approach and said he had discussed question with Prime Minister and that his remarks to me today should be considered as Prime Minister’s as well as his own.

¹ Printed as Gadel 20, p. 395.
² Kamalal Manekial Munshi, Agent-General to the Government of India in Hyderabad.
Re Razakar atrocities Bucher telephoned me today to say that American missionaries in Bidar Hyderabad state had some harrowing stories to tell. Bucher said he had sent two American press correspondents to Bidar to obtain story. Embassy will endeavor get in touch these missionaries soonest for factual account. Bucher said no Americans injured these incidents of which apparently Americans V. P. Menon is in Hyderabad and I shall see him upon his return. Embassy has heard of no disturbances in India and Indian press were spectators only.

and radio have been advised by GOI, according Bajpai play down one communal incident reported in Pakistan.

Sent Department 864; Department pass London, Paris for USGADel.

DONOVAN

845.00/9-2048: Telegram

The Chargé in India (Donovan) to the Secretary of State

SECRET

NEW DELHI, September 20, 1948—8 p. m.

865. Embltel 864, September 20. Governor General sent for me 5 p. m. today. He referred my talk with Bajpai today and expressed his appreciation US approach Hyderabad question.

He said he was faced with very difficult position re Hyderabad owing to high state of feeling in India against Nizam and Razakar. He said he hoped to keep Nizam on throne and that he was working to that end because it was best for India that Nizam and his dynasty should be maintained. However, his Governor General's position was already sufficiently difficult owing internal opposition (Asaf Ali's speech at Bombay) 1 without added difficulty of pressure from outside to hasten plebiscite and bring UN into plebiscite. He told me he would do everything possible to retain Nizam as constitutional monarch and could practically assure me he would succeed provided public opinion in India was not still further irritated by outside interference. He assured me people of Hyderabad would be given every opportunity to have representative government of their own choice.

Governor General made it plain he thought UN participation unnecessary and, in view state public opinion India, unwise.

Embassy requests Department to evaluate foregoing in light of Governor General's well-known policy of tolerance, common sense, and forebearance in political questions; Nizam's penchant for intrigue and double-dealing as exemplified by fact that practically no resist-

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1 Asaf Ali was India's first Ambassador to the United States, February 1947 to April 1948.
ance was offered to Indian Army and finally that in last analysis Hyderabad is not entitled to any better treatment than Gwalior, Indore, Bhopal or Baroda. States problem is a matter of life and death to India and Embassy must emphasize that putting Nizam on different plane that foregoing states must inevitably lead to difficulties with other states which have acceded to Indian Union.

Embassy believes American interests would best be served by not insisting Hyderabad case be kept on UN agenda in face of Nizam’s withdrawal and in not insisting UN participation in plebiscite. In arriving this conclusion character and integrity of Nizam, which Embassy cannot consider high, must be considered. People of Hyderabad barring ruling clique and small group extremists, will be just as happy under GOI rule as under Nizam and over period of years they will benefit. Foregoing represents considered opinion Embassy, in arriving at which, American interests have at all times been the paramount consideration.

Sent Département 865. Department pass London and Paris USGADel.

DONOVAN

501.BC Kashmir/9-2148: Telegram

The United States Representative on the United Nations Commission for India and Pakistan (Huddle) to the Secretary of State

SECRET

NEW DELHI, September 21, 1948—noon.

868. Comkas 46. Commission considers its departure from sub-continent necessary and expects arrive Geneva about 26th, resuming sessions 30th. Interim will afford me opportunity lay situation before American delegation Paris if desired (Kascom 27 and 29 1).

Nehru declined categorically to modify his attitude and stands on demand for withdrawal Pakistan forces as preliminary to any plebiscite negotiations. With its army in Kashmir and revolutionary Azad Kashmir forces having had some success, Pakistan now undoubtedly stronger position than last spring, and will not willingly give up its evident gains. Agree too early estimate effect Jinnah’s death on Pakistan policy, but previous experience similar conditions might lead to expectation intensification nationalistic aspirations, at least for time. On other hand, India’s present success Hyderabad will strengthen India, disappoint Pakistan in Kashmir case.

Actually situation in an impasse. It may be that some simple formula supplementing Part III Commission resolution August 13 will prove acceptable both parties, though I am doubtful, and form this will take

1 Dated September 14, pp. 388 and 390, respectively.
can be discussed when I arrive Paris. My present feeling is it should not be proposed in interim report but may form subject of separate documents for consideration GOI and GOP.

Advantage may be taken of visit to Paris of both Pakistan and Indian representatives, it is hoped, by our and British delegations, as well as others represented on Commission, informally to impress upon them urgency of coming to agreement, without subject coming up for SC debate.

Zafrullah Khan is, I am convinced, of belief he can divide SC and win support there, though he is worried by Pakistan military invasion Kashmir. He has been most difficult of all officials dealt with in sub-continent, and has succeeded completely alienating majority Commission by his tactics. He has sorely tried my own patience by obvious forensic trickery. His regret because “Commission breaking off discussions” (Karachi telegram September 8, unnumbered 2) is to be interpreted as hypocritical misrepresentation actual conditions to cover his own rejection of Commission’s proposals, and his disappointment at being unable delay Commission and utilize it to India’s disadvantage in Hyderabad case. He also has consistently endeavored put on Commission burden which can only be borne by Pakistan and India, and from beginning resented terms of Commission’s proposals which clearly placed responsibility.

Both India and Pakistan demand for selves all of Kashmir. Both fear result of plebiscite in Valley. Neither is in mood to compromise at moment. In background is religious question.

However, informal discussions in Paris might tend first to press for acceptance Commission’s resolution August 13 as it stands; Zafrullah’s objections are not well founded. If that effort fails, then, second, to press Indians to accept brief outline of plebiscite arrangements under UN supervision, supplementing Commission’s resolution. It is this alternative to which Nehru gave unqualified negative in response to Commission’s request after rebuff by Pakistan.

Failing solution along one or other of these lines, future is obscure. To throw case into SC and to agree upon course of action with threat sanctions raise troublesome prospect.

Sent Department 868; Department pass Paris US GADel.

[HUDDLE]

2 Not printed.
The Chargé in India (Donovan) to the Secretary of State

SECRET

NEW DELHI, September 24, 1948—noon.

873. Reports from Hyderabad show complete control by Indian forces who are now conducting minor mopping up operations. Reports are that some Razakars have gone underground with arms and ammunition, but any overt action has been met with immediate and overwhelming police action. Despatches confirmed by Hyderabad. Military Governor (Statesman—September 23) from Bezwada report arson and looting by Communists, but apparently principal disorders come from roving bands Razakars.

Embret 872, September 24 reports Nizam’s radio broadcast on September 23 declaring he was victim of Razakars and calling people of Hyderabad to give Military Governor fullest support in restoring peace. Report with Paris dateline of September 23, states Nizam cabled UN direct withdrawing Hyderabad complaint against India. 1

Local press reports that speaker Indian Parliament urged at public address Madras September 21, that Hyderabad be divided into three areas on linguistic basis and merged into adjoining provinces. This address only one example of pressure on GOI from responsible people for dismemberment Hyderabad (Embret 865, September 20). Division now would lead to boundless administrative confusion, bitter competition among surrounding provinces for share of spoils, would disrupt Hyderabad governmental structure, destroy faith of Hyderabad Muslims that their interests would be protected, open way for further Communist uprisings in areas where they are strongest, would seriously threaten peace in Hyderabad and would shake political stability of princely states which have been given place of responsibility and prestige in Indian union. It is to forestall such results that GOI wishes establish Hyderabad as integral part of India but with Nizam as constitutional head of state. Despite internal pressure from Indian political figures GOI probably will be able to bring about a solution which will largely satisfy Hyderabad Muslims and Indian extremists if pressure from outside powers is withheld.

Press report from Karachi quotes radio broadcast by Pakistan Prime Minister on September 22 who referring to Nehru’s recent appeal for peace with Pakistan and after declaring Pakistan’s desire to promote peace averred that he had appealed to Nehru not to use military force against Hyderabad. Embassy’s viewpoint is that Liaquat

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1 Not printed.
2 For text of the telegram, as read by the Indian representative, Ramaswami Mudaliar, at the 59th meeting of the Security Council in Paris on September 20, see SC, 3rd yr., No. 111, p. 3. For summary of the Council’s discussions of the Hyderabad dispute, see Yearbook, 1947–48, pp. 450–450.
Ali Khan’s address not only will not promote peace, but will further aggravate present disturbed conditions. Indian leaders are hypersensitive on Hyderabad issue, but feel no other solution was possible and criticism especially from Pakistan is bitterly resented.

Sent Department 873, pouched Karachi, Department pass London, Paris, USGADel from Delhi.

DONOVAN

845.00/9-2448

The Chargé in India (Donovan) to the Secretary of State

CONFIDENTIAL

NEW DELHI, September 24, 1948.

No. 1117

Subject: Reasons for Hyderabad Army Offering Only Token Resistance.

Srn: I have the honor to refer to New Delhi’s telegram no. 865 of September 20, 1948 regarding the Governor-General’s remarks to me on the question of Hyderabad’s appeal to the United Nations. There is enclosed a press despatch from the Delhi Statesman of September 24, 1948 which in the Embassy’s opinion offers an excellent analysis of the military fiasco staged by the Hyderabad Army when GOI troops entered the State. The Department is also referred in this connection to New Delhi’s telegram no. 872 of September 24\(^1\) in which the Nizam stated in a broadcast on September 23 that he was helpless in the hands of the Razakars and the Laiq Ali Ministry.

The political commentator who prepared the enclosed press despatch inquires why the Nizam’s Government, in apparent disregard of the superior power of the Indian Army, saw fit to offer resistance. India had in the field an armored division comprised of a massed force of armored, motorized infantry, paratroops and the necessary auxiliary services, in addition to infantry and artillery units. Against this well-trained and equipped force the Nizam’s Army and Razakar irregulars, although more than five times in number, had practically no armor, less experience and leadership, limited ammunition and arms, and no air force. The fantastic stories circulating around India regarding Hyderabad bombers in the State, in Pakistan, and in Goa were never credited by the Embassy.

According to the enclosed press despatch, there were two basic reasons for the Nizam’s Government offering no resistance. First, although he never hoped for a decisive military success, the Nizam’s Government gambled until the last minute against the chances of India taking precipitate armed action. The Razakars and the Laiq Ali

\(^1\)Not printed.
Ministry counted on the possibility of outside help, both military and political, and on the effect of world opinion as expressed through the United Nations.

The second reason for Hyderabad offering no resistance to India’s overwhelming strength is that the Nizam expected, by means of a military clash with a superior opponent, to get rid of the Frankenstein he had created in the form of the Razakars. As it turned out, the Nizam was right and the Laik Ali Ministry wrong. The State is now able to liquidate military Fascism with the help of the Indian Army but the Nizam will probably continue as ruler of the State with his powers circumscribed in the same manner as the other Indian princes. The Embassy considers the foregoing explanation of Hyderabad’s token resistance as entirely correct. The method adopted by the Nizam was the easiest and in fact the only way of getting rid of the Razakars without a terrific toll of lives and serious civil disturbances. The Embassy also believes, although this belief will probably never be substantiated by any tangible evidence, that high ranking officers of the Indian Army who were friends of General El-Edroos, Commander-in-Chief of the Hyderabad Army, made a deal with him (El-Edroos) whereby the Hyderabad Army would not fight. General Bucher himself told me some weeks ago that he had written to El-Edroos advising him not to be so foolish as to resist the Indian Army. High ranking Indian officers who were also personal friends of El-Edroos were also in touch with him. Saadat Ali Khan, son of Nawab Zain Yar Jung, former Hyderabad Agent-General at New Delhi, told me in August that there was bad blood between the Hyderabad Army and Police on the one hand and the Razakars on the other. He also said, however, that it was a question of just how far the Army and Police would go in putting down the Razakars because all three organizations were almost exclusively Muslim.

There is no doubt that the Nizam’s Government lost control of the civil administration in certain areas adjoining Madras Province and that the Communists were having a “field day” in those areas. The Embassy feels that the GOI action in entering Hyderabad was the only possible remedy for an impossible situation and that it was the only way India could deal effectively with such a trickster as the Nizam. The Embassy has come to the conclusion that the question of a plebiscite in Hyderabad is immaterial since the result would be a foregone conclusion. The Embassy also believes that the GOI will exercise tolerance and discretion in dealing with the Nizam and the Muslim ruling clique in Hyderabad despite the fact that there is a great deal of pressure on the GOI to break up the State, to depose the Nizam, etc.
Finally, the Embassy believes that American prestige and interests in India would be seriously damaged by the United States taking up the cudgels over the question of a plebiscite in Hyderabad. If the plebiscite would serve any useful purpose then such action might be justified on our part but as the situation exists today, the Embassy believes it would be a useless gesture which would only tend to impair relations between India and the United States. In other words, the Embassy believes that from now on the less said by our Government the better so far as the Hyderabad question is concerned.

Respectfully yours,

Howard Donovan

501.2C Kashmir/9-2448

The Chargé in Pakistan (Lewis) to the Secretary of State

RESTRIC TED

KARACHI, September 24, 1948.
No. 427

Subject: Kashmir Dispute: India-Pakistan Commission

Sir: I have the honor to refer to my despatch No. 409 of September 10, 1948 with regard to the publication by the United Nations-India-Pakistan Commission of the correspondence between the Commission and the Governments of India and Pakistan, on the subject of the Kashmir dispute, and to enclose for the information of the Department a copy of a letter addressed to the Minister of Foreign Affairs of Pakistan under date of September 19\(^1\) by the Chairman of the Commission (Ambassador Huddle) in response to Sir Zafrullah Khan’s letter of September 6.\(^2\) The Commission’s letter was released for publication by the Commission on its transit through Karachi from New Delhi to Geneva on September 22. There is likewise enclosed a copy of a resolution adopted by the Commission at a meeting held in Srinagar on September 19 calling upon both India and Pakistan “to use their best endeavors during the absence of the Commission to lessen the existing tension in this dispute so as to further prepare the ground for its peaceful final settlement which both Governments have declared to be their most sincere and ardent desire.”\(^3\) There is also enclosed a copy of the reply\(^4\) of the Government of Pakistan to this resolution.

It will be observed that in the last part of the Chairman’s letter to Sir Zafrullah it is stated that, as regards the conclusions contained in Point 11 of Sir Zafrullah’s letter of September 6, “upon presentation of the resolution (of August 13) the Commission requested the Govern-

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\(^1\) SC, 3rd yr., Suppl. for Nov. 1948, pp. 48-49.
\(^2\) SC, 3rd yr., Suppl. for Nov. 1948, pp. 41-45.
\(^3\) For text, see SC, 3rd yr., Suppl. for Nov. 1948, p. 49.
\(^4\) Not printed.
ments of Pakistan and India to consider and accept this document as a whole. It was intended that the details for the implementation of the Resolution be discussed at common meetings between the representatives of both Governments and the Commission in subsequent stages, and following the cessation of hostilities." The Chairman's letter then continues:

"The Commission observes with regret that the Government of Pakistan has been unable to accept the Resolution without attaching certain conditions beyond the compass of this Resolution, thereby making impossible an immediate cease fire and the beginning of fruitful negotiations between the two Governments and the Commission to bring about a peaceful and final settlement of the situation in the State of Jammu and Kashmir."

The letter then concludes with the statement that the Commission sincerely hopes that the Government of Pakistan "may find it possible to reconsider their position and to accept the proposals contained in its Resolution of August 13, 1948, as clarified and elucidated in the present letter and the correspondence mentioned therein."

Inasmuch as the Commission seems clearly to have placed the onus for the non-acceptance of the Commission's resolution of August 13 upon Pakistan it is perhaps desirable that certain features of the situation be carefully analyzed with a view to determining whether that onus has in fact been well placed.

Point 11 of Sir Zafrullah's letter of September 6 reads as follows:

"Although there are several features in the Commission's proposals which from the point of view of Pakistan Government are not satisfactory, nevertheless as a step towards the solution of the situation in the State of Jammu and Kashmir, and in the interest of furthering international peace and security, the Pakistan Government have authorised me to inform the Commission that:

"Subject to the clarifications and elucidations furnished by the Commission to the Government of Pakistan being accepted by the Government of India, and the elucidations and clarifications, if any, furnished by the Commission to the Government of India being acceptable to the Government of Pakistan, and provided the Government of India accept the conditions laid down in part B (article 6 to 15, both inclusive) of the Security Council's resolution of 21st April, 1948, as explained by the sponsors of the Resolution in the Security Council, for a free and impartial plebiscite to decide whether the State of Jammu and Kashmir is to accede to India or Pakistan, the Government of Pakistan accept the proposals contained in the Commission's Resolution of the 13th August, 1948, as clarified and elucidated to the Pakistan Government by the Commission."

The above quotation from Sir Zafrullah's letter indicates that the Government of Pakistan did attach reservations to its acceptance of
the proposals contained in the Commission’s Resolution and that it did not accept the Resolution “as a whole” in the sense intended by the Commission.

It is well to bear in mind, however, that the Government of India also did not, contrary to the representations of India and, by implication, of the Commission, accept the Commission’s Resolution as a whole and without reservations.

Point 3 of Pandit Nehru’s letter of August 20, in reply to the Commission’s Resolution of August 13, stated in part as follows:

“Since our meeting of the 18th August, we have given the Commission’s resolution our most earnest thought. There are many parts of it which we should have preferred to be otherwise and more in keeping with the fundamental facts of the situation, especially the flagrant aggression of the Pakistan Government on Indian Union territory. We recognise, however, that, if a successful effort is to be made to create satisfactory conditions for a solution of the Kashmir problem without further bloodshed, we should concentrate on certain essentials only at present and seek safeguards in regard to them. It was in this spirit that I placed the following considerations before Your Excellency:

(1) That paragraph A.3 of Part II of the resolution should not be interpreted, or applied in practice, so as

(a) to bring into question the sovereignty of the Jammu and Kashmir Government over the portion of their territory evacuated by Pakistan troops,
(b) to afford any recognition of the so-called “Azad Kashmir Government,” or
(c) to enable this territory to be consolidated in any way during the period of truce to the disadvantage of the State.

(2) That from our point of view the effective insurance of the security of the State against external aggression, from which Kashmir has suffered so much during the last ten months, was of the most vital significance and no less important than the observance of internal law and order, and that, therefore, withdrawal of Indian troops and the strength of Indian forces maintained in Kashmir should be sufficient to ensure security against any form of external aggression as well as internal disorder.

(3) That as regards Part III, should it be decided to seek a solution of the future of the State by means of a plebiscite, Pakistan should have no part in the organization and conduct of the plebiscite or in any other matter of internal administration in the State.”

Pandit Nehru repeated the latter condition in Point 4 of his letter, saying: “Finally, you agreed that Part III, as formulated, does not in any way recognize the right of Pakistan to have any part in a plebiscite.”

The subject of most vital concern to the Government of Pakistan among Pandit Nehru’s reservations, or “considerations,” is this precise

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* See SC, 3rd yr., Suppl. for Nov. 1948, p. 35.
point, that Pakistan should not in any way be recognized as having a right to participate in the organization and conduct of a plebiscite in Kashmir. This is totally out of line with the United Nations Security Council resolution of April 21, 1948, yet in the Commission’s reply of August 25 to Pandit Nehru’s letter the Chairman of the Commission, Mr. Korbel, stated that the Commission requested him “to convey to Your Excellency its view that the interpretation of the Resolution as expressed in paragraph 4 of your letter coincides with its own interpretation,” and added that “the Commission wishes me to express to Your Excellency its sincere satisfaction that the Government of India has accepted the Resolution and appreciates the spirit in which this decision has been taken.”

In another letter from Pandit Nehru to the Commission under date of August 20 the Prime Minister of India presented another, and from the point of view of the Government of Pakistan, an extremely important reservation. In that letter Pandit Nehru, referring to the “sparsely populated and mountainous region of Jammu and Kashmir State in the North,” said that the authority of the government of Jammu and Kashmir over that region as a whole had not been challenged or disturbed “except by roving bands of hostiles, or in some places like Skardu which have been occupied by irregulars or Pakistan troops.” Pandit Nehru then went on to say that the Commission’s Resolution, “as you agreed in the course of our interview on the 18th, does not deal with the problem of administration or defence in this large area. We desire that, after Pakistan troops and irregulars have withdrawn from the territory, the responsibility for the administration of the evacuated areas should revert to the Government of Jammu and Kashmir and that for defence to us. (The only exception that we should be prepared to accept would be Gilgit.)”

Briefly, the salient features of the Commission’s cease fire and truce proposals were that the governments of India and Pakistan would issue separately and simultaneously a cease fire order to apply to all forces under their control in the State of Jammu and Kashmir, that the Commanders-in-Chief of the forces of India and Pakistan should promptly confer regarding any necessary local changes in present dispositions which might facilitate a cease fire, that simultaneously with the acceptance of the proposal for the immediate cessation of hostilities the Government of Pakistan would withdraw its troops from the State of Jammu and Kashmir, that the Government of Pakistan would use its best endeavor to secure the withdrawal from the State of Jammu and Kashmir of tribesmen and Pakistan nationals not

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* For text, see SC, 3rd yr., Suppl. for Nov. 1948, pp. 36–37.
* For text, see SC, 3rd yr., Suppl. for Nov. 1948, p. 37.
normally resident therein, and that pending a final resolution the territory evacuated by the Pakistan troops would be administered by the local authorities under the surveillance of the Commission. Nowhere in the Resolution is authorization given to the Government of India to advance its forces into areas occupied either by Pakistan troops or by irregular forces. By whatever name called the Government of Pakistan and the Azad Kashmir authorities regard the forces in northern Kashmir as organized forces under the Azad Kashmir authorities. Nevertheless Pandit Nehru in his letter insisted that the Government of India should be permitted to reoccupy a very large part of northern Kashmir now admittedly held by non-Indian forces. His position was that permission for Indian troops to occupy or reoccupy those areas was a further condition or “consideration” precedent to his acceptance of the Resolution yet the Commission did not consider the condition as a reservation. This is confirmed by the Commission’s letter of August 25 to Pandit Nehru in which it stated with reference to this question: “The Commission wishes me to confirm that, due to the peculiar conditions of this area, it did not specifically deal with the military aspect of the problem in its Resolution of 13 August 1948. It believes, however, that the question raised in your letter could be considered in the implementation of the Resolution.” The phraseology used in the latter sentence is not exactly clear, but the Government of Pakistan understood it to mean an acceptance of Pandit Nehru’s position, never denied by the Commission, and Pandit Nehru certainly accepted the Commission’s letter as a confirmation of his position on that point.

