

POLITICS IN THE UNITED NATIONS

INDIA APPROACHES UN

The genocidal repression let loose by the West Pakistani Army in East Pakistan in March 1971, led to spontaneous outburst of sympathy and support in India for the East Bengalee struggle for liberation. On 29 March, India formally approached the UN Secretary General, U. Thant, "to take initiative and advise or suggest restraint" to the Pakistan government, "and if at all possible, try to prevent this mass slaughter" in East Bengal(1). Soon the influx of millions of refugees into India from East Pakistan turned what was termed 'an internal problem' of Pakistan into a serious concern of India because of the economic, social and security problems created for her. India gave shelter to the refugees on humanitarian grounds but regarded the problem to be an 'international responsibility'. She made it clear that the only solution of the problem was a political settlement in East Pakistan acceptable to its elected representatives. On 23 April, India requested U. Thant for emergency assistance from the UN to bring succour and relief to the refugees(2). On 6 May, she made another appeal to the UN to take up direct responsibility for relief of the refugees as their crushing burden was fast depleting her meagre resources(3).

The UN Secretary General, while ignoring the Indian appeal for stopping genocidal repression in East Pakistan, issued appeals on 19 May and 16 June to all nations to provide relief for the refugees to reduce the crushing burden on India(4). This was like merely scratching the surface while ignoring the basic fact that the refugees could go back to their homes only if there was a political solution to the crisis in East Pakistan. And the response of the international community to the refugee relief was extremely inadequate - a sum of Rs.550 million till the end of November 1971, less than 11 per cent of the total estimated Indian expenditure of Rs.5,260 million(5).

India called for UN action against Pakistan for violation of human rights when the report of the Committee on Human Rights was discussed at the meeting of the UN Economic and Social Council (Ecosoc) in May 1971(6). Pakistan blocked any action on the ground that it would amount to an interference in its internal affairs(7). The Ecosoc meeting also discussed a suggestion mooted by the UN High Commissioner for Refugees (UNHCR), presumably at the

initiative of Pakistan, to send UN 'observers' or 'representatives' to East Pakistan border with India to help create favourable conditions for the return of the refugees(8). Pakistan endorsed the proposal but India was opposed to it as it would have only diverted the attention of the world from the real nature of the conflict and made it appear simply an Indo-Pakistani dispute. It would also have in no way helped in facilitating the return of the refugees.

India's suspicion of the political implications of the UN role in East Bengal grew as the UN Secretary General sent a memorandum to India and Pakistan on 19 July 1971(9), suggesting that a limited number of representatives of the UNHCR be posted on both sides of the India-East Pakistan border to facilitate the voluntary repatriation of the refugees. Pakistan accepted the proposal with alacrity as it was in accord with its efforts to treat the problem as an Indo-Pak one and would also have restrained the activities of the freedom fighters(10). The reaction of India, on the contrary, was sharp and indignant, as it equated her with a regime which had through barbarous atrocities in East Bengal imposed on her unbearable burdens. The main issue was finding a political solution in East Bengal which would give confidence to the refugees to return with safety and honour. There was nothing to watch on the Indian side as a fairly strong team of UNHCR officers, a large number of foreign observers and many international relief organisations had free access to all parts of the border and they had fully informed the world about the plight of the refugees and the Pak Army atrocities which had forced them to seek shelter in India(11).

Through a memorandum on 20 July(12), the UN Secretary General brought the problem to the attention of the President of the Security Council. The memorandum pointed out that the influx of refugees had imposed an enormous burden on India. In East Pakistan, international and governmental efforts to cope with two successive disasters, one of them natural(13), were increasingly hampered by the lack of substantial progress towards political reconciliation and the consequent effect on law and order and public administration. Mentioning that the territorial integrity and self-determination had been the cause of fraternal strife in recent history, the Secretary General added that the situation had been aggravated by the likelihood of an Indo-Pak conflict. The situation was a "potential threat to peace and security" and, therefore, the Security Council should take note of the problem'(14).

The Secretary General's memo indicated some

progress from the previous position when he tried to tackle the refugee problem ignoring the political causes that gave rise to it. India appreciated the Secretary General's concern at the deteriorating situation and was grateful that he had correctly hinted at the root cause of the struggle which was the denial of the right of self-determination, lack of willingness to arrive at a political reconciliation with the genuine political leadership of East Bengal and continued military repression by West Pakistan. India reiterated the fact that she had no territorial or political ambitions against Pakistan; she had given shelter to the refugees temporarily purely on humanitarian grounds and they could go back only if a political solution acceptable to the people was arrived at; and that the armed resistance activities in East Bengal were a spontaneous response to the military repression by Pakistan authorities. India hoped that the President of the Security Council would suggest steps for normalisation of conditions in East Bengal; ensure the safety and release of Mujib; set a time limit for political reconciliation with Mujib and Awami League leaders; make concrete recommendations for stopping the influx of refugees and for their return; and deal with the economic problems created for India by the influx of millions of refugees(15).