If, therefore, in the light of the documents on the subject, the Government of Pakistan did not accept the Commission’s Resolution “as a whole” can it be logically said that the Government of India did accept it as a whole? The difference, of course, is that the Commission accepted Pandit Nehru’s interpretations but did not accept Sir Zafrullah’s, holding that his “were beyond the compass” of the Resolution.

Whatever may have been the intentions of the Commission the onus of rejecting its Resolution has thus been placed on Pakistan while India is permitted to pass before world opinion as in effect an aggrieved and injured party, which has accepted without reservation the Commission’s Resolution. The Pakistanis feel, with due deference to the Commission, that what in effect seems to have happened, although the Commission may not be conscious of it and would resent the implication, is that the Commission has been unable, as stated by Dawn in an editorial in its issue of September 24 “to persuade Pakistan to surrender to the will of India to whom the Commission most
inadvisedly and against the specific terms of the Security Council Resolution of April 21, itself surrendered."

The observations in this despatch reflect the authentic views of the Government of Pakistan and yet throughout this period when the tide of the Commission's opinion has steadily and obviously been running against Pakistan the Government of this country and the press have borne, and still bear, themselves with dignity and without any signs of malice. This is perhaps all the more remarkable in that it has not escaped them that the question has recently become a matter of far more importance than the mere question of the settlement of the Kashmir dispute, for if world opinion is to gain the impression that Pakistan has been the guilty and obstructive party that impression would inevitably, and perhaps disastrously, affect the very existence of Pakistan should India avail itself of the presence of Pakistan troops in Kashmir, or avail itself of any other excuse, for waging war on this country. India's press has always been far more effective than has the press of Pakistan. In the final analysis, therefore, should India have aspirations in the direction indicated, Pakistan would be functioning not alone at tremendous odds in terms of military potential but also in terms of world opinion. One has only to read the article in the September 20 issue of Time entitled "Pakistan. That Man", and particularly the last paragraph, to grasp the significance of this observation.

It is accordingly vital to Pakistan that its position in relation to the Kashmir dispute and to the Commission's Resolution be objectively stated and objectively understood and that the same should be done with reference to India's position in these matters. There may never be agreement, but there is no need for either party to suffer the injustice of misrepresentation.

I know that most, if not all, of the members of the Commission believe that Kashmir, or most of it, should logically fall to Pakistan, but I also know that they are extremely annoyed with Pakistan for not having bowed to their judgment in the matter of the approach to the settlement of the problem and thereby having made the Commission's efforts to achieve a settlement infructuous. Entirely apart from questions of principle, little or no consideration was given by the Commission to the practical reasons, to which I referred in my despatch of September 10, why Pakistan could not bow to the Commission's judgment. Had the Commission bowed less to India's intransigence on the plebiscite issue those practical reasons would largely have disappeared and with them the questions of principle which troubled Pakistan.

Respectfully yours,

CHARLES W. LEWIS, JR.
The Acting Secretary of State to the United States Delegation at the United Nations General Assembly, at Paris

SECRET     US URGENT     WASHINGTON, September 27, 1948—3 p.m.

Gadel 67. Jessup's remarks Hyderabad case Sep 20 1 were excellent presentation US views that time. In light recent developments, including reported discharge Hyd delegation, reported claim by Nizam that he had been virtual prisoner of small Muslim clique for past eight months, and in light Delhi's 865 which casts strong doubt on possibility GOI will follow US suggestion re UN participation plebiscite, Dept inclined conclude US should now assume somewhat passive role, pending reports two govt.

When matter again comes before SC, Dept feels US action should be predicated on nature info presented by GOI Rep and Hyd Rep or govt and on attitude other members SC. We still believe that even limited UN participation plebiscite or election constituent assembly Hyd would (1) improve Indian prestige UN; (2) neatly tie up loose ends of case as it now stands and (3) avoid impression UN closing eyes to use of force.

However, we wish avoid taking rigid position re Hyd question which would not contribute to realistic solution but probably adversely affect Indo-US relations. We therefore inclined feel SC should not insist on UN participation plebiscite in absence GOI request or acquiescence. If this not forthcoming, then best course action SC might be decision stating that consideration of problem is adjourned, but that matter remains on list matters of which SC seized and that SC may resume consideration in future at request any member. Such action might stand until Hyd constitutionally a part of Indian Union (and despite GOI fears to contrary might actually help GOI to resist Indian extremists who favor dismemberment Hyd. See Delhi's 873). However, we do not believe US should actively oppose dropping item from agenda if such step appears general will of SC.

Lovett

1 When the Indian Representative stated that he considered the Hyderabad case closed because of recent developments, Jessup pointed out that the use of force did not alter legal rights and that all member states of the United Nations would be watching Hyderabad with the hope and expectation that India would now act there in accordance with the principles of the United Nations Charter. For text of his statements, see SC, 3rd yr., No. 111, pp. 4–5.
The Acting Secretary of State to the United States Representative on the United Nations Commission for India and Pakistan (Huddle), at Geneva

SECRET

WASHINGTON, September 29, 1948—7 p. m.

1391. Kascom 35 for Huddle.

1. Dept approves suggestion urt el 868 Sep 21 that informal discussions Paris GOP and GOI Dels be undertaken in effort obtain their acquiescence Commission’s resolution Aug 13 with such modifications as may be necessary. We believe that it would be desirable for any efforts made by US GADel along these lines be accompanied by similar approaches by UN reps Paris other members Com. We feel that even though Com plans initiate preparation its report to SC Sep 30, informal efforts Paris should be continued as outlined until such time it is clearly evident Coms report must be negative thereby necessitating formal SC debate.

2. For your guidance and that GADel we believe that most practicable course pursue during these informal talks would be endeavor persuade GOI and GOP reps accept brief outline plebiscite arrangements under UN supervision as supplement Aug 13 resolution. Dept inclined believe GOP attitude conditioned by deep-seated fear Indian aggression which leads GOP insistence on safeguards after withdrawal Pakistan troops along lines Part B SC res April 21. After preliminary examination SC Document S/995 2 Sep 15, Dept questions whether GOI response Coms proposals points 2 and 3 GOI letter Aug 20 fully compatible with sections IB, II B 1 and 2, and III Coms Aug 13 res. Although in view Korbel’s letter Aug 25 3 Com probably unable reverse its position this matter, we feel GOP attitude re plebiscite should not necessarily be considered as rejection Coms proposals and that every effort should be made with GOP and GOI reps to indicate that Com has not yet closed door on this point.

3. Nature Coms report will no doubt be influenced to some degree by outcome in formal talks Paris. If such talks fail produce definitive results, please endeavor persuade Com include in its report specific recommendations for SC action, in order provide new terms reference for Com or any other UN authority that may replace it. SC resolution 21 April contains general proposals cease-fire and truce and more

1 The Commission had arrived from New Delhi on September 25.
3 As Commission Chairman, Korbel signed two letters addressed to Nehru on August 25. These are printed in SC, 3rd yr., Suppl. for Nov. 1948, pp. 36–37.
detailed proposals for plebiscite in Part B. Coms efforts to date have resulted in elaboration and clarification plans for cease-fire and truce. It would appear desirable for Com, building on these bases, to submit specific recommendations to SC covering cease-fire, truce and plebiscite, modifying both SC resolution and Coms proposals as necessary in light positions taken by GOI and GOP during negotiations. Diminution military action Kashmir due to winter conditions may offer best opportunity place such plan in operation and plebiscite might be scheduled May 1949 prior to weather permitting resumption military activity.

4. As to SC action on Coms recommendations, choice appears lie between (1) taking further action under Chapter VI (2) adopting recommendations as provisional measures under Art 40 (3) issuing cease-fire order under Art 40 and recommending truce and plebiscite arrangements under Chapter VI. Pls indicate your views and discuss GAEdel. We have in mind that whatever course decided upon it might be desirable Com submit its views on this as well as recommendations on substance.

5. Dept wishes stress importance tone and approach Coms report. Wherever justifiably permissible, criticism should be directed equally against both sides. For example, note might be taken of GOI military campaign in Kashmir last spring as factor in present situation. In light continued strained GOI-GOP relations and recent reports from several sources that Pak officials sincerely fear military invasion Pak from India, Dept somewhat concerned New Delhi radio report that Com has published letter to GOP placing onus on GOP for breakdown negotiations. If report correct, Dept feels GOI may interpret Coms attitude as moral victory and as possible justification military action against Pak. In view this and in view desirability general support for Coms recommendations in SC and importance acceptance or acquiescence by both parties, we feel it would be tactical mistake for Coms report seek place on either side major blame for lack agreement.

Keep Dept closely advised development thinking in Com.4

LOVETT

4This telegram 1391 was repeated to Paris as telegram 91 for information of the U.S. Delegation to the General Assembly, and to Karachi, New Delhi, and London as telegrams 370, 593, and 3514, respectively.
The Chargé in India (Donovan) to the Secretary of State

New Delhi, September 30, 1948.

Subject: Editorial in Delhi Statesman, September 30, regarding Hyderabad.

Sir: I have the honor to refer to New Delhi’s telegram no. 896 of September 30, 1948 and to enclose the full text of the editorial which appeared in the Delhi Statesman of September 30, 1948 entitled “The UN and Hyderabad.” The views expressed in this editorial are shared by the Embassy. There is no question but that the Nizam, surrounded by a small minority of Muslim extremists, was a menace to the peace and security of India. The question whether Hyderabad was an independent state can no doubt be argued for hours but the blunt facts are that India could not permit a hostile government to function within its borders.

The Embassy cannot too strongly emphasize that American interests in India would best be served by considering the Hyderabad question as closed.

Respectfully yours,

Howard Donovan

Not printed.

The Chargé in Pakistan (Lewis) to the Secretary of State

Karachi, October 1, 1948—11 a.m.

483. Prime Minister Liaquat Ali Khan, now on tour in northern Pakistan, has just sent me through Minister Foreign Affairs text telegram from Nehru dated September 27 in which Nehru states that since India Pakistan Commission has confirmed presence Pakistan troops in Kashmir and Jammu, which confirms GOL’s information, presence of Pakistan troops on Indian Union territory is “an act of aggression against Indian Union and can only lead to conflict.” Nehru then says: “I must therefore ask you to withdraw these troops. You have expressed your desire to maintain and develop peaceful and cooperative relations with India. We entirely agree with this. We have absolutely no wish to interfere in any way with Pakistan. You will appreciate, however, that development of peaceful and cooperative relations cannot take place while army of Pakistan continues an act of

Copy transmitted to the Department by the Chargé in his despatch 432, October 1; received October 18, not printed.
aggression against India. Hence I would request you to take early steps to withdraw all Pakistan troops from Jammu and Kashmir state."

Prime Minister Liaquat Ali Khan asked me to call to see him evening prior to his departure September 25 for Lahore. Told me he was very apprehensive India with its easy conquest of Junagadh, Hyderabad and present position in Kashmir would very soon seek an excuse for waging war on Pakistan and that he apprehended presence Pakistani troops Kashmir would be utilized that purpose although if necessary other reasons to justify aggression would be advanced. He expressed hope I would keep USG informed any developments above direction and hoped USG along with other powers interested suppression aggression and maintenance peace in world would take appropriate action protect Pakistan from Indian aggression if latter should develop. Said he was "no fool" to attack India or to provoke an Indian attack but that if India did attack Pakistan will resist with all its resources. Ghulam Mohammad, Minister of Finance, spoke to me along similar lines September 27 and Ikrumullah, Secretary Minister Foreign Affairs, has likewise done so. None these officials have advanced threat that if we do not help Pakistan GOP will turn to Russia. Argument for outside help in protecting Pakistan based solely on right of nation to exist.

Telegram from Nehru is precisely in line with pattern anticipated by this Embassy including Military Attaché and if Department is interested continued existence Pakistan, as I believe it is for obvious reasons, I feel this is time for USG to intimate to GOI in terms which cannot be mistaken that an attack on Pakistan or an attempt to eject Pakistan troops from Kashmir territory while Kashmir dispute is still before Commission will be strongly opposed by USG.

Sent Department 483, repeated Delhi 82,² pouched Lahore; Department pass London 34, Paris 1, Geneva 1.

LEWIS

²Regarding the suggestion in the penultimate paragraph, the Chargé in India cabled the Department on October 5 that he felt sure the Prime Minister and Governor General of India would exert all possible influence to maintain peace and that he considered U.S. representations to India at this time unnecessary and ill advised (telegram 915 from New Delhi, not printed: 745.45f/10-548).

501.BC Kashmir/10-248: Telegram

The Embassy in Pakistan to the Secretary of State

CONFIDENTIAL

KARACHI, October 2, 1948—10 a. m.

486. Prime Minister Liaquat Ali Khan returned Karachi last night and at Cabinet meeting GOP decided instruct Foreign Minister Sir
Zafrulla Khan now in Paris to apprise SC of Nehru’s telegram concerning Pakistan troops in Kashmir (mytel 483, October 1). GOP hopes reference matter to SC will tend stay Nehru’s hand but feels GOI has scant respect that body and even if strongly rebuked by SC will probably continue on present course. Nehru being informed by Liaquat Ali Khan reply his message that as Kashmir dispute is still before SC his telegram is being communicated to SC.

[File copy not signed]

501.BC Kashmir/10-248: Telegram

The Acting Secretary of State to the United States Representative on the United Nations Commission for India and Pakistan (Huddle), at Geneva

SECRET US URGENT WASHINGTON, October 2, 1948—2 P. M.

1899. Kascom 36, View Karachi’s 483 Oct 1 to Dept (#1 to Geneva) and other reports increasing tension India–Pakistan you are requested place urgently before UNCIP question its taking some restraining measure such as sending messages immediately to GOI and GOP reminding them calls by SC Res Jan 24 [??] 1 and UNCIP Res July 15 [14] 2 to avoid provocative action while SC and UNCIP seized of matter.

UNCIP may wish include in admonitory messages statement to effect that pending full consideration by SC thereof preliminary findings UNCIP should not be interpreted as justification by either party for military or other action which might jeopardize eventual peaceful solution Kashmir problem.

Such action by UNCIP appropriate and desirable since GOI note to GOP which has appearance ultimatum apparently based in part on UNCIP findings re Pak troops Kashmir.


LOVETT

1 A preliminary draft resolution was drawn up on January 24, 1948, by S.C. President Langenhove (SC, 3rd yr., Nos. 1–15, pp. 265–266, 269). However, it seems more likely that Lovett was recalling the S.C. resolution of January 17 (S/651) which called upon India and Pakistan to refrain from acts of aggression. For text, see SC, 3rd yr., Nos. 1–15, pp. 121–122.

2 For text, see SC, 3rd yr., Suppl. for Nov. 1948, pp. 127–128.

3 In reply, the Chargé in India cabled the Department on October 4 giving reasons for his belief that Pakistan’s fears of Indian attack were greatly exaggerated (telegram 914 from New Delhi, not printed: 501.BC Kashmir/10–448).
501.BC/10-348 : Telegram
The Secretary of State to the Acting Secretary of State

SECRET URGENT

PARIS, October 3, 1948—11 p.m.

Delga 195. On October first Nawab Moin, Hyderabad spokesman, wrote Austin in latter’s capacity President SC requesting interview. Reply being telephoned today that Austin will as matter of courtesy, see him Tuesday morning in office of President SC at Palais de Chaillot. We have already made it clear, however, that in our view SC heard Nawab on twenty-eighth as individual reserving decision as to his credentials or representatives character.

This morning GADel members met informally at Lauterpacht, Hyderabad legal adviser, at his request. Keynote of talk was our frank observation at outset that we had no encouragement to offer him and warning that most likely practical result of further discussion in SC now would be action to drop case from agenda. However he made strong appeals for appointment of UN subcommittee and despatch of observers or alternatively US mediation to revive Indian proposals of June 1948. We told him first suggestion unrealistic in view of SC preoccupation with Berlin issue and prior lengthy discussion necessary to settle question of Hyderabad status and SC competence in case. On second suggestion we merely said we would let him know if we could offer any encouragement. Result of meeting was obvious realization by Lauterpacht that our attitude is passive and assumption by him that we do not accept view that Hyderabad is a state.

Department please repeat to New Delhi unnumbered.

MARSHALL.

501.BC Kashmir/10-448 : Telegram
The Chargé in India (Donovan) to the Secretary of State

SECRET

NEW DELHI, October 4, 1948—3 a.m.

913. With reference paragraph 2 Deptel 593, September 29,1 Embassy strongly recommends that in informal talks with GOI and GOP representatives American representative not urge modifications August 13 resolution of UNcip which would tend to favor GOP and react to disadvantage GOI. Embassy believes if this action taken GOI would take stand moral principles were being sacrificed to expediency and might go so far as refuse cooperation in further attempts by UN arrange peaceful settlement.

Possibly most fruitful course pursue is to direct efforts towards long-term settlement either on basis of acceptance by India, Pakistan

1 See footnote 4, p. 413.
of brief outline plebiscite arrangements under UN supervision, as suggested Deptel 593, or on basis partition of state. Nehru and other GOI leaders have publicly stated their intention allowing Kashmiris determine their future by free plebiscite and it might be difficult for GOI refuse accept arrangements which would guarantee free plebiscite. GOI, however, is still determined not to jettison Abdullah or permit GOI [GOP] participate either in plebiscite supervision or in interim administration any part Kashmir. Embassy sees no reason why adequate safeguards for free plebiscite could not be established with Abdullah in power and suggest action be taken along these lines. Moreover, Embassy believes GOI would still accept partition, possibly even with plebiscite in vale of Kashmir, as solution.

Sent Department 918, repeated Karachi 158. Department pass London, Paris for USGADel, Geneva or Huddle.

DONOVAN

501.BC Kashmir/10-448 : Telegram

The Chargé in Pakistan (Lewis) to the Secretary of State

CONFIDENTIAL

KARACHI, October 4, 1948—2 p. m.

491. Prime Minister Liaquat Ali Khan replied October 2 to Nehru’s telegram reference mytel 486, October 2. After reviewing Pakistan’s position matter Kashmir dispute, Liaquat Ali Khan closed his message with following paragraph:

"I regret to note that while professing desire for peaceful and cooperative relations with Pakistan, you have in your telegram under reply threatened Pakistan with war. This is hardly the way to promote peaceful and cooperative relations between two countries. I must make it clear that the Pakistan Government cannot allow themselves to be intimidated by a threat of the use of force by your government. Such a threat is a violation of the Charter of the United Nations and is a serious challenge to the authority of the Security Council which is seized of the Kashmir dispute. Moreover, this threat is in complete disregard of the UN Commission’s resolution of 19 September in which the Commission appealed to the Government of India and Pakistan to use their best endeavors during the absence of the Commission to lessen the existing tension in Kashmir dispute. Consequently, I have felt it my duty to bring your telegram and my reply to the notice of the chairman of the UN commission."

Sent Department; repeated Delhi 84, pouched Lahore; Department pass London 36, Geneva 3, Paris 3.

LEWIS

1 Copy of complete text transmitted to the Department by the Chargé in his despatch 437, October 4; received October 18, not printed.
DISPUTE OVER KASHMIR AND HYDERABAD

501.5C Kashmir/10-448: Telegram

The Chargé in the United Kingdom (Holmes) to the Secretary of State

SECRET

LONDON, October 4, 1948—8 p. m.

4376. Sir Paul Patrick volunteered following re Kashmir October 1st.

1. While acute apprehension exists in Pakistan regarding GOI military intentions in Kashmir, CRO has “best reasons” to think GOI fears Pakistan military aggression in Kashmir. However, Patrick said as he saw situation in Paris and on basis other information he could not believe there is much risk GOP-GOI war at the moment. For example, Indian and Pakistan general headquarters are still in daily telephonic communication. Patrick believes both sides sincerely would like to have out-of-court settlement and that both sides recognize that sooner or later each will have to make concessions. Immediate question to be decided, Patrick said, is whether publication Kashmir Commission report would help or hinder out-of-court settlement. Patrick said view CRO is that if two sides could get together on a settlement it might be better for Kashmir Commission report never to be made public even though it is as even-handed as Department suggests (paragraph 5, Department’s 3814 September 29 to London sent Geneva for Kashmir Commission as 1391). If report is published Patrick believes it should be as short as possible.

2. Patrick said His Majesty’s Government has in mind that following lines of action would be desirable during next two weeks:

(a) Step one, which is now in progress, involves informal conversations between Mudaliar 2 and Zafrulla in Paris with a view to an out-of-court settlement. Two men are old friends and are stopping at the same hotel.

(b) Step two would be advising Kashmir Commission not to rush preparation of its report. In any case CRO understands report could not be ready before October 11.

(c) Step three, because it is important to know whether Mudaliar and Zafrulla are in fact making progress, would involve President SC quietly requesting Secretary General to ask Colban to go to Paris and there discreetly sound out GOI and GOP representatives as to how close they are to a settlement.

(d) Step four would be Colban’s report of his investigation to President SC via Secretary General: If genuine progress towards settlement has been made President SC would direct Kashmir Commission not to publish its report, if progress is slight or non-existent President SC would give directions for publication report with or without prior discussion of its contents with GOP and GOI representatives.

(e) Step five would involve such help toward out-of-court settlement as Prime Minister Attlee might be able to give by urging

2 A. Ramaswami Mudaliar, Representative of India on the U.N. Economic and Social Council.
such settlement upon Nehru and Liaquat (or his representative) at time of Commonwealth conference.

3. Patrick said Cadogan has been instructed to speak to Senator Austin along above lines.

Sent Department 4376; repeated Paris (for Gadel) 702, Geneva (for Kashmir Commission) 84, Delhi 74, Karachi 76.

HOLMES

501.BC/10-448: Telegram

The Secretary of State to the Acting Secretary of State

SECRET US URGENT

Paris, October 4, 1948—9 p. m.

Delga 206. Nawab Moin, Hyderabad spokesman (reference Delga 195, October 2 [3]) cancelled October 5 appointment with Austin, sending word merely that "in all the circumstances" he hoped be excused. Lauterpacht, legal adviser, going back to Cambridge 5th, but says may return later.

Zafrullah Khan told GA delegation today Pakistan Government has instructed him present to SC Pakistan viewpoint Hyderabad case. Zafrullah wants file letter before October 8 and present Pakistan views orally to SC meeting in about two weeks or immediately following Commonwealth meeting London which Zafrullah will attend. Austin meeting Zafrullah tomorrow endeavor dissuade him from expressed intention to carry out instructions forthwith.

Neither British nor Canadian Delegations intend call up case near future, but latter feels committed at next discussion in SC to move it be dropped and is also embarrassed by Chinese Delegation leak to press that China and Canada working together to bring about deletion from agenda.

If Zafrullah cannot be dissuaded, we feel that under present circumstances, we should take no further action. If meeting SC results, and motion to drop comes to vote should we interpret last sentence GaDel 67, September 27, as requiring US to abstain?

Department please repeat New Delhi and Karachi.

MARSHALL
SECRET

WASHINGTON, October 5, 1948—7 p. m.

602. If Nehru’s invitation forthcoming (Delga 172, rptd New Delhi as 4)\(^1\) pls discuss with colleagues dipcorps ascertain their views re acceptance. Keep Dept currently informed this question and request final instructions prior taking any formal action.

Dept feels dipcorps tour Hyderabad undertaken on unilateral invitation GOI in Delhi would be ineffective substitute UN participation in plebiscite or UN investigation and might set undesirable precedent. GOI apparently does not intend invite or acquiesce any UN action along these lines and it appears unlikely SC will itself take such action. Danger therefore exists dipcorps visit would be interpreted India and elsewhere as representing some kind of international approval India’s actions re Hyderabad since members dipcorps would not be in position counteract impression by critical public statements.

We recognize, however, you probably not in position refuse invitation if general will dipcorps is accept. In that case you should make clear and seek persuade colleagues make clear GOI that visit undertaken as individual representatives govt and not as international group to observe conditions and not on behalf or in representation of UN. Ur discretion you may suggest to colleagues that in view foregoing they should avoid making any public statements on results visit.

Should GOI propose in SC use dipcorps Delhi as some kind UN agency for Hyderabad investigation, we should look more favorably on it as approximating our original suggestions.

LOVETT

\(^1\)Telegram 172, September 30, from Paris, not printed, stated that a member of the Indian Delegation had, that same day, informed the U.S. Delegation that Nehru was inviting the New Delhi diplomatic corps to Hyderabad to inspect the situation there (501.BC/9-3048).

SECRET

WASHINGTON, October 7, 1948—5 p. m.

Gadel 140. Dept concurs attitude taken with Lauterpacht (Delga 195) and believes best avoid further SC consideration at moment if possible, particularly since such consideration likely result SC dropping matter from agenda immediately which might give GOI un-
warranted encouragement take more uncompromising position Kashmir case.

However, if SC meets on question and expected majority sentiment develops in favor dropping case from agenda, suggest you concert with UKDel in seeking have Council accompany action to drop with request GOI keep SYG advised developments for info SC. If this not possible and majority, including UK and Canada, favor dropping case without such request, suggest you vote affirmatively (Delga 206).

Response further inquiries suggest you advise HyDel US not prepared mediate.¹

¹ New Delhi and Karachi were informed of the contents of this telegram, Delga 195, by circular telegram dated October 8, not printed (501.BC/10-548).

501.BC Kashmir/10–548: Telegram

The Acting Secretary of State to the United States Representative on the United Nations Commission for India and Pakistan (Huddle), at Geneva

SECRET

WASHINGTON, October 7, 1948—7 p. m.


1. Deptel 1399 Kascom 36 Oct 2 sent without knowledge that Comm had issued Sep 19 appeal.¹ Dept gathers Kascom [Comkas] 51 (Geneva's 1357 Oct 5)² that UNCIP decided no additional restraining measure required.

2. Dept would appreciate fuller UNCIP and GADel reaction suggestions contained Kascom 35 Sep 29² re informal discussions Paris. Re Brit suggestion Step 6 contained London's 84 Oct 4 to Geneva,³ Dept inclined concur that UNCIP not rush preparation report, and avail UNCIP's proximity Paris try persuade GOI and GOP delegations along lines paras 1 and 2 Kascom 35. Give Dept your reaction Brit plan, which might appeal to UNCIP in view your feeling there is not much UNCIP can do at this time. Dept reserving opinion pending your comments.

3. Dept has impression that in view your feeling UNCIP can accomplish little this stage and that wisdom Pak laying Nehru telegram before SC questionable, and in view your comments re possible course

¹ The Commission, before leaving the subcontinent, adopted a resolution appealing to India and Pakistan to "use their best endeavors during the absence of the Commission to lessen the existing tension. . . ." For text, see SC, 3rd yr., Suppl. for Nov. 1948, p. 49.
² Not printed.
³ Printed as telegram 1391 to Geneva, p. 412.
⁴ Printed as telegram 4376 from London, p. 419.
Pak PM might take, you may have in mind that negotiations should revert to bilateral talks without any further UN action. Although submission UNCIP report may be briefly delayed, it will no doubt have to be presented SC near future. Submission report will almost certainly result in further consideration by SC possible means achieving peaceful solution Kashmir problem unless parties reach agreement in meantime by direct negotiations.

4. Inform Dept progress UNCIP’s work on report. Hope you and GADel may be able furnish Dept views re paras 3, 4 and 5 Kascom 35.

5. Talk with Oakes now Washington has been helpful although he obviously unable discuss case beyond time his illness forced him abandon work.

6. Reply urgently.

LOVETT

501.BC/10-848: Telegram

The Secretary of State to the Acting Secretary of State

SECRET

PARIS, October 8, 1948—6 p. m.

Delga 251. Following brief talks October 5 and 6 (reference Delga 206, October 4 [5]) between Zafrullah Khan and Austin, former filed formal request with Austin as President SC for opportunity under Article 3 on presentation Pakistan views when discussion Hyderabad resumed. This letter, which was not request that meeting be called, has been sent to UN secretariat for documentation. In second informal letter to Austin Zafrullah referred to first, and asked that discussion be before October 9 or after October 25 when he returns from London.

As it thus appears further discussions Hyderabad case unlikely until late October, and as Kascom interim report should reach Paris about then, Department will observe possibility that Hyderabad and Kashmir cases may come before SC at approximately same time.

To date, Zafrullah has not mentioned to us his instructions apprise SC Nehru’s telegram to Pakistan Prime Minister (Karachi telegram 486, October 2, to Department) asking withdrawal Pakistan troops in Kashmir.


MARSHALL
Delga 257. Following aide-mémoire handed Austin by Cadogan late yesterday:

1. We understand that the UNCP have now arrived at Geneva to write an interim report. Since this report will then come before the SC we are anxious to obtain some advance indication of:—(a) the probable date when it will be available; (b) the main points which the commission contemplate including in it. Owing to our lack of contact with the commission we have no direct source of information.

2. In view of the present deadlock it seems important that the report should contain some constructive indications of the lines of which the commission themselves would propose to make further progress. Otherwise we fear that the whole question will be thrown back upon the SC with a repetition of the debates which preceded the resolution of 21 April.

3. As regards the timetable we are particularly anxious to know whether the report will be available before or during the meeting of Commonwealth Prime Ministers in London when there may conceivably be an opportunity for some talk with the Indian and Pakistan representatives on Kashmir. Such discussions, if practicable, might be useful, without of course, in any way affecting the functions of the SC or its commission. Pandit Nehru will be here from about 6th to 25th October. We hope that Mr. Liaquat Ali Khan will also be here and if he cannot come owing to the responsibilities falling on him consequent of Mr. Jinnah’s death, Sir M. Zafarullah Khan will take his place.

4. We understand that the commission may be thinking in terms of partition. We have hitherto believed that it would be a mistake for the SC to abandon the relatively firm ground of the proposal to have a plebiscite which has been accepted in principle by both sides and which is enshrined in the SC’s resolution of 21 April, unless there is really solid reason to think that India and Pakistan are ready to agree on some alternative arrangement and one which promises to provide permanent solution. We still think that to abandon the agreed principle of a fair plebiscite would be a most dangerous proceeding, unless both sides are really agreed. On the other hand, we are conscious that a plebiscite covering the whole state would involve considerable administrative difficulties and is open to the objection that, if the fate of the whole state of Kashmir and Jammu is decided by plebiscite as a single unit, either south-eastern districts with a Hindu majority might go to Pakistan or Poonch and Gilgit etc., might go to India. Our information suggests that India might now be ready to consider partition, although Pakistan appears to be increasingly confident that a genuinely fair plebiscite covering the whole state would go in their favour.

5. In these circumstances, we would see some advantage in the commission mentioning partition in their report as a possible solution. But
since straightforward partition does not seem politically practicable
this suggestion could therefore best take the form of proposal that:

1. Certain areas in south-east of the state should be conceded
outright to India and certain other areas should be conceded out-
right to Pakistan;
2. Plebiscite conducted on lines suggested in SC’s resolution of
21 April should be held in remainder of state.

It seems essential to keep this resolution in the foreground in this
way, since it has the authority of the SC and lays down minimum
conditions for the conduct of a fair plebiscite. It also seems of great
importance that the commission should not attempt to define at this
stage the areas which under any partition should go to either India or
Pakistan, because this would make it difficult for either side sub-
sequently to accept less.

6. It is important that, if partition is to be discussed, the initiative
should come from the commission. Any chance of progress would be
seriously prejudiced if the Indians and Pakistanis believed that the
UK Government had taken steps to promote a solution of these lines.”

Air-pouched to Geneva and London.

MARSHALL

501.BC Kashmir/10–1148: Telegram
The Acting Secretary of State to the United States Representative on
the United Nations Commission for India and Pakistan (Huddle),
at Geneva

SECRET

WASHINGTON, October 11, 1948—6 p. m.


1. Re para 1 Cadogan memo Delga 257 Oct. 8, pls furnish GADel
such info as available and appropriate for transmission Cadogan,
repeating to Dept. View close US–UK collaboration which has pre-
vailed during UN consideration Kashmir question we feel frank ex-
change info desirable particularly this crucial stage.

2. Brit views re desirability UNCIP report containing constructive
recommendations based on principles embodied Apr 21 SC resolution
are in line with Dept opinions Kascom 35 Sep 29.¹

3. Re possibility combining scheme plebiscite with outright par-
tition certain areas Jammu and Kashmir between GOI and GOP, Dept
has for some time believed such a formula worthy careful and serious
consideration though for reasons probably similar to Brit we have
so far not been disposed take initiative.

Before taking any definite steps this direction, Dept wishes: (a) as-
certain from Brit whether they have in mind any particular plan re

¹ Printed as telegram 1391 to Geneva, p. 412.
plebiscite and partition and, if so, to discuss details with them as necessary prelude to supporting any general proposals which may originate in UNCIP or SC. This connection Dept. would appreciate info whether Brit contemplate informal discussions with any other govt. represented on UNCIP re type recommendations UNCIP might make; (b) obtain your views re current thinking UNCIP with particular reference to partition question and possibility that initiative this direction might be forthcoming from some delegation other than US.

4. Dept. not informed re probable date on which UNCIP contemplates submitting its report SC. We hope report will not be completed until we have had opportunity exchange views with Brit re their proposal.

5. GaDel requested convey substance foregoing informally Cadogan and inform him our willingness have further talks this subject.

LOVETT

501.BC Kashmir/10-1148; Telegram

The United States Representative at the United Nations (Austin) to the Acting Secretary of State

SECRET

PARIS, October 11, 1948—8 p. m.

Delga 281. 1. British Delegate told us 9th British Government felt most desirable Kascom report be withheld until results apparent of efforts bring Nehru and Liaquat together in London. We concur especially as report would be delayed few days if at all. British Government also inclined hope report will contain at least passing reference to idea of partition.

2. London 70 [702] to Paris, October 4,1 mentioned Foreign Office hopes Mudialar and Zafrullah meeting here as first step toward out of court settlement. This bit wishful as neither we nor British Delegate source can find any evidence their having met at all. Also with Nehru and Liaquat nearby both delegates reluctant discuss Kashmir Hyderabad cases. For these reasons informal discussions approved by Gadel 91, September 29,2 now believed impractical quite apart from fact that Indian Delegate must be aware that Nehru on September 11 rejected Kascom suggestion of adding to August 13 resolution brief outline plebiscite arrangements under UN supervision.

3. We feel strongly any approach now on either Kashmir or Hyderabad can only be effective if made at top level and US efforts should be coordinated with British efforts London. If Secretary meets Nehru

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1 Printed as telegram 4376 to the Department, p. 419.
2 Printed as telegram 1891 to Geneva, p. 412.
as planned October 15 imperative British keep us closely informed so decision can be made whether Secretary should refer these issues specifically and, if so, what line. Suggest Foreign Office keep us up-to-date through British Delegate as our communications overloaded and subject delay. We have not told British Delegate yet of probable meeting Secretary and Nehru.

4. On receipt information from Kascom which we requested urgently will answer queries in Cadogan aide-mémoire re time table and Kascom thinking (Delga 257, October 8). We attach greatest importance to unique opportunity bring parties together London and, however slim chances out of court settlement are, we believe all else including time table Kascom report should for moment be subordinated to this. At same time both India and Pakistan must believe SC action will follow, if necessary under VII, if they fail reach agreement privately.

Repeated Geneva for Kascom.

Sent Department Delga 281, repeated London 1042, Geneva 120. Department repeat New Delhi and Karachi.

AUSTIN

501.BC Kashmir/10-1148: Telegram

The United States Representative on the United Nations Commission for India and Pakistan (Huddle) to the Acting Secretary of State

SECRET          US URGENT           GENEVA, October 11, 1948.

1374. For GADel from Huddle. Your 8\(^1\) received 10.

(a) First draft report probably not ready before two weeks or more;
(b) It will be historical and probably harmless and should not prejudice future negotiations and usefulness of commission but by same token may be of small utility;
(c) Report will probably contain little by way of recommendations beyond expressing pious hope that India and Pakistan can be induced to agree on plebiscite under Article 3 of August 13th resolution and to accept cease-fire and truce provisions;
(d) I know no reason why submission report cannot be delayed indefinitely. Certainly commission is extremely desirous harmonize its efforts with those about to be exerted at Dominion conference and SC;
(e) Report will not discuss partition which was not formally considered by commission: It was learned soon after arrival subcontinent that partition idea was very unpopular especially among Muslims of both Pakistan and Kashmir, who fear that by any partition they would lose Kashmir valley.

Pakistan wants all Jammu-Kashmir and would probably win it in a general plebiscite of whole state; India does not want to give up

\(^1\) Delga 257, p. 424.
Kashmir valley and south eastern Jammu and fears their loss by general plebiscite. But Pakistan has objected to UNCIP resolution because it fears Indians now in possession valley would somehow manipulate plebiscite to Pakistan disadvantage. Pakistan officials have assured me Pak. would accept resolution if it assured UN control and management of plebiscite in Kashmir. This is objected to by India. If discussions London can get agreement on this point it would be important step toward solution problem.

Patrick program outlined London's 702 to Paris for GADel is sensible approach. India and Pakistan should best settle this matter within Commonwealth and Prime Minister Attlee's conversations with Prime Ministers Liaquat and Nehru might get results. Would appreciate being informed developments London.

Sent Paris as 265; repeated Department 1374, London 110.

[HUDDLE]

2 Sent to the Department as telegram No. 4376, October 4, p. 419.

501.BC Kashmir/10–1248: Telegram

The United States Representative on the United Nations Commission for India and Pakistan (Huddle) to the Acting Secretary of State

SECRET

GENEVA, October 12, 1948—6 p.m.


Material information requested by Department mostly contained Huddle's October 11 No. 265 to Paris repeated Department 1374 October 11. The Commission is working with regularity on report which will be completed ready for Commission in interim phase. Commission does not regard report as final and expects either to be able to take some positive action on its own initiative at later date or as result further consideration by SC which might possibly find it possible issue instructions depending on developments.

Commission considers that Indo-Pakistan troubles are such as could best be solved by negotiations India and Pakistan but believes its services might be useful in ultimate solution Kashmir problem since notwithstanding original coolness both governments, Commission did succeed in winning certain amount confidence both Karachi and Delhi in its explorations Kashmir problem.

Consequently if, in conversations with General Marshall Paris and Prime Minister Attlee at London, Nehru and Liaquat Ali Khan could be prevailed upon to agree to general plebiscite in Jammu-Kashmir to be held under control of UN agency, I believe Commission could ap-

1 September 29, p. 412.
appropriately assume task or be delegated thereto. Plebiscite administrator with powers envisaged by SC in its April 21 resolution would naturally have full powers for administrative tasks, but should be agent of Commission rather than of Secretary General of UN. This however is speculative and it seems that no steps can be taken with any certainty until temper of India and Pakistan Prime Minister has been ascertained in London and Paris.

Commission is desirous of having benefit of independent and hitherto unprejudiced appraisal of Pakistan and India attitudes to support or correct its own convictions and is awaiting with grave interest results of expected conversations.

Would prefer not speculate relative desirability SC action under Chapters VI or VII UN Charter pending outcome these negotiations. Adams however discussed this matter last week with GADel which also was of opinion this subject should be deferred.

Have forwarded by airmail complete text Nehru’s telegram replying to Liaquat Ali Khan’s telegram of October 3 (Karachi 483). In his reply, Nehru said his telegram of September 27 “was designed explore possibility solution problem by direct negotiation” between India and Pakistan. It will be recalled that Nehru had given negative reply to Commission when Commission asked whether he would agree to negotiations with Pakistan (Comkas 42). Notwithstanding this negative reply, I had feeling that Nehru’s telegram dated September 27 gave opening to Pakistan and it was that which prompted last paragraph Comkas 51 in which I suggested possible reply by Liaquat Ali Khan. Perhaps it is not too late for Pakistan to admit misinterpretation Nehru’s first telegram and accept his proffer negotiations.


[HUDDE]

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Sent as telegram 824 from New Delhi, September 13, p. 385.

* Sent as telegram 1357 from Geneva, October 5, not printed.

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501.BC Kashmir/10–1548: Telegram

The Secretary of State to the Acting Secretary of State

TOP SECRET URGENT PARIS, October 15, 1948—10 p.m.

Delga 345. I have just received following personal message from Bevin in regard to talk I will have with Nehru late this afternoon.

“I understand you are going to see Nehru. I should like you to know that the whole of our discussions with the two parties have been in an endeavour to try to persuade them that what they ought to do is to arrive at a mutual agreement. Of course, this matter is before the United Nations and the commission have been appointed and we must
be careful not to do anything which would detract either from the
influence of the commission or its activities, but I assume you will be
talking to him in an informal and congenial way, and you might well
wish to have in your mind what our attitude to the Kashmir problem
is.

2. For your very private information and guidance, Prime Minister
Attlee and Noel-Baker have been having talks with the Indian and
Pakistan Prime Ministers here and they have been doing their best to
try to create a situation in which they might come to a discussion and
reach agreement.

3. HMG take the view that it is of vital importance to India, Paki-
stan, Kashmir and the whole world that a settlement should be quickly
reached, preferably by direct agreement between the two parties, and
we do not think that is impossible. We have based all our actions on a
policy to get a cease-fire, as you well know, and we continue to attach
the utmost importance to this. The first attitude of India was a
plebiscite and they proposed that the United Nations should under-
take it and Pakistan agreed to this proposition. Now the next thing
both parties agreed was that the plebiscite should be fair. If they are
both agreed on this, they ought to be able to agree on what is a fair
plebiscite, and therefore there ought not to be any substance to divide
the parties, and certainly nothing which anybody could feel is worth
while to run the risk of war.

4. The best solution would be if India and Pakistan could agree and
jointly announce to the UN in Paris that agreement had been reached.
This would give them a great moral ascendancy and if you could
emphasize to Nehru the tremendous effect it would have on the course
of events in Asia and the whole world, and if he would accept that,
this would be a great achievement.

5. Both India and Pakistan must appreciate that they are faced
with the risk of the Russian menace and if they would make a supreme
effort to settle their differences it would make a great contribution
to peace.

6. It might be that one or other parties, or both, might have pro-
posals for accelerating a decision, and if they could reveal what is in
their mind, and put it forward quickly, it would help.”

Hector McNeil ¹ was instructed to add to foregoing oral message to
effect that British Government hope I could indicate to Nehru that
Kashmir dispute was matter within British Commonwealth and that
it would be much better if two members concerned could settle it
together.

His message concluded that British Government considers not only
would this be helping them towards settlement, but might save us
further embarrassment arising from our association with matter
through membership in UNCIP.

Repealed London as 1065.

MARSHALL

¹ British Minister of State.
The Secretary of State to the Embassy in the United Kingdom

TOP SECRET        URGENT

PARIS, October 20, 1949—7 p.m.

1086. Please deliver following personal message to Bevin from Secretary (reference Gadel 234, October 18; repeated London 3092; also London's 758, October 18):

"I am grateful for your message of the fifteenth which duly reached me before Nehru called. As you know, I left for Greece and Italy thereafter and have only just returned.