India took a firm stand that she would not participate in any Security Council deliberations based on the Secretary General's memo as that would side-track the main issue and make it an Indo-Pak problem. The Soviet Union fully appreciated India's position. The Russian ambassador, N.M. Pegov, assured the Foreign Secretary, T.N. Kaul, that USSR would veto any action by the Security Council on the basis of Secretary General's memo or other similar proposals and would do its best to prevent even any informal action by the UN(16). However, the matter was informally discussed by the members of the Security Council. The suggestion of posting UN observers received enthusiastic US support, but as the majority of the members were opposed to it, the matter was dropped(17).

BASIC ISSUES IGNORED

The problem created by the East Bengalee refugees influx into India featured prominently in the addresses of a large number of representatives at the 26th Session of the UN General Assembly in September-October 1971(18). Some of them expressed fear that the problem might lead to a war between India and Pakistan unless the flow of refugees was stopped and those already in India went back to their homes. Only a few countries linked the solution of

the refugee problem with a political settlement in East Pakistan acceptable to the representatives of the people. Most of the countries looked at the problem only from the humanitarian point of view and expressed the view that the situation in East Pakistan was "an internal matter for the people of Pakistan"(19). They chose to turn a blind eye to the crime against humanity and avoided putting pressure on Pakistan to ensure a peaceful solution of the problem.

The discussions at the General Assembly fully vindicated the Indian decision not to take the problem to the UN forum. This point had been examined in May 1971, and it was felt that without the open support from other countries, the matter would be reduced to a mere political gesture without in any way curbing the West Pakistani atrocities in East Bengal. The Security Council was not likely to arrange for the return of the refugees or take effective action for a political settlement or secure release of Mujib or even condemn Yahya Khan's regime for atrocities in East Pakistan. India would lose its options if it asked her to refrain from taking any further unilateral action or decided to post UN observers(20). When there was a great pressure on the government, in the Parliament and outside, to take the matter to the United Nations, the Minister for External Affairs, Swaran Singh, made the government's position clear by stating in Parliament on 28 June 1971: "I would like to say that this (the United Nations) is a gathering not of judges or jurists, or of people who take decisions on what is spoken to them but these are governmental bodies in which unless there is a governmental support at their capitals, merely making hard or tall speeches does not take us any farther. So, we have first to mobilise all the efforts in the various capitals, and if there is support for any proposition, only then it is worth-while taking it to a UN organisation(21).

PAKISTAN SEEKS AN INTERVENTION

In the hope of bringing in UN intervention, Pakistan in October 1971, raised the level of military confrontation by moving its troops right up to the Indian borders. As a defensive measure, India was compelled to move her troops also to the borders(22). At this stage the UN Secretary General made another attempt to deal with the problem by offering his good offices for mediation in communications addressed on 20 October, to the President of Pakistan and the Prime Minister of India(23). Pakistan naturally welcomed this initiative in the hope that this would not only prevent India from taking effective defensive action but would also help in bolstering the strength of the

West Pakistani Army against the freedom movement in East Bengal. The Indian Prime Minister in her reply to the Secretary General pointed out that she had repeatedly stressed the fact that the crisis had been created and aggravated by Pakistan's military repression in East Bengal(24). Pakistan was trying to sidetrack and cloud the basic issues by seeking to transform an internal problem into Indo-Pak confrontation. She called the "good offices" proposal as an "attempt to save the military regime" and suggested that the offer of good offices of the Secretary General could have been a constructive step provided it was directed towards bringing about a political settlement between the Government of Pakistan and the people of East Bengal, according to the declared aspirations of the latter. India would support his initiatives "If you are prepared to view the problem in perspective".

In a desperate and last bid to involve the UN in perpetuating his policy of repression in East Pakistan, President Yahya Khan in a communication to the Secretary General on 23 November, suggested that he would be willing to locate UN observers on the East Bengal side of the border with India as India was opposed to keep them on the Indian side(25).

India emphatically made it clear to the UN Secretary General that the various moves by Pakistan to involve the UN were attempts only to divert attention from the basic issue of the confrontation between the West Pakistani Army and the people of East Bengal. Pakistan was escalating the military confrontation to involve India diplomatically and politically which the latter was determined to do its best to avoid. Only a political settlement acceptable to the people of East Bengal could defuse the crisis. Though India was prepared to go it alone in not cooperating with the UN if it initiated any action ignoring the basic problem and treating the critical developments as an Indo-Pak problem, the USSR's unstinted support gave a great moral, political and diplomatic boost to her firm stand. The USSR ambassador repeatedly assured the Indian officials that the Soviet Union would always be available to defeat any proposal against the interests of India(26).