Nehru and I had a very long general talk during which he seemed primarily interested in having my views on the world situation and, most particularly, on Russian objectives. It was, as you anticipated, quite informal but even with the help which your message gave me I found him most sensitive on the subject of Kashmir. Although I touched on this matter only in passing and continued talking on other matters for some time, he found it difficult when his turn came to talk about Kashmir in a moderate way. The following from my notes of the conversation will give you the line he took:

Nehru remarked that as I had mentioned Kashmir, he wished to say that he felt he had a real grievance there. If he felt for a moment that legally, morally or practically, India did not have a just case, he would at once recede from his position. However, on none of these counts was there any merit in Pakistan's case. India had accepted the Kashmir Commission's resolution, whereas Pakistan had rejected it. Kashmir was Indian territory by virtue of its legal accession to the Indian union, it was a center of Indian culture in arts and crafts, contained much wealth that it owed to the capacity of Indian elements in its people who were far superior to the others. As a frontier province it was threatened by tribesmen who had laid waste many of its towns, aided by gangsters from Pakistan. No Indian government could have remained in power for a week had it not risen to the defense of Indian territory by flying in the few hundreds of troops which saved Srinagar. Unfortunately this local action had, bit by bit, led to greater complications and now he acknowledged it was a serious situation.

Nehru then launched into a recital of the contrast between the democratic and secular character of India, and the backward and theocratic nature of Pakistan. India wished to develop a country wherein all elements of the population could share, whereas in Pakistan the underlying idea was the advancement of the most bigoted group of Moslems. Nehru said that these people were unreasonable extremists, and had even had the effrontery to state that after conquering Kashmir they would march on New Delhi. As another illustration of their character, he spoke of a young Moslem doctor who was stoned to death in Lahore because he dared to defend his wife for having defied old fashioned custom. There was even a growing movement for the restoration of the old eighteenth century law of the Koran.

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1 Not printed.
2 Telegram 758 to Paris, not printed.
I did not comment on the foregoing. I rather suspect that Nehru felt he may have overdone it. At any rate he came back to Kashmir briefly just before we finished and in a more conciliatory vein as the following further quotation will indicate:

Late in the conversation, Nehru reverted to Kashmir in a much more moderate vein. He said that he was very conscious of this problem, was sincerely desirous of having it settled, and he hoped that some solution could be worked out. He also alluded to the Hyderabad incident briefly, saying that in India in recent weeks there had been a marked improvement in the internal situation. This was in large measure due to the settlement of the Hyderabad incident. This crisis and the restraint of both elements of the population at that time had removed a source of much anxiety and distrust.

There was one other reaction which you may find interesting. I took some care to outline our support of the UN and our hopes for its future, and was quite gratified at the response. Although Nehru made it clear that India had had disappointments in matters of interest to it, he did not labor the point. On the contrary, he said that India would support the UN despite its weaknesses since it was the only hope of the world, and therefore could not be abandoned. He also said that while it might sound trite, he completely agreed with me in condemning deceit and force in international affairs.

I hope the foregoing will be of some value to you and that with the congenial atmosphere which has been created in London you can bring the two men to talk together on this subject. There was nothing in my conversation with Nehru which suggested any better approach to him than your line of the great moral ascendancy and the impression of statesmanship which would result if he and Liaquat were able to settle this problem of such moment to Asia and the world. It would surprise me very much if our talk did not add to his appreciation of the Russian menace.”

Notes of conversation plus substance paragraph on UN sent Huddle.

Sent London as 1086, repeated Department as Delga 418.

MARSHALL

501.BC Kashmir/19-2048: Telegram

The Acting Secretary of State to the United States Delegation at the United Nations General Assembly, at Paris

SECRET US URGENT WASHINGTON, October 21, 1948—7 p. m.

Gadel 267. If Secy’s plans permit, Dept feels his returning Nehru’s call would be greatly appreciated by India (re Delga 406 1) and might serve further purpose discussion Kashmir problem.

Dept has in mind this primarily courtesy call. However, if no conversations held Nehru-Liaquat London today, there appears be little

1 Not printed.
prospect progress settlement Kashmir problem without further pro-
longed debate SC. Suggest therefore that Secy might wish take ad-
vantage any opening in conversation to seek draw Nehru out on any
specific suggestions or thinking GOI re terms settlement. If situation
presents itself, Secy might state US view that SC Res Apr 21 re
plebiscite represents generally equitable approach and that acceptance
GOI and GOP general lines Part B this Res as basis negotiation agree-
ment plebiscite terms would be constructive contribution settlement.

Suggestions for Marshall–Liaquat conversation will follow. If
Nehru call returned, Dept considers similar courtesy Liaquat desirable,
purpose inter alia avoid any impression partiality toward either India
or Pakistan.

USGADel rpt Geneva for Huddle's info.  

—Lovett

501.BC Kashmir/10-2248 : Telegram
The Secretary of State to the United States Representative on the
United Nations Commission for India and Pakistan (Huddle), at
Geneva

SECRET US URGENT  
Paris, October 22, 1948—10 a.m.

124. For Huddle from the Secretary.¹ Understand from conversa-
tion Adams and USGADel that UNCIP plans informal meeting Paris
28 October and formal meeting to consider report 1 November, Com-
mission wishing to confer their delegations and consider conclusions.

For your information Nehru and Liaquat will be in Paris most of
next week. Indications are that negotiations may have begun between
them at dinner with Attlee according Times London. UK is laboring
create atmosphere for this meeting looking toward direct negotiations
parties as best solution problem. We and UK wish discreetly confer
regarding constructive recommendations to be added to report. There-
fore presence of Commission here even informally plus inevitable in-
formal circulation of report might seriously affect or prejudice pros-
pective negotiation.

a. You are instructed make utmost efforts Commission reconsider
decision to come to Paris. For your information Cordier ² telephoning
Colban same sense.

b. Please send USGADel urgently by pouch copies of parts of re-
port now complete.

¹This message, sent to Geneva as telegram 124 and repeated to the Depart-
ment as Delga 442, was not received in Washington until October 27 and was
possibly also delayed in reaching Huddle in Geneva.

²Andrew W. Cordier, Executive Assistant to the Secretary General of the
United Nations.
c. Take necessary steps to leave door open revision of report and addition of constructive recommendations for affirmative action to it, if events and negotiations UK should suggest their desirability.

Sent Geneva 124, repeated Department, London 1095.

[Marshall]

755.45F/10-2748

Memorandum of Conversation, by the Counselor of the Department of State (Bohlen)

TOP SECRET

[Paris,] October 27, 1948.

Participants: The Secretary Mr. Ernest Bevin
Dr. Jessup Sir Alexander Cadogan
Mr. Bohlen Mr. Roberts

Mr. Bevin said that he was going to see Nehru again this morning but that he wished to tell the Secretary in confidence that he was not optimistic at the prospect of India and Pakistan reaching any settlement in the Kashmir matter. He said in London they had been unsuccessful in obtaining from Nehru any very clear indication of what the Indians would accept, particularly in regard to the conditions of any plebiscite. Nehru continued to say that he was not against the idea of a plebiscite but was unwilling to commit himself as to its terms. On the other hand he felt that the Pakistan representatives were being much more reasonable in this matter, but that Nehru since he was a Kashmir Hindu was very emotional and intransigent on this subject. He said he felt that the main issue was who would control the main artery leading into central Asia. The Indian proposals would leave that in their hands and this was something that Pakistan found difficult to accept. He very much feared that next spring the Indians, encouraged by the success of their operation against Hyderabad, would start fighting in Kashmir in the spring and that this might open up considerable possibilities to the Russians to exploit the situation in order to obtain a foothold in northern India. He promised to let the Secretary know the result of his conversation with Nehru this morning.

The Secretary told Mr. Bevin that it had been suggested from Washington that he see Nehru again but that he was not entirely convinced that it would be wise for him to give the appearance of pressing Nehru on this matter.

1 Frank K. Roberts, British Principal Private Secretary to the Secretary of State for Foreign Affairs (Bevin).
The Secretary of State to the Acting Secretary of State

TOP SECRET  US URGENT  PARIS, October 29, 1948—2 p. m.

Delga 531. For Satterthwaite and Mathews from Kopper.¹

1. Secretary and Liaquat Ali Khan held one hour and half conversation yesterday. Zafrullah Khan also present. Numerous subjects covered. Liaquat spoke in most frank and open manner. Although he showed no trace bitterness he seemed to give impression that he thought United States was ignoring Middle Eastern (Moslem) area while giving much attention to West Europe.

2. After exchange pleasantries, Liaquat commenced conversation by saying he wished besides having opportunity to meet Secretary to discuss strategic position Pakistan in ME and world. He reviewed great difficulties Pakistan has encountered in becoming established, citing vast refugee problem, economic difficulties and relations with India particularly on Kashmir. He declared it unthinkable that Pakistan could fall prey to Communism since (1) latter was contrary to tenets Moslem religion in respect democratic ideals, property ownership and individual’s position; (2) states outside Communist orbit should fully know Communist ideology was oppressive in extreme. Pakistan was anxious to maintain stand against Communist infiltration. Liaquat then said frankly that since United States was strongest most powerful nation among free nations it should assist other nations to strengthen themselves. He referred to assistance United States was giving to Western Europe. While understanding necessity for ERP he believed United States should strengthen Middle Eastern area economically and militarily.

3. Turning to India-Pakistan relations Liaquat termed India’s attitude toward Pakistan as hostile. He said Kashmir question could be easily settled by plebiscite. However, there must be no coercive forces present during plebiscite. Pakistan had been struggling to obtain peaceful settlement but if India persisted in aggressive role Pakistan would fight in face aggression.

4. Secretary outlined genesis ERP explaining how West Europe has been commercial nerve center of world. It was dangerously close to collapse a year ago. With revival of European economy world would benefit. Secretary said United States resources were limited and we could not as a government undertake commitments beyond our abilities. Secretary explained in some detail role of Congress and its committees in granting aid and loans. Then said there was vast

¹ Samuel K. C. Kopper, United Nations specialist in the Department of State.
amount private capital in United States which was available if investors had reasonable assurances as to security of investment. Secretary also referred to Export-Import Bank.

5. Regarding Communism and USSR policy, Secretary pointed out that his concern was primarily directed at development and spread of police state. He was glad to know of Pakistan's attitude regarding this matter. He said that one very important way by which states outside police state orbit could strengthen themselves would be to settle all of their major differences quickly and peacefully. In this connection he expressed hope Kashmir question would be settled in conformity with UN principles. He remarked that United States had not been able to ship arms to India or Pakistan while Kashmir question was point of friction. Secretary also said it was most important to obtain settlement Palestine question and concluded that we are vitally interested in stability of Near East and remaining portions of world. In saying this, Secretary emphasized necessity for all nations supporting UN which was only real hope for peace.

6. Liaquat said Pakistan was in a position vis-à-vis India where an arms embargo favored India and harmed Pakistan since India had all the ordnance factories and Pakistan had few supplies. He again repeated that he thought United States should do all it could to strengthen Near East area. He said he was in complete agreement that Palestine question had to be settled and he also agreed with Secretary that UN must have support of all the nations. Secretary pointed out to Liaquat that we are already helping Near Eastern area through our aid to Greece, Turkey and Iran. There was a limit to what we could do but we were deeply interested in the development of Near Eastern countries and we hoped that the time would come when projects presently in planning stage could become reality.

7. Liaquat seemed quite pleased with Secretary's frank approach. Zafrullah Khan said after Secretary and Liaquat had departed that he thought meeting had gone quite well. Zafrullah then told me in strictest confidence that Pakistan is seriously considering bringing to ICJ the question of India's action with respect to head waters of three rivers vital to the economy of the West Punjab. Pakistan has already commenced collecting the basic data after efforts to settle the question bilaterally were unsuccessful and India had rejected suggestion for arbitration.

Repeated London 1145; Department pass Karachi as 4.  

Marshall
SECRET  NIAC  WASHINGTON, October 29, 1948—7 p.m.
US URGENT

Gadel 357. Following represents present Dept thinking Kashmir question and may be used as guide by GAdel in its reply Cadogan aide-mémoire\(^1\) and informal discussions with Brit and others. Delga 442, Oct 22 and London’s 4629 Oct 26.\(^2\)

(1) Dept recognizes paramount importance direct negotiations which may now be in progress between Nehru and Liaquat since obviously any measure of agreement between them on Kashmir question would be best foundation on which base further UN action.

(2) Should Nehru and Liaquat talks produce any definitive results, we believe it highly important such measures be reflected interim report now under preparation by UNCIP.

(3) Should, however, foregoing high-level talks completely fail, we believe UNCIP and then SC should take definite action designed bring further pressure on parties for peaceable solution Kashmir problem.

(4) We recognize soundness UNCIP’s apparent feeling that including positive recommendations in its report for affirmative action by SC might prejudice UNCIP’s present acceptability to both governments thus impairing its utility as agency for implementation eventual plan settlement. Nevertheless, we continue believe (Kascom’s 35 and 39\(^3\)) UNCIP interim report could and should include some positive conclusions since UNCIP in better position than any individual SC member to reach conclusions and since failure do so would probably result in unnecessary repetition lengthy debates SC.

(5) For example, UNCIP could without appreciably jeopardizing its future utility conclude that broad framework represented by SC resolution Apr 21 and UNCIP cease fire and truce proposals Aug 13 offer reasonable and fair basis for settlement, even though certain modifications might be considered desirable by SC, such as Comkas suggestion plebiscite administrator be made directly responsible UNCIP rather than SYG. In reaching these conclusions UNCIP would in effect be merely reaffirming its own crystallized efforts and those SC, thus enabling SC in its further consideration of matter take

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\(^1\)Reference here is presumably to the aide-mémoire transmitted to the Department in Delga 257 of October 8, p. 424.

\(^2\)Telegram 4629 to the Department, not printed.

\(^3\)Sent to Geneva as telegrams 1391, September 29, and 1416, October 11, p. 412 and p. 425, respectively.
advantage well considered principles already established and obviating reopening many details.

(6) Although UNCIP would not under this suggested plan of action make concrete recommendations as to future SC action, it is our belief the six sponsors of Apr 21 resolution should respond to UNCIP's report by reopening active discussion Kashmir question in SC. These delegations can utilize conclusions reached by UNCIP in its interim report as basis for new joint resolution recommending revised SC recommendations to the parties. It is possible that at this stage SC might wish consider use Art 40 re cease fire and/or truce proposals. Also at this time joint sponsors could give serious consideration possibility including within recommended plan for plebiscite proviso that latter be conducted by districts so that each district may decide whether accede India or Pak. We believe partition idea would more appropriately come from members SC than from UNCIP since neither in Apr 21 resolution SC or in discussions UNCIP with GOI and GOP was matter ever formally considered. If six original sponsors Apr 21 resolution could, however, be brought to agree on desirability scheme accession by districts or some variant of this, this step could be viewed as natural development thinking SC among govts which have been most directly concerned with peaceable and equitable solution Kashmir question.

(7) Partition proposal on basis district voting might overcome Pak fear partition would redound her disadvantage and give predominantly Moslem areas to India and also might overcome GOI reluctance accept SC plebiscite terms for fear GOI would lose entire state. Such procedure would likewise facilitate concentration UN supervision and observation to those relatively few districts where result would be most doubtful and attempts to influence greatest.

(8) Above procedure would permit UNCIP set guides without itself going substantially beyond SC resolution and its own proposals and would at same time, by utilizing six original sponsors Apr 21 res, avoid placing onus on any one member SC for introduction new principle of partition. It would not, of course, obviate difficulty re informal initiative among six original sponsors and this problem we believe should be discussed fully with Brit.

Lovett
DISPUTE OVER KASHMIR AND HYDERABAD

501.BC Kashmir/10-3048: Telegram

The United States Representative at the United Nations (Austin) to the Secretary of State

SECRET

PARIS, October 30, 1948—8 p. m.

Delga 555. Following replying aide-mémoire informally presented to UK October 27 pursuant Gadel 172, October 11 and Geneva's 1383, October 12. UNCIP decided on October 28 to meet in Paris November 8.

"UNCIP has been working since late September in Geneva on an interim report.

1. The first part of the report will be in our hands momentarily. We shall be glad to make a copy available as soon as it is received. Its submission to the SC can probably be arranged for a time that will harmonize with any pending efforts for settlement of the dispute. We would hope that the first part may still be modified if after consultation with the UK such modification appear important.

2. We understand that the commission is planning to meet in Paris for conferences and to consider conclusions on November 1. At the suggestion of the SYG and of the US member of the Commission an informal meeting planned for October 28 in Paris has been abandoned. We are urging that the Commission remain in Geneva, and that ample time be allowed for the consideration of both parts of the report by US in consultation with the UK.

3. We believe that the second part of the report might well contain constructive recommendations based on the principles of the SC resolution of April 21, 1948. According to our information, the first part as now drafted will be largely historical in approach. The present thinking in the Commission is that it should contain no conclusions or recommendations, except perhaps the expression of the hope that the parties can be induced to agree on a plebiscite under Part Three of August 13 of the resolution and to accept the cease-fire and truce provisions. On this theory, the Commission would expect its conclusions to be added later in the second part. These conclusions would recommend affirmative action either on the Commission's initiative or possibly suggest further SC action as the basis for such recommendations. It is our hope that the content of the report will not be such as to call for SC action but can be regarded by the Council merely as an interim report of the Commission's progress. This is a point on which we and the UK may wish to confer.

4. Looking now to the possibility of combining the principle of a plebiscite with partition of certain areas of Jammu and Kashmir, we have for some time considered that such a formula is worthy of careful consideration. For reasons that are obvious we have, however, been disinclined to take the initiative on the point.

5. Our information is that the interim report as now being drafted will not discuss partition which has not been formally considered by the Commission. It found the idea unpopular especially with the Mos-

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1 Not printed.
lems of both parties who feared that by any partition they would lose
the Kashmir Valley. However, there is some indication that the mem-
bers of the Commission are of the general opinion that a partition
agreement has distinct administrative advantages, as opposed to a
plebiscite, in certain areas.

6. Before proceeding with the consideration of this question or
taking any definite steps we would be interested in knowing the UK’s
view on partition in general and whether the UK has in mind any
particular plan as to a plebiscite and partition. If such is the case, we
would like to discuss its details as a necessary prelude to the support of
any general proposals which might arise in the Commission or the
SC. Also, we would appreciate any information as to whether the
UK contemplates informal discussions with any other governments
represented on the Commission as to the type of recommendations the
Commission might make, but we would infer from Paragraph Six of
the UK’s aide-mémoire that such discussions are not intended. We
should also want to consider whether the initiative in suggesting parti-
tion might come from some delegation on the Commission other than
our own.

7. We should be glad to have further discussion of the general and
particular aspects of this case with the UK and are mindful of its
thinking that the initiative in discussing partition should come from
the Commission.”

Sent Department Delga 555, repeated London as 1160.
Department repeat Karachi and New Delhi.

AUSTIN

501.BC Kashmir/11-148

Memorandum by the United States Representative on the United
Nations Commission for India and Pakistan (Huddle) ¹

TOP SECRET

PARIS, November 1, 1948.

Subject: Developments on the Kashmir Problem.

[The first two paragraphs of this memorandum concern a luncheon
conversation of October 30 between Huddle and Zafrullah Khan reg-
arding water rights in three rivers that originate in Jammu-Kashmir
and flow through Pakistan before entering the northeastern area of
India.]

On Saturday evening, October 30th, I dined with Colonel Abdur
Rahim Khan of the Pakistan Delegation, and Minister Mohammed
Ali the Pakistan Chief of the Cabinet who accompanied the Prime

Mohammed Ali informed me that the London conversations which
Prime Minister Attlee arranged with Prime Ministers Nehru and
Liaquat Ali Khan were without constructive result insofar as the

¹ Transmitted to the Department by the Commission in its despatch No. 10,
November 1, 1948; not printed.
Kashmir problem is concerned. He said that when Prime Minister Attlee first raised the question, Mr. Nehru was somewhat receptive to the idea of a plebiscite which would be arranged as the Pakistani advocate. Later however he seemed to change his position, and in the end had flatly refused to agree with Pakistan demands in the plebiscite proposals. Mr. Liaquat Ali Khan continuously expressed himself as favorable to the plebiscite idea although he would not agree with a "district plebiscite" or series of district plebiscites but insisted that an overall or general plebiscite be held for the whole country. The Pakistani objected to the district plebiscite because they feel that displacement of population has occurred to such an extent that a series of district plebiscites might have spotty results which would be entirely unsatisfactory in the ultimate disposal of Jammu-Kashmir. Mr. Liaquat Ali Khan expressed himself during the conversation as being agreeable to any arrangement under neutral control which would guarantee a fair result.

At one point in the conversations Mr. Attlee had asked about the possibility of a military decision if matters went from bad to worse. In response to this question Mr. Liaquat Ali Khan had said that the Pakistani had no idea that they would be able to expel the Indians from Jammu-Kashmir, but he said on the other hand that India would never be able to drive the Pakistani out of Jammu-Kashmir.

The conversations ended therefore without anything in the nature of an understanding for settlement.

Sir Stafford Cripps however had suggested a day or two ago that since both Prime Ministers Nehru and Liaquat Ali Khan were together in Paris they should by all means make an effort to meet here for a further conversation. Mr. Liaquat Ali Khan had said in reply to this suggestion that he would be agreeable, and it was therefore arranged that he would call on Mr. Nehru on Saturday evening, October 30th at 10 p.m. (I understand that Mr. Liaquat Ali Khan attended an early evening reception given by Pandit Nehru and the Indian Delegation and that the 10 o'clock appointment was filled thereafter.)

Mr. Mohammed Ali told me on Saturday evening that he would arrange to let me know the results of the conversation of Nehru and Liaquat Ali Khan as soon as possible, and since he thought he would have the information in hand by Monday morning we arranged for an appointment at 10:30 a.m. on Monday, November 1st prior to his departure on Tuesday for Cairo and Karachi.

In my conversation with Mr. Mohammed Ali I found that his views have not changed since my departure from Karachi, and they remain as previously reported to the American Delegation and the Department.
On Monday, November 1st, in our conversation at 10:30 o'clock, 
Mr. Mohammed Ali reported to me that the talk between Prime 
Ministers Liaquat Ali Khan and Nehru had no better results than 
their previous conversations in London. Mr. Mohammed Ali said that 
Mr. Nehru had proposed one of two methods of procedure to 
Mr. Liaquat Ali Khan.

The first was that Pakistan accept without any conditions the Reso-
lution taken by the United Nations Commission for India and Pakistan 
on August 13, 1948.

The second, an alternative, would be that Pakistan accept a partition 
of Jammu-Kashmir on the lines now existing, meaning the territory 
occupied and controlled by the Azad Kashmiri and the Pakistani on 
the one hand and the territory occupied and controlled by the Indians 
and the local Sheikh Abdullah Government on the other.

Regarding the first Mr. Liaquat Ali Khan had replied to Mr. Nehru 
that Pakistan had accepted the Commission's Resolution, although 
it had made a condition that India must accept the plebiscite terms 
of the Resolution of the Security Council of April 21, 1948. Unless 
India would accept those terms as applicable in working out the future 
of Kashmir, Pakistan of course could not implement the Parts I and II of 
the Resolution. Mr. Nehru would not go along with this proposal 
of the Pakistan Prime Minister.

Insofar as the second proposition of Mr. Nehru was concerned, 
Prime Minister Liaquat Ali Khan declined to give any consideration 
whatsoever to the suggestion of partition, to say nothing of partition 
on lines which exist at present.

(It seems clear that a stalemate exists between the two Governments 
on the Kashmir question and that neither is willing to make con-
cessions which are obviously necessary if a peaceful settlement is to be 
achieved).

Having thus briefly reviewed the conversation of the two Prime 
 Ministers, Mr. Mohammed Ali told me that the idea of partition seems 
to be gaining some support in recent days. He says that the Indians 
are apparently responsible for initiating a new consideration of par-
tition. In addition to members of the Indian Delegation whom he 
thinks have been broaching the matter he met an old friend from 
India, a former university professor of his, who suggested to him that 
partition might well be undertaken.

When Mr. Mohammed Ali introduced the question it gave me a good 
opportunity to discuss again with him the partition possibility. Little 
or nothing had been said of partition during the later weeks of the 
Commission's presence in Pakistan but in our earlier days there the 
question was raised from time to time. At that time Prime Minister 
Liaquat Ali Khan told me in a manner not to be misunderstood that
Pakistan would not favor any splitting up of Jammu-Kashmir which would deprive Pakistan of all or even any part of the Vale of Kashmir. Even regarding the eastern corner of the State of Jammu which is now probably 100% Indian, Liaquat Ali Khan said that he would take his chances on a general plebiscite to cover the whole area and would not think of giving up a claim to any of Jammu. Mr. Mohammed Ali maintained the same position in this present conversation which his chief had expressed last July. I mentioned several possible divisions which might seem on their face to be equitable. I suggested that southeastern Jammu wasn’t necessary to Pakistan economy, that it was now denuded of Muslims, and that it appertained naturally to India. I feel that the Pakistani would not be too averse to the loss of this particular territory, but they do want the whole of the Chenab Valley. My personal feeling is that the Chenab should not be a boundary but in a division should go to Pakistan. I also broached the possibility that the Vale of Kashmir itself might be susceptible to division so that the southern part might appertain to India and the northern part to Pakistan. The southern part would include the district of Anantnag and the town of Srinagar, while the northern part would include Baramulla and the town of Baramulla. As stated above Pakistan might be willing that India should have the extreme southeast of Jammu without too much dispute, but Mr. Mohammed Ali flatly refused to consider any division of the Vale of Kashmir.

These possible divisions presume, to be sure, that all of the perimeter now in Pakistan hands should remain under Pakistan jurisdiction.

I finally asked Mr. Mohammed Ali whether his Government would be disposed to consider any partition proposition with favor and he said he thought it would be useless to present one.

With reference to the question of partition I am convinced that a similar attitude will be found among the Indians. The similarity lies in the fact that the Indians are equally insistent upon obtaining the Vale of Kashmir and they would not accept any partition of Jammu-Kashmir which did not award them the famous Valley. The situation in this respect is no different from what it has been in the past.

I took this opportunity to sound out Mr. Mohammed Ali on what Pakistan might find agreeable in the recommendations and conclusions of the Commission. He is explicit in answering that Pakistan now favors a Resolution by the Security Council setting forth the conditions under which a general plebiscite shall be held in Jammu-Kashmir. He said if this is prescribed by the Security Council along with the August 13, 1948 Resolution of the Commission, Pakistan will be glad to comply in all respects such as the withdrawal of its Army, etc. Beyond this, Mr. Mohammed Ali has no constructive suggestions for solution of the problem.
I desire to note for future reference that I asked Mr. Mohammed Ali how long he felt would be required to arrange for a plebiscite. In reply he said that he thought if the conditions were laid down soon that it still could be held within the coming year. This I mentioned specifically because it conflicts with statements made by both Sheikh Abdullah and Ghulam Abbas to members of the Commission, including myself. These minor leaders insisted that anywhere between three to five years would be required to restore conditions to such an extent that a satisfactory plebiscite could be held.

I also asked Mohammed Ali to explain clearly to me what Mr. Liaquat Ali Kahn, Sir Zafrullah Khan and he himself meant by “a neutral government” to ensure a fair and equitable plebiscite. He said “neutralized” might be a better term. They had in mind something like a coalition government participated in on equal terms by the present Azad Kashmir movement and the Sheikh Abdullah regime which for these purposes would fuse. (Members of the Commission had learned through informal conversations with Sheikh Abdullah and Ghulam Abbas that they might not be adverse to forming a coalition which might possibly be effective in this relation).

501 BC Kashmir/11-1048: Telegram

The Secretary of State to the Acting Secretary of State

SECRET URGENT PARIS, November 10, 1948—10:30 p. m.

NIACT

Delga 681. For Satterthwaite and Mathews from Thurston. Pursuant instructions based Cabinet level decision, Cadogan (UK) informed Jessup this morning his government would like SC to issue unconditional cease-fire order to GOI and GOP and immediately thereafter send high-powered mediator to Indian subcontinent, perhaps in guise of plebiscite administrator provided for in SC Resolution April 21. He indicated his government had Eisenhower in mind and that he was under instructions take matter up with Secretary whom he may see today.

We told Cadogan that we understood present plans UNCIP were to stay Paris next few weeks with view formulating recommendations to parties re Kashmir plebiscite and obtaining GOI and GOP approval or acquiescence thereto through negotiations with their representatives now Paris. We mentioned possibility Bajpai (India) might remain here another week or ten days and that Zafrulla Khan (Pakistan) would also be available adding that UNCIP felt it should make such last effort here on its own part prior throwing question back in lap SC.
Cadogan said he would report UNCIP plans to his government for consideration. From his remarks we gather British have in mind almost immediate action by SC along lines first paragraph with UNCIP meanwhile taking back seat.

For Department’s information, UNCIP’s plan work on plebiscite recommendations here stems from feeling based recent informal discussions with GOI representatives Paris, that India has somewhat softened its position on plebiscite at least in so far as willingness discuss question concerned. Since it was GOI refusal even discuss possibility elaboration Part Three August 13 cease-fire and truce proposals that prompted UNCIP temporarily suspend its labor in the field, UNCIP apparently believes it now possible resume their work and obtain consent parties to procedure which would link August 13 proposals with at least general plan for plebiscite.

US GADEL reaction to British proposal is that UNCIP should be encouraged follow present plan of making a last effort on plebiscite recommendations before matter taken up SC. If UNCIP fails make progress, then SC reconsideration problem would appear necessary and something along line British suggestions might be worked out SC. This obviously matter of timing. Perhaps more important is question advisability going along with British idea that high caliber American like Eisenhower be sent Indian subcontinent to attempt achieve settlement this difficult issue which we have always considered one in which British have long established interest.

Would appreciate Department’s views as basis our further discussions with British.

Sent Department Delga 681, repeated London 1222. Department repeat Karachi as 5, New Delhi as 7. [Thurston.]

MARSHALL

501.BC Kashmir/11–1048

Memorandum of Conversation, by the Secretary of State

SECRET

[PARIS,] November 10, 1948.

Participants: Sir Alexander Cadogan—United Kingdom Delegation

Mr. B. R. Curson

Secretary Marshall—United States Delegation

Mr. Ray L. Thurston

Mr. James N. Hyde

Sir Alexander opened the conversation by saying that he had been instructed by his Government to convey to me its latest views with respect to the Kashmir situation. He said that his Government had decided, on the basis of recent information from the area, that the
Security Council should, in the immediate future, issue an immediate and unconditional cease fire order to the Governments of India and Pakistan. Sir Alexander stated that the information reaching his Government indicated: (1) That Indian and Pakistani troops were lined up in close proximity and that there was danger of an incident which might bring about open warfare; and (2) that his Government had reason to believe that on a high political level in both India and Pakistan such a cease fire order by the Security Council would be welcomed.

Sir Alexander then stated that as a second step his Government believed that a high-powered and prominent “mediator” should be sent to the sub-continent to attempt to bring about a settlement of the Kashmir issue. He said that since it was obviously inadvisable to send someone from the British Commonwealth, and since it was doubtful that a suitable person was available in such areas as Latin America, his Government had come to the conclusion that an American citizen with a nationally known name should be selected for this task. He then added that he had been requested to approach me regarding the availability of General Eisenhower.

As to the basis on which a “mediator” might now be sent to the sub-continent, Sir Alexander said that to avoid the possibility of a Soviet veto, his Government believed that the Secretary-General could, under certain provisions of the Security Council Resolution of April 21, send a “mediator” to the sub-continent in the guise of the “Plebiscite Administrator” provided for in that resolution.

In my reply I made several observations with regard to the difficulties of administering a cease fire order on the basis of my experience in China and added that I had been particularly disturbed to hear from Ambassador Huddle, our Representative on the United Nations Commission for India and Pakistan, that it might take at least three years before a plebiscite could be held in Kashmir. I then referred to the presence of British Officers in both the Indian and Pakistani armies and inquired whether the interest of the two parties alluded to in respect of a cease fire originated with them. I was asked what disposition would be made of UNCIP under the British plan.

With reference to the availability of General Eisenhower, I referred to recent offers to interest him in taking some relatively routine obligations outside the sphere of his university position, and General Eisenhower’s strongly expressed feelings that he wanted to dig into his present highly responsible job.

In their reply to the foregoing, Sir Alexander and Mr. Curson gave somewhat different versions of the reasons which prompted the British to believe that a cease fire would be successful. Sir Alexander stressed his belief that it was high political leaders on both sides who
wanted the cease fire; whereas Mr. Curson stated that owing to the presence of British officers in each army, it would be easier to administer the cease fire than otherwise. In a somewhat general discussion of the actual military position, about which no one present appeared to be fully informed, Sir Alexander referred to recent discussions relating to the Negeb and Palestine and the possibility of establishing neutral or demilitarized zones rather than a clear-cut truce or cease fire line. In connection with the timing of the plebiscite, Mr. Curson thought that although an ideal plebiscite might require some delay, he thought that a simple one could be held much earlier than three years from now.

With regard to the relationship between the “mediator” and UNCIP, Sir Alexander stated that his people were not quite clear on this. He indicated that on the basis of recent conversations between the British and Mr. Colban, Secretary-General of UNCIP, the impression had been created that the Commission did not wish to return to the sub-continent. Mr. Colban had apparently expressed great interest in his own return to India as a kind of rump commission and had mentioned that Ambassador Huddle would be only six air hours away in Rangoon.

Mr. Thurston inquired of Sir Alexander concerning the technical basis on which it would be possible to send a “mediator” out to India in view of the language of the Security Council Resolution of April 21 which presumably requires the consent of the Government of India to the appointment of a Plebiscite Administrator, and added that neither India nor Pakistan had ever accepted the recommendations contained in the April 21 resolution with respect to a plebiscite.

Mr. Thurston also expressed the thought that perhaps the new American Ambassador to India who would be arriving in New Delhi shortly might be able to be of some assistance in connection with this difficult problem.

In the course of the conversation, Sir Alexander read from the instructions which he had in hand several sentences regarding the urgent need for stabilization in Southeast Asia because of the spread of Communism, the Soviet threat to the Northwest frontier, the effect of the inflation caused by India’s large military budget in delaying economic recovery, and the threat of war as a retarding factor in the development of the country by private capital.

Reference was also made in Sir Alexander’s instructions to the present serious difficulties in China which make it all the more important that the situation in South Asia be stabilized.

I then referred to Nehru’s recent speech before the General Assembly in which he had so strongly stressed his belief in the settlement of all disputes by non-violent means and speculated whether in view of
this it might be useful for me to speak to Mrs. Pandit with regard to the inconsistency between such facts and the Indian attitude in Kashmir. Sir Alexander then interpolated—“and in Hyderabad too”—and with respect to the question of my talking with Mrs. Pandit asked me to refrain from saying anything about the present conversation. At this juncture, I alluded to recent conversations which I had had with the Prime Ministers of India and Pakistan who, although “speaking the same language” and who, although stressing the Communist threat and the need for stability, did not seem to be willing to suit action to their words. I stated that in my conversation with the Pakistan Prime Minister, he had indicated great interest in the Palestine question and had said that we were not giving sufficient attention to the Middle East. I mentioned that Nehru had not mentioned Palestine. I added that I had told the Pakistan Prime Minister that I was up to my neck in Palestine.

After a general discussion of the serious block to economic and political progress the Palestine and Kashmir problems represent, I referred to the delicate position in which Americans are likely to be placed in India and the fact that India and Pakistan would no doubt like to play the United States and the United Kingdom off against each other. I referred to the many generations of British experience in the area and to our role as newcomers. Sir Alexander quickly replied that perhaps our being newcomers was a great advantage.

At the end of the conversation, I assured Sir Alexander that we would give careful consideration to his Government’s views and made no comment when he pressed me on the possibility of getting some other American if Eisenhower were not available.

1 Vjaya Lakshmi Pandit.

501. BC Kashmir/11-1048 : Telegram
The Acting Secretary of State to the United States Delegation at the United Nations General Assembly, at Paris

SECRET US URGENT WASHINGTON, November 11, 1948—2 p. m.

NIAC T

Gadel 454. In view repeated indications Ind Pak both anxious solution Kashmir problem, both prepared work further with already established UN machinery, Dept agrees USGADel reaction on timing UK proposal (Delga 681). We do not see necessity immediate cease fire order, particularly since immediate extensive military operations in subcontinent improbable. Furthermore, simple cease fire order without provisions for truce and plebiscite would imply a sanctioning
of presence Pak troops which would not only be inconsistent with previous approach SC and UNCIP but would be highly unacceptable to GOI. Dept therefore believes USGADEL should seek dissuade UK from pressing its plan at this time so that UNCIP may have adequate opportunity succeed present effort obtain Ind Pak agreement on plebiscite recommendations.

If UNCIP effort fails, we still inclined view that SC should recommend or issue call for cease fire and truce based on UNCIP Aug 13 resolution and plebiscite based on SC Apr 21 resolution with modifications appearing desirable result UNCIP experience. SC could provide plebiscite machinery become operative as soon as cease fire and truce effected.

These recommendations could be implemented by existing or re-organized Commission or by high calibre mediator along lines UK proposal. However, we believe UK suggestion appointment American impracticable. Eisenhower almost certainly unavailable and experience indicates difficult if not impossible attract world renowned American this problemconst. Dept also concerned appointment American would force US assume principal responsibility in world eyes for peace subcontinent.

Since problem is one in which Commonwealth has long established interest and since recent Conference created cordial Commonwealth atmosphere, Dept inclined view selection prominent Commonwealth statesman would be constructive.

GADel pass Huddle.

LOVETT

1 British Commonwealth Conference, held in London October 11–22.

501.BC Kashmir/11-1348: Telegram

The Secretary of State to the Acting Secretary of State

SECRET PRIORITY       PARIS, November 13, 1948—5 p. m.

Delga 738. Kashmir case. Department’s views as indicated Gadel 454, November 11 were conveyed informally to Cadogan (UK) this morning with some softening last two paragraphs relating availability prominent American. We told Cadogan we were not enthusiastic about putting an American in prospective position but that question could be reconsidered carefully upon conclusion present efforts UNCIP. Leaving door open this fashion based partly Huddle’s views and partly on possibility that should present efforts UNCIP be successful in establishing plans for cease-fire, truce and plebiscite, we need not be so concerned with choice American as administrator plebiscite.
In answering Cadogan’s inquiry on point, he was informed of contacts already made by UNCIP with Zafrulla (Pakistan) and Pandit (India) which point toward possibility fruitful discussions here. When informed that UNCIP efforts would probably continue through first week December, Cadogan appeared reconciled possibility SC action if necessary might have to be postponed until January SC meeting New York.

In conclusion Cadogan promised convey our views his Government, and we told him we would keep him closely advised regarding UNCIP progress.

Sent Department Delga 738, repeated London as 1258. Department repeat Karachi as 7; New Delhi as 9.


501. BC/11-1848: Telegram

The Secretary of State to the Acting Secretary of State

SECRET URGENT PARIS, November 18, 1948—8 p. m.

Delga 821. Cadogan on instructions from London has just informed us that Prime Minister of Pakistan yesterday informed Prime Minister UK “that India has now started an all-out offensive with the obvious object of securing military decision before SC considers UN Commission to India and Pakistan’s report.” Prime Minister Pakistan requested UK immediately use influence with Nehru and expedite SC action to order and enforce an unconditional cease-fire immediately. Cadogan understands message has been sent to Nehru. British sources do not absolutely confirm allegation concerning Indian offensive and admit possibility Pakistan may have misinterpreted limited operation Indian forces reinforcing one garrison. Zafrulla informed UKDel this morning he had while in US received instructions to call for SC meeting to take this action but was waiting for Kashmir Commission action which he understood would be taken this week. Zafrulla will not therefore move until Monday at earliest. UK requests soonest indication US view regarding such SC action next week. Cadogan stated he assumed it would be impracticable for SC at same moment to act on their desire for a plebiscite administered along lines he explained to the Secretary. Cadogan also raised question of supplying observers if SC adopts cease-fire order. He had no solution of this problem but said he would ask London.

Department pass to New Delhi as 11 and Karachi as 9.

Marshall
The Chargé in Pakistan (Lewis) to the Secretary of State

SECRET MOST IMMEDIATE Karachi, November 18, 1948—midnight.

524. Prime Minister handed me last night copy of most immediate telegram just sent Pakistan Foreign Minister Paris with instructions to place matter before SC in writing at once. Telegram says GOP wishes draw attention SC to developments in Kashmir which are a definite violation by India of undertaking given by both governments in response to UNCIP’s (United Nations Commission on India and Pakistan) resolution September 19, 1948 which appealed both governments use their best endeavors during absence Commission to lessen existing tension this dispute in order prepare ground for its peaceful final settlement. Telegram says GOP has scrupulously observed the undertaking given but that India on other hand now appears determined force military decision in Kashmir. Telegram details reinforcements brought into Southern Kashmir by Indian Army and mentions recent attacks in brigade strength against Azad Kashmir forces. Says Indian Army has now started major offensive by at least one division supported by armor from Rajauri towards Kotli and Mendhar and is continually moving up reinforcements to Naushera. Telegram continues “Object undoubtedly is all-out offensive to obtain possession of Western Kashmir including Mirpur, Mangla headworks and the whole of Poonch. Heavy fighting is now in progress on this front and renewed flow of refugees into West Pakistan has already begun as result of this Indian Army offensive.

Army has also renewed attack by at least one brigade over Zojilla Pass and has penetrated defences of Dras. These attacks on both fronts are being supported by maximum air action. It is quite clear that India hopes to secure a decision by military means immediately and so face UN with a fait accompli. Hitherto the Azad forces with minimum support by the Pakistan Army acting in a purely defensive role have managed to hold Indian aggression and Pakistan Air Force has so far not been employed in a combatant role. Pakistan Government cannot emphasize too strongly to the SC that unless immediate steps are taken by them to halt Indian Army offensive the Pakistan Government will have no option but to change their policy of using minimum regular forces in Kashmir and will have to stage counteroffensive with all available resources in an endeavour to prevent overrunning by Indian Army of Poonch and Mirpur provinces. This must inevitably

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1 Copy of this telegram from Liaquat Ali Khan to Zafarullah Khan was transmitted to the Department by the Chargé in his despatch No. 491, November 20, received December 1: not printed (501.BC Kashmir/11–2048).
2 For text, see SC, 3rd yr., Suppl. for Nov. 1948, p. 49.
lead to most bloody fighting between regular Pakistan and regular Indian Armed Forces which up till now Pakistan Government have studiously endeavoured to avoid. The situation is therefore fraught with possibilities of an extension of conflict."

Military Attaché and Air Attaché agree with GOP estimate GOI reinforcements Kashmir and stress that in area present fighting and projected offensive fighting throughout winter is entirely practicable. Sent Department 524, repeated New Delhi 89. Department please pass Paris 6, Geneva 4.

LEWIS

501. BC Kashmir/11-1948: Telegram

The Acting Secretary of State to the United States Delegation at the United Nations General Assembly, at Paris

SECRET US URGENT  WASHINGTON, November 19, 1948—5 p.m.

Gadel 536. For consideration GADel Huddle and possible discussion UKDel following are preliminary views Kashmir problem light latest reports:

1. If Pak precipitation case SC makes useless further immediate efforts work out with InDel and PakDel acceptable conditions pleb, we feel situation requires submission UNCIP report with conclusions as soon as possible, preferably prior active SC consideration.

2. Although GOP interpretation GOI military activities probably somewhat exaggerated, we believe possibility fighting Kashmir increased scale arising action GOI troops or apprehensiveness GOP, now sufficiently great justify firm SC action.

3. For reasons in Gadel 454 simple cease-fire order still seems unfeasible. Since cease-fire and truce alone probably be strongly resisted GOP, we continue feel three-fold approach cease-fire, truce and pleb principles more desirable.

4. Impressed reported progress UNCIP PakDel discussions principles pleb in which PakDel willing abandon insistence coalition govt and other conditions. View those concessions we feel GOI would find it difficult reject appropriately modified pleb principles.