YAHYA TAKES THE PLUNGE - SECURITY COUNCIL

PLAYS POLITICS

Yahya Khan having failed in his attempts to bring about UN intervention which would have bailed him out from the endless attrition, his forces were facing in East Pakistan, took a gamble by attacking India in the Western Sector on 3 December 1971. He calculated that an open war was bound to bring about UN intervention and an immediate cease-fire and withdrawal of troops, which would enable him to consolidate his hold on East Pakistan and continue his ruthless military repression and control. He also hoped that the quick seizure of territory in the West would give him a strong bargaining counter to regain whatever India might occupy in the East.

The Permanent Representative of India, Samar Sen, and the Permanent Representative of Pakistan, Agha Shahi, conveyed to the UN Secretary General messages giving view points of their countries about the latest developments in the sub-continent. The Secretary General added those two messages (UN Doc.S/10410 Add.1)(27) to his report (S/10410) on the critical situation prepared a day earlier and submitted it to the Security Council for consideration. In the meantime, representatives of nine member countries(28) of the Security Council, on the initiative of the United States, addressed a letter (S/10411) to the President of the Security Council asking for an immediate and urgent meeting of the Council to consider the deteriorating situation in the Indian sub-continent. Consequently the Security Council was summoned to meet the same day, i.e., 4 December 1971.

As soon as the meeting of the Council commenced, Jacob Malik, the representative of the USSR, raised a procedural issue of considerable importance. He asked, first, that the letter of Justice Abu Sayeed Chowdhury, the leader of the Bangladesh delegation to the United Nations, be circulated as a Council Document. In the letter, Justice Chowdhury had asked the President of the Security Council to invite him to make a statement on the situation in Bangladesh. Secondly, Dr Malik asked the Council that Justice Chowdhury should be heard by the Council(29).

In the discussions that followed, except for the representatives of Argentina and China, no one objected to the letter of Justice Chowdhury being circulated as a Council Document and it was, therefore, accepted after some debate. But the second proposal of the Soviet representative did not get

approval. There was strong opposition to it among the members. Argentina's representative, Ortiz de Rozas, was of the opinion that the proposal, if accepted, would "be tantamount to interference in the internal affairs of a sovereign State Member of the United Nations"(30). Describing Justice Abu Sayeed Chowdhury as "the representative of rebellious elements within East Pakistan", Huang Hua, the representative of China, echoed the argument adduced by the Argentinian representative. Poland supported the Soviet proposal. India's Permanent Representative, too, in his statements made in the Security Council laid emphasis on the necessity and justification of an opportunity being given to the Bangladesh representative to be heard. Although most members, like Italy, Japan, Somalia, Syria and the United States, were not opposed to the proposal in principle, they wanted it to be deferred to a later stage "in order to expedite the discussion and in view of the urgency of the matter"(31). The President of the Security Council, therefore, ruled to defer the consideration of the question.

Though the Soviet representative put up determined and persistent efforts(32) on all the three days of discussions (i.e. 4, 5 and 6 December 1971) to secure for Bangladesh representative a hearing by the Council, the President did not change his ruling on the issue. Thus the Security Council decided, in the words of Samar Sen, to play "Hamlet without the Prince of Denmark"(33).

The above discussions appear important at least in one respect. They clearly indicated what lines various countries in the Security Council, or, for that matter, also in the General Assembly, were going to adopt on the deteriorating situation in the sub-continent.

Substantive discussion on the issue began with the statements from the representatives of Pakistan and India, who were naturally invited to the Council to participate in the debate. Agha Shahi, Permanent Representative of Pakistan to the UN, in his statement, levelled the oft-repeated charges against India of interfering in the internal affairs of Pakistan and of committing, what he called, acts of aggression on Pakistan. India's Permanent Representative refuted those charges and after giving the background of the developments in East Bengal, he blamed the military rulers of Pakistan for not caring to go in for a peaceful political settlement with the elected representatives of the people of East Bengal but trying to suppress violently and brutally the people's aspirations and now launching a large-scale