5. Thus feasible course might be SC call under Art 40 for cease-fire and truce along lines UNCIP's proposals plus call or recommendation parties accept pleb principles modified along lines indicated UNCIP Paris experience. This might be proposed by six original sponsors April 21 resolution.¹

6. If this course practical, effort should be made have these pleb

¹ Colombia, Belgium, Canada, China, the United Kingdom, and the United States. For text, see SC, 3rd yr., Suppl. for Nov. 1948, pp. 139-144.
principles included UNCP report with conclusion that they, plus Aug 13 proposals offer fair basis solution. If time not permit this, factual report might be submitted immediately with indication conclusions would be presented shortly. In either event SC could then translate conclusions into decisions under Chap VI and Art 40 as appropriate.

7. SC action would presumably be accompanied by directive to UNCP return subcontinent supervise truce and cease-fire with assistance military adviser and work out details pleb with two govt.

8. Re question observers Delga 821 suggest you discuss Cadogan possibility use Brit observers as suggested Kascom 21 Aug 24.2

Lovett

*Sent as telegram 512 to New Delhi, p. 369.

74545F/11-2048: Telegram
The Ambassador in India (Henderson)1 to the Secretary of State
SECRET UK URGENT
NEW DELHI, November 20, 1948—3 p. m.

NIAC

1027. Karachi telegrams 524, November 18 and 525, November 192 to Department (Embتكls 1006, November 14 and 1014, November 18 to Department 3).

Following is appreciation present situation Kashmir prepared by Military Attaché with which Embassy agrees and which checks with information furnished Embassy by CINC Indian army yesterday:

(1). With capture of Dras, primarily a local operation to obtain more favorable position for Indian troops during the winter, it is believed Indians intend generally to stabilize their positions in that area. However, a possible advance toward Kargil should not be overlooked as this town controls communications on Indus river and route Kargil-Khalatse-Leh. Occupation of Kargil would relieve considerable hostile pressure on Leh and might be undertaken, providing hostile resistance weak and no great effort involved.

(2). No offensive operations are expected in Tithwal-Uri sector during winter. Hostile strength, severe winter weather, exceedingly rugged terrain and difficult supply problems are factors which should cause Indian leaders to reject any consideration of an offensive in this area before spring.

(3). In southwest Kashmir Indians hold Rajaori, Thannamandi, Jhangar, Naushera and Sadabad. The hostiles have been active in this area and have infiltrated Indian lines. To northwest hostiles have sur-

1 Loy W. Henderson assumed charge as Ambassador in India at the close of business on November 19, 1948.
2 Not printed.
3 Neither printed.
rounded Indian garrison at Poonch and intermittently shelled airfields. In this area Indians are conducting local operations to clear out pockets of hostiles, consolidate their positions and relieve besieged Poonch.

(4) No major offensive operations appear planned for winter months. Except as above believe that India intends for time being to maintain present positions and await action by UN. We have no information causing us believe that GOI is planning all-out offensive in Kashmir. CINC states operations against Dras have so far caused Indian army ten killed and ten wounded and that operations against Mirpur and Mangla headworks not feasible account poor communications between Jammu and Naoshera and beyond whereas Pakistan has excellent parallel lines communication in its own territory adjacent Kashmir border.

We are of opinion Pakistan is exaggerating importance local operations Kashmir and that unless additional evidence can be adduced it would be unfortunate to press for cease-fire order on assumption India is planning a general offensive in immediate future. In view character terrain it would be impracticable effectively supervise cease-fire order during winter months.


HENDERSON

501.BC Kashmir/11-2048 : Telegram

The United States Representative on the United Nations Commission for India and Pakistan (Huddle) to the Secretary of State

SECRET

PARIS, November 20, 1948—11 p. m.

5967. Comkas 59. UNCIP approved and delivered to representatives GOI. GOP 20th draft plebiscite suggestions as basis negotiation agreed principles to govern plebiscite. Text being airmailed.

On 19th Zafrulla supplied UNCIP with text communication GOP to SC concerning alleged offensive Indian Army Jammu (Delga 821, November 18) which he had been instructed deliver to President SC. At suggestion UNCIP, Zafrulla revised his proposed letter of transmittal addressing it to UNCIP rather than SC. As delivered formally to UNCIP 20th letter requests “that the Commission may be pleased to transmit the Pakistan Government’s communication to the SC and to take such urgent action as the commission may, deem appropriate and effective to cope with the emergency”. Original draft had asked

1 A revised draft was transmitted to the Department in Delga A–103 from Paris, December 12, p. 475.

*Text transmitted to the Department by the Secretary of State in airgram Delga A–80, November 20, not printed (501.BC Kashmir/11-2048).
SC to take “urgent and immediate action”. Both texts being airmailed.3

UNICIP plans transmit Zafrulla’s letter to Bajpai with request for comment on allegations re Indian military activity and also intends informally intimate Bajpai its concern that any intensification military activities Kashmir by either side would jeopardize present UNICIP efforts towards peaceful settlement. UNICIP also intends transmit Zafrulla letter to President SC with explanation of negotiations in which UNICIP now engaged and undertaking keep SC apprised developments therein. UNICIP concerned lest debate over GOP allegations jeopardize pending negotiations re plebiscite conditions and prefers defer such debate in hope early agreement on plebiscite conditions may permit cease-fire and truce arrangements August 13 resolution to be carried out.

UNICIP also decided address letter SYG requesting appointment senior military advisor who would proceed to sub-continent and provide UNICIP with impartial reports military developments.

UNICIP interim report has been published as Document/1100.4 Copies being airmailed.

Sent Department as 5967, repeated London 1312. Department repeat to Karachi 11 and New Delhi 13.

[HUDDLE]

2 Copies transmitted to the Department by the Secretary of State in airgram Delga A-79, November 20. not printed (501.BC Kashmir/11–2048).
4 For text, see SC, 3rd yr., Suppl. for Nov. 1948, pp. 17–144.

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501.BC Kashmir/11–2048: Telegram

The Secretary of State to the Acting Secretary of State

SECRET US URGENT PARIS, November 20, 1948—9 p.m.

Delga 861. Cadogan supplementing démarche Delga 821 November 18, handed Jessup. text of message dated 18 November from UK Prime Minister to Nehru:

“I am informed that a communication is being made to the SC alleging that Indian Army and Air Force operating in Kashmir have recently been considerably reinforced and that Indian forces have started an all-out offensive in the state. I sincerely trust that you will be able to assure me that this is not the fact. Remembering the assurances from yourself and the Prime Minister of Pakistan when you were in London, I am sure that neither of you would wish to settle the fate of Kashmir by military force.”

Cadogan also in letter to Jessup today 3 reiterated his government’s serious view of situation and requested us to support move for SC

3 Not found in Department of State files.
meeting without delay. UK would want from SC immediate and unconditional cease-fire and suggests resolution this effect be sponsored by same six governments sponsoring SC April 21 resolution plus SC President. Cadogan stated he still unbriefed with respect question observers of cease-fire.

With letter Cadogan enclosed summary telegram received UK High Commissioner, Karachi, November 19. In substance it expresses GOP fear re aggravation Kashmir refugee problem which may mean collapse Pakistan, and impossibility fair plebiscite if GOI conquers all Kashmir. Cadogan called particular attention that portion High Commissioner’s message stating that if GOI not restrained in present military offensive, Pakistanis will in genuine despair experience nationwide revulsion of feeling favorable to Russia, and that this development would be sharpened by withdrawal British officers which under present policy would follow open GOI-GOP conflict. Karachi message concludes with statement re imminent risk General Gracey will feel obliged to throw in all Pakistan land and air forces.

Pending receipt of Department's instructions, we have today told Cadogan we feel action contemplated by UNCIP next few days (Comkas 59, November 20) is about as vigorous and extensive as any possible UN action by SC in this period. Difficulties involved in immediate cease-fire remain substantial without over-all political settlement and in light of India’s claim to this area.

Sent Delga 861, repeated London 1309. Department repeat to New Delhi as 12 and Karachi as 10.

MARSHALL

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2 Not found in Department of State files.
3 Douglas D. Gracey, Commander in Chief, Pakistan Army.
4 Sent as telegram 5967 from Paris, supra.

501.BC Kashmir/11-2248: Telegram

The Acting Chairman of the United States Delegation at the United Nations General Assembly (Dulles)1 to the Secretary of State

SECRET URGENT

PARIS, November 22, 1948—8 p. m.

Delga 880. US views as transmitted Gadel 536, November 19, were informally conveyed Cadogan (UK) today but only as possible action in event UNCIP efforts for peaceful settlement fail (Delga 861, and Comkas 59, November 20). We believe that question success or failure present UNCIP efforts will be settled within next few days and under-

1 Dulles became Acting Chairman of the U.S. Delegation in Paris upon the departure of Secretary Marshall on November 21. Austin had returned to Washington earlier because of ill health.
stand that UNCIP thinking favorable to future program along lines paragraphs 1, 6, 7, Gadel 536, if Paris negotiations break down. Question of observers not discussed.

Repeated London as 1322; Department pass to New Delhi as 14, to Karachi as 12.

DULLES

501 BC Kashmir/11-2248 : Telegram

The United States Representative on the United Nations Commission for India and Pakistan (Huddle) to the Secretary of State

CONFIDENTIAL

PARIS, November 22, 1948—11 p. m.

5994. Comkas 60. UNCIP 22nd approved and despatched letters to Zafrulla, Bajpai, Secretary General and President SC. Letter to Bajpai transmitted text Zafrulla letter 20th (Comkas 59 and Delga A-79) and requested of GOI “as a matter of urgency” their observations situation described therein. Letter concluded with appeal of GOI “to refrain from any action which might aggravate the military and political situation and thus endanger the negotiations which are at present being directed towards the preparation of a peaceful settlement”. Similar appeal contained in letter to Zafrulla acknowledging receipt his letter.

Letter to Secretary General over Colban’s signature reopened “as a matter of urgency” question appointment military adviser with combat experience and rank brigadier or higher.

Letter to President SC transmitted text Zafrulla letter 20th, reviewed negotiation in which UNCIP now engaged, summarized contents UNCIP’s letters to Bajpai, Zafrulla and Secretary General and undertook keep President informed further developments situation. Letter also stated “the commission envisages its return to sub-continent as soon as the development of the present consultations with representatives of the two governments here in Paris renders this desirable”.

[H U D D L E]

1 Not printed.
2 For text, see SC, 3d yr., Suppl. for Nov. 1948, pp. 14-17.
NEW DELHI, November 23, 1948—9 a.m.

1029. Nye British High Commissioner called on Nehru several days ago under instructions to discuss Pakistan charges of Indian offensive in Kashmir. Nye told me Nehru (1) denied India engaged in offensive or intended launch one near future; (2) described recent military action as limited defensive measures to relieve Poonch and head of [off] hostile column moving towards Leh. Nehru admitted about 5,000 reinforcements recently sent Kashmir allegedly provide more frequent relief for troops long there (Nye has heard from other sources figures somewhat in excess 5,000).

Nehru argued heatedly that although no offensive under way India had every moral legal right therefor and if one were launched Pakistan could have no reason complaining because Pakistan troops occupying Indian territory. Nye then said even if India had right to attack, as military man he could assure Nehru such offensive would end disastrously despite Indian superiority in numbers equipment training, etc. Further, he would stake his military reputation that India could not even in summer defeat Pakistani and tribesmen in Kashmir because of degree to which terrain and communications factors favored Pakistan. Even if his estimate were wrong, and India won military victory, it would be temporary unless India maintained indefinitely large garrisons in all Kashmir, GOI could be certain that at favorable moment tribesmen and Pakistan would again ravage Kashmir unless political settlement reached by Pakistan and India.

Nye assured me he endeavored drive home point that only final solution was political and military solution impossible for either side unless India should decide on war against all Pakistan. He told Nehru he did not believe any Indian Government would consider this because would be difficult for India survive as nation if it had face indefinitely millions hostile Moslems within and without.

In reply my inquiry Nehru’s reaction Nye said latter seemed unhappy and apparently did not feel in position to refute his arguments. He added he sincerely believed everything he told Nehru and with other British here would seize every opportunity impress on GOI leaders fact they must work out with Pakistan political solution of Kashmir as no other possible.

Sent Department 1029, pouched Karachi; Department pass London, Paris for GADel and Huddle.

HENDERSON
The Acting Chairman of the United States Delegation at the United Nations General Assembly (Dulles) to the Secretary of State

SECRET URGENT

PARIS, November 23, 1948–10 p. m.

Delga 900. We learned late today that president SC has called SC meeting for afternoon November 24 to consider: (1) Hyderabad question (in response Zafrulla Khan’s request be heard on this issue); (2) the UNCIP interim report; and (3) Zafrulla Khan’s letter November 20 delivered. UNCIP for transmission president SC re alleged Indian military activities Kashmir. Calling of SC meeting by Arce re Hyderabad had been anticipated but GADel had not expected open SC session on Kashmir especially after discussion November 22 between Lozano, chairman UNCIP and Arce in which Lozano understood it had been decided that it might be useful to have early SC closed meeting together with UNCIP for candid exchange views on future action towards Kashmir settlement.

We inclined believe Arce’s action probably responsive strong UK pressure past two weeks for early SC meeting on Kashmir.

This connection when our last views re SC action Kashmir were conveyed Cadogan (UK) November 22 (Delga 880), he said he would communicate London. While not wholly content with our point of view he did not raise violent objection. He did, however, raise following questions:

1. Is it wise at once to proceed under Chapter VII?
2. Are there not provisions in the truce arrangements of the resolution of August 13 which we would not want insist upon at this time?
3. What individuals are available to fill the places of military adviser and plebiscite administrator?

We deduce from foregoing that UK must have in mind SC call to parties for immediate and unconditional cease-fire under Chapter VI and that they are not kept [sic] on August 13 provision re withdrawal Pakistan troops.

Our feeling here is that keeping Department suggestions, Delga 880, in mind as possible basis eventual SC action, we should at this stage endeavor in agreement with UK and other interested members SC limit action to request by SC to UNCIP that: (1) it investigate GOP allegations re military situation (UNCIP might be able do this

\(^1\) José Arce, Representative of Argentina at the Third General Session of the United Nations and President of the Security Council during November.

\(^2\) For text of letter dated October 6 from Zafrullah Khan to the President of the Security Council, see SC, 3rd yr., No. 127, p. 28.

\(^3\) The proposed meeting was held on November 25, at which time the Council received the Commission’s interim report (S/1100) and discussed the military situation in Kashmir. Discussion of the Hyderabad question was postponed. For proceedings of the November 25 meeting, see SC, 3rd yr., No. 127, pp. 1–29.
through immediate appointment military adviser who would proceed India as quickly as possible) and (2) that UNCIP, in view its painstaking and careful work in sphere of cease-fire, truce, and plebiscite, submit to SC within a few days its conclusions or recommendations as to what action SC should take towards peaceful settlement Kashmir problem.

Department will appreciate that foregoing line at variance with probable UK insistence on immediate and unconditional cease-fire, but since present UK approach Kashmir problem appears extremely pro-GOP as against middle ground which we have sought to follow, it would seem necessary for us to continue adhere our present line, and we shall do what we can to achieve common ground with UK if at all possible to do so without breaking away from our carefully considered neutral path between GOI and GOP.

Related to question British views, on method settling Kashmir dispute, is the urgent need crystallize our thinking on military adviser and plebiscite administrator, especially latter. Cadogan’s third question, paragraph 3 pertinent here. Belgian representative UNCIP has already informally mentioned possible availability Belgian general for military adviser. Filling plebiscite administrator position will be much more difficult since all concerned favor man of very high calibre and international prominence. While important Commonwealth figure an attractive idea, we are inclined doubt acceptability parties such individual and strongly recommended Department gives serious consideration approaching such US personalities as Admiral Nimitz, General Wainwright or Stassen as preliminary and tentative move towards filling this important gap.

We would appreciate Department’s views as to soundness path we propose follow as outlined paragraph 5. Department will note that essential theme this approach is to build on foundations already established by UNCIP.

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* Fleet Adm. Chester W. Nimitz, Special Assistant to the Secretary of the Navy since 1947; Gen. Jonathan M. Wainwright, retired Commander of the Fourth Army; Harold E. Stassen, a candidate in 1948 for the Republican Presidential nomination and President of the University of Pennsylvania.

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501.BC Kashmir/11-2348: Telegram

The Secretary of State to the United States Delegation at the United Nations General Assembly, at Paris

SECRET US URGENT  WASHINGTON, November 24, 1948—3 p.m.

Gadel 571. Re proposed course SC action Kashmir (para 5 Delga 900). Dept agrees desirability immediate request UNCIP submit
overall conclusions soonest. Dept also agrees desirability prompt appointment mil adviser and his early departure subcontinent. However, we question desirability limiting SC action on current GOP allegations to request UNCIP investigate. This would almost certainly fail satisfy UK and others apparently influenced by them in favor some immediate action.

On other hand we of course agree undesirability immediate simple cease fire order. Therefore, we believe SC initial action should be (1) endorsement UNCIP’s previous requests parties take no action this time increase tension in area, (2) request UNCIP submit conclusions soonest and continue investigations current situation.

Further comments Delga 900 contained following tel.

MARSHALL

501.BC Kashmir/11-2348: Telegram

The Secretary of State to the United States Delegation at the United Nations General Assembly, at Paris

SECRET

WASHINGTON, November 25, 1948—1 p. m.

Gadel 582. Pending receipt info SC meeting following are further comments Delga 900.

1. Additional reason Dept questioned proposed SC action as stated point one para five is that from practical point view time would not permit report mil adviser be much utility immediate situation. Also felt desirable avoid any implication SC or UNCIP would await such investigation before taking any further action problem.

2. We do not understand Cadogan’s first question since we had assumed UK favored cease fire order under Chap. seven. We had in mind use only Art. forty for cease fire and truce. However when definitive SC action eventuates it may be found sufficient proceed under Chap. six or desirable refrain from specifying authorizing provision.

3. If question two refers provision truce proposals re withdrawal Pak troops, we continue feel this aspect so essential acceptable overall settlement that failure its inclusion as integral part plan would probably seriously prejudice GOI acquiescence any plan.

4. We have again consulted NatDef 1 re possible US candidate mil adviser. Some possibility Marine Corps may be able provide acceptable candidate. However suggest pursuing possibility Belgian general or following up previous tentative approaches Canadian General Sprye or other Commonwealth officer.

5. Re pleb admin Dept still reluctant abandon idea important Commonwealth figure and suggest you explore this with UK. However we

1 National Defense, i.e., National Military Establishment.
will explore immediately availability some American meeting qualifications mentioned urtel.

MARSHALL

501.BC Kashmir/11-2648: Telegram

The Chargé in Pakistan (Lewis) to the Secretary of State

RESTRICTED

KARACHI, November 26, 1948—11 a.m.

530. Reports from Paris indicate that in first part report UNCIP \(^1\) statement is made “the GOI signified their acceptance of the resolution as a whole. The GOP attached to their acceptance certain conditions which went beyond the compass of the resolution, thereby making it impossible for an immediate cease fire and the beginning of fruitful negotiations to bring about a peaceful and final settlement in Jammu and Kashmir.” Statement that GOI accepted resolution on August 13 “as a whole” implying GOI’s acceptance without any conditions has evoked unfavorable reaction here in light known fact that Nehru in his letters of August 20 to UNCIP did raise conditions precedent acceptance resolution, at least two which conditions were vital Pakistan. Acceptance by Commis letters August 25 \(^2\) Nehru’s interpretation resolution in no way eliminated fact that conditions had been attached by GOI to acceptance resolution. If reports from Paris are true UNCIP has for second time placed onus publicly on Pakistan for making impossible an immediate cease fire. I feel elemental justice requires a thorough understanding by UN and SC precise relationship Nehru’s letters August 20 to Commission’s resolution in order avoid unjust reaction against Pakistan in those bodies.

Ikramullah, Secretary Ministry Foreign Affairs, informed me yesterday he is instructing Zafrullah make determined effort bring this point home to SC. Ikramullah repeated all GOP desires is free and impartial plebiscite Jammu and Kashmir and GOP is entirely willing accept resolution August 13 and SC resolution April 21 as basis for plebiscite. In view, however, obvious difficulties conducting plebiscite, GOP now feels UNCIP and SC should give careful consideration possibility solution this problem on basis prewar census returns.

Sent Department 53, repeated New Delhi 92. Department please pass Paris 8 for Huddle and DelGA.

Lewis

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\(^1\) Interim Report, SC, 3rd yr., Suppl. for Nov. 1948, pp. 17-144.

\(^2\) For text of two letters from the Commission to Nehru dated August 25, see SC, 3rd yr., Suppl. for Nov. 1948, pp. 36-37.
The Acting Chairman of the United Nations Delegation at the United Nations General Assembly (Dulles) to the Secretary of State

SECRET URGENT

Paris, November 26, 1948—2 p.m.

Delga 943. As foreshadowed second paragraph London’s 4975, November 23,¹ UKDel agreed in informal meeting with GADel prior SC meeting November 25 to go along with idea that SC should as first move present phase Kashmir case restrict action to endorsement current efforts UNCIP restrained parties while negotiating with them re plebiscite principles. We also agreed that UNCIP should make early progress report to SC together with recommendations. As result, line taken by US and UK representative in short statements at SC meeting November 25 very similar and found strong support in SC.

Conversations with UKDel after SC meeting indicate, however, that should UNCIP not be able report success within next week, UKDel will again strongly press for unconditional cease-fire probably along lines calling upon GOI and GOP without prejudice to the final settlement to issue cease-fire order to all forces in Kashmir under their control or influence and requesting that they arrange for conference between respective commanders-in-chief to arrange details. In our reply this proposal we have stated our belief in wisdom contained adherence three-fold approach including cease-fire and truce program of UNCIP August 13 resolution and plebiscite recommendation and have particularly stressed point mentioned paragraph three Gadel 582, November 25. Reference paragraph two same cable, British see no need specifying chapter charter under which action taken but are inclined view that it is in any event unwise to view action between Chapters VI and VII, that is to place cease-fire and truce on “higher level” than plebiscite proposals.

We wish emphasize importance for success our present efforts to achieve Kashmir settlement of early action re plebiscite administrator. It is likely that stature of person available for this post may be determining factor in willingness parties put fate Kashmir in neutral hands.

Reference paragraph five Gadel 582, UK representatives have frankly told us that while British Government now strongly opposed idea Commonwealth administrator, they may possibly be able persuade London change view if US would suggest suitable Commonwealth candidate. They question wisdom selecting Casey (Australia) and doubt availability McNaughton (Canada) but mentioned Kirby

¹Not printed.
(Australia) as possibility. They continue hope, however, that possibility US national filling positions not entirely excluded.

Sent Department Delga 943, repeated London 1360, Department repeat Karachi 15, New Delhi 17.

Dulles

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501 BC Kashmir/11-1848 : Telegram

The Secretary of State to the Embassy in Pakistan

SECRET

WASHINGTON, November 26, 1948—6 p.m.

418. Dept's reply to Pak Emb note\(^1\) covering in substance developments in Kashmir given Lewis by Pak PriMin (urteil 524, rptd Paris No. 6, New Delhi No. 89, Nov. 18) follows:

"The Dept has noted carefully the info provided by the Emb. It is hoped, in view of the current efforts of the UN SC and the UNCCP to bring about a peaceable and equitable solution of the Kashmir problem, that the GOP will use its best efforts to prevent the extension or intensification of the hostilities in Kashmir, and to promote and contribute to an early peaceful settlement of the dispute."

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\(^1\) Not identified in Department of State files.

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845.00/11-2948 : Telegram

The Chargé in India (Donovan) to the Secretary of State

SECRET

NEW DELHI, November 29, 1948—3 p.m.

1044. Embassy has received copy secret report from High Commissioner's (UK) representative in Hyderabad based on personal observation and conversations with top Indian and Hyderabad officials and UK businessmen which reliable estimate conditions in Hyderabad state.

According report police action casualties Hyderabad forces were 1400 killed, 700 wounded. Initial entry Indian troops was followed by pillage, arson and murder by Indian forces, especially Sikhs. Disciplinary action soon brought troops under control. Military government is popular with public and is functioning efficiently. Major General Chaudhuri has gained high prestige for impartial handling of all disruptive elements.

Hyderabad Secretariat is continuing to function as before although some former officials have been dismissed and there is leaven of Indian civil servants. Nizam is powerless, has lost much prestige with former ruling class; heir apparent not impressive; Asaf Jahi dynasty seems finished.
Chaudhuri believes military government should continue six months but Nawab Zain Yar Jung thinks three to four months adequate. Both expect trouble when civil authority assumes control since no experienced group exists which can take control.

Swami Ramanand Tirth, leader State Congress, is Hindu communalist whose possible assumption of power is viewed with misgivings in all quarters.

Three battalions Indian infantry and two battalions state forces engaged in clearing Nalgonda and Warangal districts of Communists but even these forces insufficient.

Indian authorities are doing everything possible to rehabilitate state. There appear be no barriers to normal trade.

On November 12 Hyderabad experienced first communal plot in many years. Report states “danger of communal rioting evidently still exists and, short of exemplary military action, would be extremely difficult to bring under rapid control if an outbreak on any scale were to happen.”

Despatch transmitting complete report follows.¹

Sent Department 1044; pouched Karachi; Department pass London, Paris for GADel.

DONOVAN

¹ Despatch No. 1303, November 27, not printed.

K01.BC Kashmir/11-2948 : Telegram

The Secretary of State to the United States Representative on the United Nations Commission for India and Pakistan (Huddle), at Paris

SECRET

WASHINGTON, November 29, 1948—6 p.m.

4568. Kascom 43. For Huddle: Following excerpt from Weeka No. 9, Karachi’s No. 112, Nov. 26,¹ rptd for your info:

“Kargil and Mendhar now occupied by India. Actual opening line of communication Punch from south had been expected by Pak Army. Entire Azad territory east of Rajaori-Punch road now surrounded by Indian forces makes position of quarter million Muslims precarious. 50,000 refugees already in Pak and more moving. Azad morale weakened. Many senior brigadiers and major generals, Pak Army nationals with Kashmir battle experience, contacted by MA most anxious to launch counter-attack but being held back by CINO who still hopes that UN can do something. Any further advance by India sure to precipitate all-out counter-attack by Pak Army and use of Pak Air Forces. Regular Pak Army Forces increased in Mirpur area and plans.

² Not printed.
for counter-attack prepared. Pak national officers contacted feeling is that UN will not be effective and that final decision must be by force of arms and that the delay to date has given India much territory that should and could have been held if Pak Army was allowed to go on offensive.”

MARBALL

501.BC Kashmir/11-3048: Telegram

The United States Representative on the United Nations Commission for India and Pakistan (Huddle) to the Secretary of State

SECRET PRIORITY

PARIS, November 30, 1948—1 a.m.

Delga 993, Comkas 62. Informal UNCIP discussion with GOI and GOP representatives re UNCIP plebiscite proposals have now reached critical stage. While Zafrullah Khan has devoted hours to exposition GOP viewpoint before UNCIP and has raised such basic problems as complete withdrawal GOI troops before plebiscite, coalition state government, and provision of fullest and widest powers for plebiscite administrator (hereinafter referred to as PA), we have impression that he is prepared recede considerably if really outstanding PA should be available near future.

Bajpai appeared before UNCIP for first time today though chairman had several informal talks with him previously. In his informal presentation preliminary GOI views, he reiterated GOI objections coalition government and delegation detailed powers to PA which would enable latter “interfere” in matters other than plebiscite but stated no wide gap existed between GOI position and UNCIP proposals. Though apparently willing drop idea that PA be considered officer of state government, he stressed that powers PA should be derived that government. He agreed, however, that these powers should be sufficient ensure fair and impartial plebiscite. He indicated GOI view that PA should be person high stature commanding general confidence and implied that in such case detailed enumeration powers unnecessary.

In preliminary remarks Bajpai expressed hope UNCIP could return India very soon to continue discussions there since it is difficult “separate principles from detail” and mentioned necessity his own early return. Bajpai was informed UNCIP not presently inclined return sub-continent without some measure prior agreement.

From foregoing obvious that old divergencies still plague efforts at peaceful settlement. However, tendency is emerging on part both GOI and GOP to agree to designation PA of high stature and with broad but unspecified powers relating free and impartial plebiscite. Though such agreement would constitute only first step in peaceful
solution, it would bring cease-fire and truce into operation with all the advantages accruing therefrom and would place on scene a figure, who if he finds he cannot hold fair plebiscite, could make effort achieve alternative peaceful solutions in what should be better atmosphere than present. Indication availability outstanding figure would substantially facilitate agreement Paris.

Both GOI and GOP representatives have informally conveyed their hope to US representative that prominent American might be made available.

Sent Department Delga 933; repeated London 1387; Department repeat New Delhi 18, Karachi 16.

[HUDDE]

501 BC Kashmir/12-148: Telegram

The Acting Chairman of the United States Delegation at the United Nations General Assembly (Dulles) to the Secretary of State

SECRET US URGENT

PARIS, December 1, 1948—10 p. m.

Delga 1027. Reference Department's query re UK delegation thinking on SC action Kashmir (Gadel 613, November 29 1) we have been in close touch UK representatives and their approach to problem now nearer ours in that they now have abandoned idea simple cease-fire resolution. On November 30 they handed us draft resolution 2 along following lines:

1. Preamble refers to both UNCIP interim report and to expected supplementary report, commends UNCIP efforts, observes fighting has continued over one year, and concludes that since continuation dispute likely endanger international peace, fighting must cease “in order that negotiations for a settlement may proceed in calmer atmosphere.”

2. In Section (A) SC recommends that GOI and GOP simultaneously issue cease-fire orders in language somewhat similar part I UNCIP August 13 resolution but with distinction between geographic areas so as to terminate fighting within four days in area present GOI military effort and “as soon as possible” elsewhere.

3. In Section (B) SC instructs UNCIP send its military adviser and staff with observers to supervise cease-fire and to take action “with a view to the implementation of the proposals contained in part II of UNCIP August 13 resolution.” Subject adjustment details in light consultation “parties concerned.”

4. Section (C) “instructs” Secretary General nominate PA under 10 (A) SC resolution April “to proceed at the earliest possible date to Indian subcontinent” to arrange fair and impartial plebiscite on basis April 21 SC resolution with discretion to modify foregoing in light UNCIP revised suggestions and his own consultations.

1 Not printed.
2 Not found in Department of State files.
5. Section (D) provides that military adviser and PA report at once to UNCIP in event any difficulties, so that UNCIP may make recommendations to SC on problem.

6. In Section (E) SC "requests GOI and GOP to signify to President SC their acceptance of recommendations in resolution within five days."

UK delegation has expressed desire exchange views re foregoing with GA delegation immediately in order that after agreement we "sell" proposal to other SC representatives and push resolution through SC during next week so as to force parties take action under Section (E) prior adjournment SC December 16. We have told British we consider their proposal generally along lines our thinking, but that we could not predict precisely when present UNCIP negotiations would result in either success or failure and that we believe SC action should be coordinated with UNCIP efforts and recommendations.

Foregoing conveyed to British only as initial and informal reaction, and we shall continue closer working relationship with them as situation develops.

Sent Department Delga 1027, repeated to London 1404. Dulles

501.BC Kashmir/12-148 : Telegram

The Acting Secretary of State to the United States Delegation at the United Nations General Assembly, at Paris

SECRET    US URGENT    WASHINGTON, December 3, 1948—7 p.m.

Gadel 670. Dept agrees Gadel view (Delga 1027) SC action should be coordinated UNCIP efforts and recommendations. Subject this basic proviso Dept believes UK proposals constructive if modified along following lines:

Re section A we query necessity distinction between geographic areas in cease fire provisions. If retained for reasons of difficulty communications outlying areas, we suggest some formula to delineate regions on geographic basis without reference "areas present GOI military effort." Believe specific time limit, perhaps maximum ten days, should be added to requirement cease fire other areas soon as possible.

Section B appears on one hand implicitly endorse Part II UNCIP res and at same time place such emphasis on further negotiations as create risk further delay over agreement on "adjustment details." Since Part II UNCIP Res according its terms is only "basis for formulation truce agreement details of which shall be worked out in discussion,� we believe SC should affirmatively recommend Part II to parties, in addition to instructing UNCIP to supervise and work out details.
Section C similarly fails contain affirmative SC endorsement any basis for pleb. We feel this should be revised so that SC recommends that pleb be held on basis April 21 Res with discretion in PA to modify as necessary.

Lovett

501.BC Kashmir/12-448: Telegram

The Acting Chairman of the United States Delegation at the United Nations General Assembly (Dulles) to the Secretary of State

SECRET US URGENT

PARIS, December 4, 1948—9 p. m.

NIAC(T)

Delga 1056. For Satterthwaite and Sanders¹ from Jessup and Huddle. We had assumed from Gadel 613² that we were authorized use possible availability prominent American as important card in present UNCIP negotiations. Although no specific commitment given, UNCIP and representatives both parties have been informed that we had no objection to consideration of candidates of US nationality. While appreciating reasons which may have prompted view expressed (Gadel 671³) we feel that any statement by us now that US candidate excluded might seriously jeopardize current negotiations which are in extremely critical stage. We probably have only about another week in which to achieve possible pacific settlement in Paris of Kashmir question which as Department is aware, is key to peace and stability entire South Asian area. We cannot too strongly urge desirability Department giving urgent reconsideration to question availability prominent American for this position.

We feel that active steps should be taken ascertain availability specific person subject condition mentioned in last paragraph Delga 1018.

Following considerations pertinent this connection:

1. In an atmosphere better feeling between parties which would be reflected in agreement plebiscite principles possible unfavorable reaction toward US resulting from activities PA believed reduced. In any event fact UNCIP is international and that Belgians have approved appointment Lt. General Del Voye [Delvoie] as military adviser believed dilute possible attribution American responsibility. PA would.

¹ William Sanders, Acting Deputy Director, Office of United Nations Affairs.
² Not printed.
³ The reference is to the last sentence of a telegram dated December 2, not printed, which reads as follows: "It should be clearly understood that parties not yet agreed on UNCIP plebiscite proposals and that there is some doubt that pending such agreement PA could be chosen basis SC April 21 resolution without new SC resolution." (501.BC Kashmir/12-248)
of course be international official and this fact would be made abundantly clear. Calculated risk of this kind would appear preferable to policy avoiding any involvement in problem.

2. In discussions to date representatives both parties have evinced definite interest possible appointment American. In fact, they appear definitely prefer American. GOP representatives assert they could be certain PA would not be influenced through pressure brought on government his country only if he were a national powerful country like US. GOI representatives have responded favorably several names mentioned Gadel 613 and have also mentioned Justice Frankfurter.4

3. Countries from which PA can be selected highly limited in number. [Jessup and Huddle.]

Dulles

4 Felix Frankfurter, Associate Justice, U.S. Supreme Court.

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501.BC Kashmir/12-448: Telegram

The Acting Chairman of the United States Delegation at the United Nations General Assembly (Dulles) to the Secretary of State

SECRET US URGENT

Paris, December 4, 1948—9 p.m.

Delga.1062. UKDel has now transmitted (re Delga 1027) GADel revised text2 draft SC resolution Kashmir based latest instructions London. This supersedes draft described Delga 1027 which was only working paper.

Subject outcome UNCIP negotiations we have agreed participate joint UK, US, Canadian informal discussions thereon December 6.

Draft differs from previous working paper in that “progressive implementation of proposals contained part II UNCIP resolution August 13” definitely recommended and section E revised to include request that GOI and GOP “signify to President SC their acceptance recommendations part A of resolution with least possible delay.”

We shall be guided in our discussion with UKDel by Department’s instructions (Gadel 670, December 3) but feel that proposed SC resolution should, with respect to plebiscite, take into account not only April 21 resolution but should give particular weight to recommendations which UNCIP will submit on the basis of its negotiations regarding plebiscite principles.

Repeated to London as 1424.

Dulles

1 Not found in Department of State files.
The Acting Chairman of the United States Delegation at the United Nations General Assembly (Dulles) to the Secretary of State

SECRET US URGENT PARIS, December 7, 1948—9 p. m.

NIAC

Delga 1099. Our initial reaction latest UK draft re Kashmir (Delga 1062, September [December] 4) was that it closely paralleled our thinking. From further study text and informal discussion with UK representatives, it appears that net effect UK resolution in present form is to tie both parties firmly to cease-fire action present benefit GOP; to leave GOI without any definite commitment re. withdrawal GOP troops (paragraph 3 Delga 1062 inaccurate this respect); and although binding neither GOI or GOP to concrete plebiscite agreement, would place emphasis on SC April 21 plebiscite scheme which GOI will not accept. We understand full text this resolution has been repeated British Embassy and Department may obtain copy there. In informal meeting UK, US and Canadian representatives December 6 we expressed our misgivings and stressed desirability SC resolution which would recommend to parties implementation August 13 UNCIP resolution and present UNCIP plebiscite proposals which in our view represent more balanced approach and, therefore, have more chance acceptance. We prepared informal draft resolution along these lines as basis for further discussions US delegation.

Any SC action along foregoing lines dependent, of course, on outcome present UNCIP negotiations re plebiscite which may not be known definitely for several days. Gap between GOI and GOP positions smaller than it ever has been since inception SC consideration problem, but we obviously must also be prepared for failure only a few days before SC terminates present sittings December 16. In such contingency UK delegation may press for attempt push through some SC resolution before that date because of its strong feeling necessity cease-fire present Kashmir fighting.

Such an effort would appear inadvisable, because of brief time available for SC consideration; unlikelihood UNCIP report will be ready for several more days; lack of any alarming military news from Kashmir; and the difficulties which would confront one or both parties if called upon by SC to accept recommendations turned down only a week before; wiser course would appear SC consideration UNCIP report and recommendations at first possible January meeting Lake Success.
Would appreciate Department’s views.  
Sent Department Delga 1099, repeated to London as 1440.

Dulles

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²The Acting Secretary of State, in his telegram Gadel 715 of December 9, not printed, informed Dulles that the Department held similar views concerning the latest U.K. draft resolution (501.BC Kashmir/12-748).

501.BC Kashmir/12-448: Telegram
The Acting Secretary of State to the United States Delegation at the United Nations General Assembly, at Paris

SECRET US URGENT  WASHINGTON, December 8, 1948—5 p.m.

Gadel 704. Notwithstanding strong considerations mentioned Delga 1056, Dept still feels all possibilities non-American candidates PA should be explored by GADel before giving further consideration to American. As stated Gadel 613 names listed were being given preliminary consideration Dept and were transmitted for GADel’s reaction.

Would appreciate evaluation possibilities candidates mentioned Gadel 681.²

This connection London’s 5098 mentions three Commonwealth candidates military adviser who may possess qualifications PA. Suggest you explore these with UKDel.

However, for GADel and Huddle info only, should all efforts obtain non-American fail, selection American not precluded.

Lovett

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²Not printed.
³In Gadel 681 of December 4, not printed, the Department suggested two Swedish and three Latin American candidates (501.BC Kashmir/12-248).

501.BC Kashmir/12-1148: Telegram
The United States Representative on the United Nations Commission for India and Pakistan (Huddle) to the Secretary of State

SECRET URGENT  PARIS, December 11, 1948—4 p.m.

Delga 1159. Comkas 65. Bajpai appeared before UNCP December 10 to present latest GOI reactions to UNCP plebiscite proposals. Principal points difference between GOI and GOP positions follow:

1. GOP wants language used clearly indicating that PA should have powers he considers necessary whereas GOI phraseology stresses PA derivation of powers from state of Jammu and Kashmir and states PA “will be formally appointed to office” by the Kashmir Government.
2. GOI does not understand necessity introducing question final disposal GOI troops as part plebiscite arrangements. GOP insists on some formula to cover this question. In introductory remarks, Bajpai stated that GOI considers it, would be released from any obligations under proposed plebiscite agreement if parts I and II August 13 resolution not implemented. He added that Nehru had suggested UNCIP or representatives thereof come Delhi for further discussion plebiscite principles. While no commitment made regarding its future movements, UNCIP indicated to Bajpai that it now plans present its final proposals next few days for formal acceptance or rejection.

In UNCIP discussions regarding PA Robert LaFollette ¹ mentioned and Zafrulla also indicated interest in his candidacy in talks with UNCIP December 10.


[Huddle]

¹ Robert M. La Follette, Jr., former U.S. Senator from Wisconsin.

7455F.301/12-1148

Memorandum of Conversation, by Mr. Richard S. Leach of the Division of South Asian Affairs

CONFIDENTIAL

WASHINGTON, December 11, 1948.

During a conversation at the Department today, concerning Afghan security requirements, Mr. Aziz ² reiterated the view that cooperation between Afghanistan, Iran and Pakistan was essential if these countries were to be secure. However, Afghan agreement with Pakistan over the future of 6,000,000 Pathans ⁶ east of the Durand line, was a sine qua non for any real cooperation. He felt that some “middle ground” arrangement could be worked out with Pakistan which would be acceptable and viable. However, there should in any case be another and equitable plebiscite enabling the Pathans to opt for independence if they so desired. It was the Afghan hope that the U.S. would use its influence with the UK and Pakistan to bring this about.

He went on to say that Afghanistan feared the “denationalization” of these 6,000,000 Pathans—with their absorption into Pakistan they might in time become “semi-Punjabis”. This would be disastrous to Afghanistan because its survival as a national entity depends upon keeping the spiritual orientation of the Pathans toward Kabul, and being able to draw on them for military support. At the same time,

¹ Abdul Hai Aziz, Afghan Undersecretary of National Economy.
² Rather consistently referred to by Aziz as “Afghans” in this connection. [Footnote in the source text.]
Mr. Aziz says there are about 1500 “Afghans” in key positions in the Pakistan government.

Failure in bilateral negotiations to achieve the desired status for the Pathans (i.e. independence or something close to it) would make it necessary for the Afghan government to strengthen its ties and influence with these Pathan elements in the Government of Pakistan, possibly to accept some kind of federation with Pakistan in which the Pathans would have appropriate standing;

In response to queries Mr. Aziz said the economic advancement of the Pathans was more important to Afghanistan than it was to Pakistan and indicated that his Government was willing and able to undertake this burden. He further said the Pathans possessed leaders of sufficient stature and ability to organize a new state. Perhaps it would be feasible for Afghanistan and Pakistan jointly to support and cooperate with such a state, which would then be a source of strength to both of them, and would be an essential element in any regional defense plan.

The writer mentioned the difficulty Pakistan faces in assuming the responsibilities of statehood, and suggested that the injection at this time of controversial issues such as the Pathan question would complicate the problem and would not be conducive to the stability which this government hopes may be attained and preserved in the area. However he indicated that the, U.S. was aware of the complex and deep-seated nature of the tribal problem and was endeavoring to keep an open mind on the subject.

Comment: This is the first time the writer has noted an assertion by any of the Afghans of their economic ability to fend for their tribal cousins in Pakistan.

Leaving aside the question of any new referendum it would seem that real cooperation between Afghanistan and Pakistan not only cannot be achieved, but recurring trouble for both countries can scarcely be avoided until some move is made vis-à-vis the Pathans which will satisfy, partially at least, the Afghan desire to maintain prestige amongst them, without doing violence to Pakistan’s conception of its sovereign rights and legal position. At the same time there would appear to be a strong community of interest between the two countries in (a) the need for stability in the border area, and (b) regional defense possibilities. A step in the direction of cooperation might be consideration by both countries of some joint responsibility for the economic advancement of the tribal people.
CONFIDENTIAL

[Paris,] December 12, 1948—1 p. m.
Delga No. A–103. The United Nations Commission for India and Pakistan gave its unanimous approval on December 11 to the following proposals pertaining to a plebiscite in Kashmir, and has made these proposals to representatives in Paris of the Governments of India and Pakistan for their approval or rejection.

A representative of the Commission, Dr. Lozano (Colombia) has been designated by the Commission to proceed to the Indian sub-continent to be available for consultation with the respective governments while the proposals are under consideration. Dr. Lozano will remain in India only until the end of December and plans to be in Lake Success shortly after the beginning of 1949 to be present in the event of possible Security Council consideration of the Kashmir case.

A. The Commission reaffirms its resolution of 13 August 1948.

B. The Governments of India and Pakistan simultaneously accept supplementary to this resolution the following principles:

1. The question of the accession of the State of Jammu and Kashmir to India or Pakistan will be decided through the democratic method of a free and impartial plebiscite.

2. A plebiscite will be held when it shall be found by the Commission that the cease-fire and truce arrangements set forth in Parts I and II of the Commission’s resolution of 13 August 1948 have been carried out and arrangements for the plebiscite have been completed.

3. a. The Secretary-General of the United Nations will, in agreement with the Commission, nominate a Plebiscite Administrator who shall be a personality of high international standing and commanding general confidence. He will be formally appointed to office by the Government of Jammu and Kashmir.

b. The Plebiscite Administrator shall derive from the State of Jammu and Kashmir the powers he considers necessary for organizing and conducting the plebiscite and for ensuring the freedom and impartiality of the plebiscite.

c. The Plebiscite Administrator shall have authority to appoint such staff of assistants and observers as he may require.

4. a. After implementation of Parts I and II of the Commission’s resolution of 13 August 1948, and when the Commission is satisfied that peaceful conditions have been restored in the State, the Commission and the Plebiscite Administrator will determine, in consultation with the Government of India, the final disposal of Indian and State armed forces, such disposal to be with due regard to the security of the State and the freedom of the plebiscite.
b. As regards the territory referred to in A.2 of Part II of the resolution of 13 August, final disposal of the armed forces in that territory will be determined by the Commission and the Plebiscite Administrator in consultation with the local authorities.

5. All civil and military authorities within the State and the principal political elements of the State will be required to cooperate with the Plebiscite Administrator in the preparation for and the holding of the plebiscite.

6. a. All citizens of the State who have left it on account of the disturbances will be invited and be free to return and to exercise all their rights as such citizens. For the purpose of facilitating repatriation there shall be appointed two Commissions, one composed of nominees of India and the other of nominees of Pakistan. The Commissions shall operate under the direction of the Plebiscite Administrator. The Governments of India and Pakistan and all authorities within the State of Jammu and Kashmir will collaborate with the Plebiscite Administrator in putting this provision into effect.

b. All persons (other than citizens of the State) who on or since 15 August 1947 have entered it for other than lawful purpose, shall be required to leave the State.

7. All authorities within the State of Jammu and Kashmir will undertake to ensure, in collaboration with the Plebiscite Administrator, that:

a. There is no threat, coercion or intimidation, bribery or other undue influence on the voters in the plebiscite;

b. No restrictions are placed on legitimate political activity throughout the State. All subjects of the State, regardless of creed, caste or party, shall be safe and free in expressing their views and in voting on the question of the accession of the State to India or Pakistan. There shall be freedom of the Press, speech and assembly and freedom of travel in the State, including freedom of lawful entry and exit;

c. All political prisoners are released;

d. Minorities in all parts of the State are accorded adequate protection; and

e. There is no victimization.

8. The Plebiscite Administrator may refer to the United Nations Commission for India and Pakistan problems on which he may require assistance, and the Commission may in its discretion call upon the Plebiscite Administrator to carry out on its behalf any of the responsibilities with which it has been entrusted.

9. At the conclusion of the plebiscite, the Plebiscite Administrator shall report the result thereof to the Commission and to the Government of Jammu and Kashmir. The Commission shall then certify to the Security Council whether the plebiscite has or has not been free and impartial.

10. Upon the signature of the truce agreement the details of the foregoing proposals will be elaborated in the consultations
envisioned in Part III of the Commission’s resolution of 13 August 1948. The Plebiscite Administrator will be fully associated in these consultations.

C. Part I and Part II of the Commission’s resolution of 13 August 1948 will be put into effect without delay."

Send to: London New Delhi Karachi.

Dulles

501.BC Kashmir/12–1448: Telegram

The United States Representative on the United Nations Commission for India and Pakistan (Huddle) to the Secretary of State

SECRET

PARIS, December 14, 1948—11 a. m.

6285. Comkas 66. From Huddle. Commission held final meeting Monday before adjourning to reconvene Lake Success January 3. Lozano, Colombian delegate, plans departure this week for Delhi and Karachi to clarify questions which may be raised by either Indians or Paks regarding meaning of terms of plebiscite which have now been formally presented each government for their consideration. Lozano, however, is not empowered enter negotiations. If either government takes exception to proposals Lozano must refer back to commission. He expects to rejoin commission at Lake Success to report results his trip.

Military adviser preparing leave for sub-continent twenty-second December, and Ambassador Colban, personal representative Secretary General now acting secretary for commission will also go to sub-continent with small staff. Commission hopes this fragmentary representation may have soothing effect on present nervous relations two countries pending commission’s final action in this phase of situation.

Pakistan delegation headed by Zafrullah appeared before commission at Monday meeting and seemed more or less content with commission’s final proposals. Zafrullah however, I understand, insists on discussing Hyderabad before SC Wednesday morning, and what he says this subject may influence Indian action on Kashmir question. Indian attitude could not be ascertained clearly from Bajpai before his departure from Delhi, but by the Hyderabad or other maneuver Pakistan might now be able to throw burden rejection back on India.

Commission faces considerable reorganization. Argentine member Siri has already been replaced by Minister Leguizman; Czech member and present chairman, Korbel, anticipates severing his connection shortly after commission’s arrival New York under circumstances which I will explain fully when I arrive; Belgian Minister Graefle
has left commission and has not yet been replaced. Problem my own
continuance commission can be taken up in Department in few days
after my arrival. While Lozano was formerly anxious for release from
commission his present attitude not certain.

[Handwritten]

501.B.C. Kashmir/12–2148: Telegram

The Ambassador in India (Henderson) to the Secretary of State

SECRET

NEW DELHI, December 21, 1948—6 p. m.

1107. Paris, for Huddle. Lozano told me this afternoon that at meet-
ing with Nehru yesterday (Embtel 1102, December 201) latter raised
following questions regarding UNCIP December 11 proposals:

1. He objected to appointment of PA before parts 1 and 2 August 13
resolution carried out. Lozano pointed out PA would not commence
actual administration until then but essential he be appointed upon
acceptance GOI and GOP of UNCIP plan of settlement.

2. Nehru asked if December 11 proposals took priority over part
III August 13 resolution which did not exclude possible solutions
other than plebiscite. Lozano replied that proposals have priority and
will reiterate this in view danger that GOI after fulfillment parts 1
and 2 might seek avoid plebiscite and reopen whole problem. He will
emphasize that if December 11 proposals accepted plebiscite will fol-
low unless: (1) PA should find it technically impracticable; (2) one or
both parties fail to act in good faith or (3) both parties agree that
other means offer more practical solution.

As GOI has as yet raised no substantive objections text December 11
proposals and as progress made is so substantial answer which Lozano
receives should be indication whether India is really prepared accept
in good faith a plebiscite to determine will of population.

Cabinet discussing proposals today and Nehru may be able give
GOI reply tomorrow. Lozano at urging Bajpai has agreed remain
until December 24.

Both Bajpai and Lozano seem to be fairly optimistic.


Henderson

1 Not printed.
DISPUTE OVER KASHMIR AND HYDERABAD

Memorandum of Conversation, by the First Secretary of Embassy in India (Parsons).^{1}

[Extract]

SECRET

[NEW DELHI,] December 23, 1948.

Participants: Dr. Alfredo Lozano, Member United Nations Commission on India and Pakistan.

The Honorable Loy W. Henderson, American Ambassador to India.

J. Graham Parsons, First Secretary.

Dr. Lozano called at 4 p.m. and described in the strictest confidence the course of his efforts to persuade the Indian Government to accept UNCIP’s December 11 proposals. The gist of this conversation was reported in the Embassy's telegram of the following day but additional supplementary points may be of interest.

Dr. Lozano had with him but did not offer to leave with the Ambassador two memoranda drafted by Sir Girja Bajpai and approved by Nehru and the Cabinet on December 22. These memoranda contained Bajpai's version of Dr. Lozano's elucidation of the December 11 proposals and the Indian Government’s interpretation thereof and it was intended that they should be agreed to by the Commission on the one hand and the Government of India on the other. Inasmuch as the memoranda as originally drafted would in Dr. Lozano’s opinion have modified the Commission’s proposals he had explained that he had no authority to consent to modifications or to negotiate in that direction. His efforts therefore were directed at ensuring that his own elucidations, as contained in the memoranda, adhered strictly to the intent of the proposals. He said that he was not concerned with what the Government of India might say by way of interpretation inasmuch as that did not commit the Commission.

Following discussion of the various modifications which the Indian Government had tried very subtly to introduce, apparently with the intent of reserving to itself a freedom of action which the proposals themselves did not envisage, the Ambassador pointed out the importance of stressing still further to Sir Girja that the Commission was not committed by the Indian Government’s interpretations; whereas the latter, if it accepted the proposals, was fully committed to a definite course of action. The conversation revealed that Bajpai was still embarrassed by his failure to make clear to his Government that the Commission would have the ultimate authority as to the disposition of

^{1} Transmitted to the Department by the Ambassador in his despatch No. 1394, December 28; received January 12, 1949, not printed.
Indian forces following withdrawal of the Pakistan troops and tribesmen.

501 BC Kashmir/12-2448 : Telegram

The Ambassador in India (Henderson) to the Secretary of State

SECRET US URGENT

NEW DELHI, December 24, 1948—noon.

NIACT

1117. 1. Lozano left for Karachi this morning. Before departure he told us strictest secrecy, Nehru last night had orally accepted UNCSIP December 11 proposals as elucidated by 2 memoranda to text of which Lozano had agreed.

2. He added that GOI had sought modifications December 11 proposals during course conversations which (1) would give it freedom to keep or send troops to Kashmir if it should consider it necessary in order maintain security (2) would not call for entry plebiscite administrator on duties until Articles 1 and 2 of Commission’s resolution August 13 had been carried out (3) would not bind India consult with Pakistan regarding detailed arrangements until all Pakistan and tribal troops had been withdrawn (4) would not require holding plebiscite until all refugees in territory now held by Pakistan restored to homes.

3. He stated he had refused consider any interpretations which might change substance proposals and had rejected 2 memoranda suggested by GOI which contained interpretations in his opinion not intended by Commission. He proposed certain alterations in these memoranda to which Cabinet and Nehru agreed last night. The memorandum as revised are apparently to be attached to the written acceptance which he hopes receive from Indian High Commissioner Karachi.

4. Nehru asked that GOI acceptance be kept absolutely secret pending Pakistan action and formal announcement of commission so that public opinion India could be prepared for news.

5. Lozano asked that no intimation be given to anyone outside interested members Department and Huddle that have given us this information.

6. Indian attitude during conversations tends to confirm Embassy’s view that GOI mistrustful of what outcome of fair plebiscite would be; it has gone so far in direction plebiscite it is difficult for it to go back at this point; it has tried to lay down conditions and stipulations which would afford pretexts in future to refuse to go on with plebiscite. Lozano convinced he has preserved integrity December 11 proposals.

7. Lozano concerned lest delay in written confirmation GOI ac-
ceptance related to Indian Army reports resumption heavy shelling Poonch Airfield and communications to south and alleged Pakistan troop reinforcements this area together with shift to Pakistan Headquarters nearer front. He told us Indian CINC Bucher tried phone Pakistan CINC 23rd, but unable reach him, and he believes Indian Army worried that Pakistan drive to isolate Poonch again is imminent. On arrival Karachi he will urge Pakistan Government hold up any contemplated drive and, as added deterrent, hopes arrange for new UNCIP military adviser proceed front immediately after expected arrival Karachi 29th.

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HENDERSON

501.BC Kashmir/12-2748

The Chargé in Pakistan (Lewis) to the Secretary of State

SECRET

KARACHI, December 27, 1948.

No. 547

Subject: Kashmir Dispute: Acceptance by Pakistan of UNCIP Proposals.

Sir: I have the honor to refer to my telegram No. 551-A of December 25 and No. 552 of December 26, 1948 with regard to the acceptance by Pakistan of the UNCIP proposals for the settlement of the Kashmir dispute.

Dr. Lozano, accompanied by Dr. Colban, arrived at Karachi by plane from New Delhi early in the afternoon of December 24. During the course of the afternoon Dr. Lozano saw the Minister of Foreign Affairs, Sir Zafrullah Khan, for the purpose of ascertaining the reactions of the Government of Pakistan to the Commission's proposals. Following the meeting with Sir Zafrullah Dr. Lozano contacted me and told me that he felt encouraged by his talk with Sir Zafrullah. He told me in strict confidence that the Government of India had sent him their acceptance of the proposals just before his departure from Delhi that morning and he asked me to communicate the information to Ambassador Henderson as he had not been able to apprise the Ambassador of the result prior to his departure.

About 8:30 the following morning, December 25, Sir Zafrullah telephoned me and asked me to come to see him at his house at 9:30, which I did. Sir Zafrullah said that he had received a number of explanations and elucidations of the Commission's proposals from Dr. Lozano, and he narrated at some length what he described as the advantages and disadvantages of gambling on an acceptance of the proposals. He asked me what I thought about the matter. I told him

1 Neither printed.
that in my opinion Pakistan was over a barrel and that they had better accept the proposals. I added that I felt that from every point of view it was in the interest of Pakistan to accept them. Sir Zafrullah then said that he himself had arrived at that conclusion and that he was going to recommend their acceptance to the Cabinet that afternoon. However, he then stressed that he was basing this action on the hope that the U.S. Government would make available to the United Nations an outstanding retired Army or Naval officer to act as Administrator. He mentioned in this connection, as the type of officer he would like to see made available, Admiral Nimitz or General Wedemeyer. He said that Pakistan did not want a politician appointed to the post. I asked Sir Zafrullah what assurance he had, even assuming that such an officer were made available by the United States, that the officer would be appointed by the United Nations. He answered that he was confident in his own mind that if the officer were made available he would be appointed. I gathered that this suggestion was the primary purpose of Sir Zafrullah’s asking me to come to see him as he strongly emphasized on more than one occasion during the conversation the importance of the appointment of an American officer of the type in question as the plebiscite administrator.

A few minutes later I met by rearrangement Dr. Lozano and Dr. Colban at their hotel. Dr. Lozano reviewed at considerable length his conversations with Pandit Nehru. In view of the explanations and assurances which he stated that he had given to Nehru I asked Dr. Lozano if he had explained all this to Sir Zafrullah. He said that he had, that he had withheld nothing from Sir Zafrullah, and that he was hopeful that Sir Zafrullah would go along with him although he was by no means sure of this. In a second conversation which he was to have at noon with Sir Zafrullah he intended, he said, to give such further “clarifications and elucidations” as Sir Zafrullah might desire, so far as this was practicable but that he, if pressed too hard, also intended to inform Sir Zafrullah that he had no powers to negotiate or to enter into any commitments beyond those contained or implied in the Commission’s proposals.

Dr. Lozano met Sir Zafrullah at the appointed time. After further discussions they then had lunch with the Governor General. Further discussions ensued during the afternoon. The Cabinet met at the Governor General’s house at 6:30 and was in session until about 8:00 p.m.

The Cabinet’s decision was then made known to Dr. Lozano and Dr. Colban, and Dr. Lozano departed, in accordance with his schedule, for New York by Pan American plane during the early hours of the following morning, December 26. Immediately before his departure Dr. Lozano released the following statement:
"I came to the sub-continent to confer with the Governments of India and Pakistan on certain general proposals regarding the holding of a plebiscite in the State of Jammu and Kashmir as soon as normal conditions have been restored in order to ascertain the will of the people on the question of accession to India or Pakistan. "I am gratified that the discussions which I have had in New Delhi and Karachi hold out hopes of an amicable solution of the Kashmir problem. I am now returning to report to the Security Council and the United Nations Commission for India and Pakistan the result of my mission. "Meanwhile, I strongly appeal to the Governments, the people and the Press of the two Dominions to do everything that is in their power to create an atmosphere of mutual understanding and goodwill, without which no effort to settle the future of the State of Jammu and Kashmir peacefully can succeed."

I saw Dr. Colban at 10:30 a.m. that day, December 26, and he informed me in strict confidence for communication to Ambassador Huddle that the Cabinet's decision had been favorable. He then reviewed the recommendations which he was drafting for transmission to the Secretary General of the United Nations and said that he was proceeding the following morning to New Delhi to continue his work from that point. He was naturally immensely relieved by the action of the Government of Pakistan and expressed his warm gratification that Dr. Lozano's mission had been successfully accomplished.

While the Cabinet concurred with Sir Zafrullah's recommendations this is not to say that there are still no doubts concerning the eventual outcome or that there are no apprehensions that Pakistan's acceptance, or acquiescence, may not bring about a storm of protest from tribal elements in the North West Frontier and possibly also from the Azad Kashmir people. Wisdom, tact, judgement, patience and perhaps no little firmness will probably be required when the Government's action becomes publicly known. If Nehru has difficult elements—a point which Dr. Lozano said Nehru elaborated at length—in India to deal with, it might be well to bear in mind that there will probably be some difficult elements in this country also with which the Government of Pakistan will have to contend. It was no doubt a recognition of this that prompted Dr. Lozano, at least in part, to issue just before his departure his statement previously quoted.

It has just been noted in a telegram repeated from London that Sir Paul Patrick had expressed the view to a representative of the Embassy there that the Netherlands action in Indonesia would not help in the matter of Kashmir. I am inclined to feel that, although the Security Council's resolution on the Indonesian question did not by any means go as far as the Government of Pakistan desired, the precipitate action of Pakistan in vigorously championing the cause
of the Indonesians made it difficult if not virtually impossible for Pakistan logically, while calling indirectly on the Security Council for stern action in that matter, then to have brushed the United Nations aside in the matter of Kashmir. The latter would assuredly have been implied had Pakistan not accepted the UNCIP’s proposals. Logic of action amongst nations may not always necessarily be expected, but I believe that logic in this case may have played a strong part in Pakistan’s decision, combined with the certain knowledge that Pakistan would again have been saddled with the onus for the failure of the Commission’s efforts if the Commission’s proposals were not accepted.

Respectfully yours,

CHARLES W. LEWIS, JR.

501.BC Kashmir/12-3148: Telegram

The Ambassador in India (Henderson) to the Secretary of State

CONFIDENTIAL  NEW DELHI, December 31, 1948—10 a.m.

1128. Re Kashmir, Bajpai told me December 30 in strict confidence:

1. In accepting UNCIP proposals GOI has finally burnt its bridges so far as plebiscite concerned. There has been much worry particularly on part Abdullah at what outcome of plebiscite might be. Nevertheless, it has at length been decided that without peaceful liquidation Kashmir problem India cannot make progress in carrying out its plans of economic development or play its proper role in international affairs, particularly in Asia and that cooperation with UNCIP offers only hope peaceful settlement. There may still be certain hesitations in future and temptations to turn back but in his opinion decision will stand provided Pakistan demonstrates good faith.

2. GOI hopes that it will not be called upon to withdraw its forces from Kashmir to such extent that unruly tribesmen will be tempted to make forays across Pakistan into unprotected border areas.

3. General Bucher, yesterday with approval Nehru, sent message to General Gracey of Pakistan stating that Indian Forces prepared to stand still and cease firing immediately pending coming into force formal cease-fire provided Pakistan forces willing to do likewise.

Despite Bajpai’s statements we are inclined to believe that GOI may try in various ways to frustrate holding of plebiscite if it should later come to opinion that results likely be unfavorable.

Sent Department 1128, repeated London, pouched Karachi.

HENDERSON
501.BC Kashmir/12–3148 : Telegram

The Acting Secretary of State to the Embassy in India  

SECRET US URGENT WASHINGTON, December 31, 1948—6 p. m. 

758. From Huddle for Colban. Following message delivered today to GOI and GOP Embassies for transmission Nehru and Zafrullah (Message drafted in consultation with Korbel and Lozano and signed by me as Vice Chairman UNCIP):

“Members of UNCIP at Wash Dec 30 individually considered report of Min Lozano, and note with gratification acceptance by Govts of India and Pak of Commission’s proposals of Dec 11. Full Commission will meet at Lake Success Jan 5 to take formal action in acknowledgment replies of India and Pak and will immediately arrange proceed sub-continent, arriving there prior Jan 20. Commission feels terms final agreement should be made public at earliest opportunity and would like to decide this question at its meeting on 5th. Agreement GOI (GOP) govts to publication on 6th or soonest practicable thereafter would be appreciated.

“Commission confident competent authorities both govts will promptly initiate any preliminary steps which can be consistently taken facilitate implementation Part 1 resolution Aug 18, thereby avoiding any fortuitous incident which might jeopardize successful accomplishment aims now so auspiciously undertaken.”

[Huddle]

Lovett

1 Repeated to Karachi and London as telegrams 440 and 4834, respectively.
INTEREST OF THE UNITED STATES IN RESOLVING THE
DISPUTE BETWEEN AFGHANISTAN AND IRAN REGARDING DISTRIBUTION OF THE WATERS OF THE
HELMAND RIVER

[Discussion of this question continued in Washington in 1948 between Afghan and Iranian representatives under the informal good offices of the Department of State. The Department suggested the preparation of an advance study of the Helmand water flow by an American engineer and offered its assistance in the selection of an international fact-finding commission. Documentation on these developments, which continued through 1949, is in Department of State file 890H.6461.]

1 For previous reference to this subject, see Foreign Relations, 1947, vol. v, p. 780.
INTEREST OF THE UNITED STATES IN PRESERVING PEACEFUL RELATIONS BETWEEN AFGHANISTAN AND PAKISTAN REGARDING THE STATUS OF THE NORTH-WEST FRONTIER PROVINCE AND THE TRIBAL AREAS.

[Occasional reference to this subject is in the compilation on the dispute over Kashmir and Hyderabad, pages 265 ff. The principal documentation of the Department of State on this subject for the years 1947-1949 is in files 745.90H, 745F.90H, and 745F.90H15.]

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