invasion on India to extricate themselves from the self-created mess in East Bengal. In his hard-hitting and forthright speech, Samar Sen, gave "a very serious warning to the Council that we shall not be a party to any solution that will mean continuation of oppression of East Pakistani people, whatever the pretext, whatever the ground on which this is brought about"(34). He further said that "if Pakistan, by bombing our villages, by raising a hue and cry of internal interference or crossing the frontier, believes that we shall just quietly take all these killings, I think they should think again. We will not permit our national security, our safety or our way of life, to be jeopardized by any of these means. Let there be no doubt about that"(35). Later on, while intervening in the debate on the US-moved draft resolution, Samar Sen made a dig at those speakers who were now showing concern for human lives and remarked that "had this concern for saving lives been matched with a similar concern for saving countless lives during the last nine months, it would have been a source of some comfort to my Government and the Indian people. What, indeed, has happened to our conventions on genocide, human rights, self-determination, and so on?"(36). In the same context, Sen asserted again that India was "not going to submit to any pressures or threats from any quarter. We reserve our right to take, and to continue taking, all appropriate and necessary measures to safeguard our security and defence against aggression from Pakistan. We should be failing in our duty if we did not make it absolutely clear that any interference in India's right of self-defence or any encouragement or cover to Pakistan's aggression will produce grave consequences to the peace and security of this whole region, and let the United Nations and all the members of the Security Council not fail to take full note of this warning"(37).

The three-day deliberations in the Security Council, i.e., on 4, 5 and 6 December 1971, on various resolutions showed that either due to predilections and prejudices of the country concerned or on the basis of merits of the case there were four distinct trends of opinion discernible among the members. One such trend, as represented by People's Republic of China, was blatantly anti-India and pro-Pakistan. It blamed Indian 'expansionists' and Soviet 'Social-imperialists' for committing "armed aggression against Pakistan"(38). China clung to the fiction that whatever the consequences of the developments in East Bengal, they remained "purely the internal affair of Pakistan" and "no one has the right to interfere in it". "The Security Council should surely condemn the act of aggression by the Government of India"(39), was

China's demand. Such speeches the Chinese could surely make, even if they could not do much more to prove their undying love and friendship for Pakistan and its military dictator. The Indo-Pak war, thus, gave China an opportunity to settle political scores with India and the Soviet Union.

The second group led by the USA, under the cover of concern for maintenance of peace, wanted to bail the Pakistani military junta out of the quagmire of East Bengal by arranging an immediate UN supervised ceasefire between India and Pakistan, converting thereby the whole issue into another Indo-Pak feud. That group of countries, particularly the USA, tried to give an impression that they were adopting a balanced approach to the question but theirs, too, was essentially an anti-India and pro-Pakistan stand. The only difference between their approach and that of China was that their support to Pakistan was subtle and the criticism of India was made in a more sophisticated manner. For instance, George Bush, representative of the USA, in his statement(40) made at the time of introducing his draft resolution on 4 December, put the blame for the deterioration of situation at India's doors by expressing regret that India did not accept the US proposal for withdrawal of troops. The US representative also complained against "the repeated violation of frontiers that has taken place in East Pakistan". Obviously, pointing an accusing finger towards India, George Bush warned that "the time is past when any of us could justifiably resort to war to bring about change in a neighbouring country that might better suit our national interests as we see them" - a noble principle which his own govt had forgotten while invading Cuba a decade earlier, and again forgot while invading Grenada a decade later. The attitude of the US and like-minded countries was thus of a false impartiality. The New York Times called it, 'mock even-handedness'(41).

The United Kingdom and France - two Permanent Members of the Security Council - represented the third approach. Although both were allies of the United States, they did not toe the American line. They adopted a balanced approach to the situation and called for a comprehensive solution(42). Their perception of the problems of East Bengal was more objective and nearer to the Indian stand although not the same.

USSR and Poland adopted a stand which was very close to that of India. In their view, the responsibility for the deterioration in the situation rested solely on Pakistan and now it was the responsibility of the international community to see

that Islamabad was made to come to terms with the elected representatives of East Bengal(43).

The four differing trends among the Security Council members, as manifested in their various statements on several draft resolutions, were canalised into two marked lines of approaches to the problem. One line gave top priority to immediate ceasefire between India and Pakistan and the withdrawal of their troops from one another's territory, but assigned little importance to the solution of the basic problem in East Bengal which was at the root of all the troubles. The second line of approach laid emphasis on simultaneity of the two processes, viz. ceasefire and withdrawal of troops, and the solution of the basic problem(44).

A seven-point draft resolution (S/10416) was moved by the US representative, George Bush on 4 December 1971(45). The draft resolution called upon India and Pakistan for 'immediate cessation of hostilities' and 'an immediate withdrawal of armed personnel present on the territory of the other to their own sides'. It also revived the old proposal of placing UN observers along the India-Pakistan borders and the UN Secretary General's offer of his 'good offices'. Only in paragraph four, the draft resolution called upon all concerned "to exert their best efforts towards the creation of a climate conducive to the voluntary return of refugees to East Pakistan".

The representatives of Argentina, Italy, Japan, Somalia, Syria, Belgium and Burundi, made statements in support of the US draft resolution, gave top priority to the question of a cease-fire and suggested that other issues could be tackled subsequently.

The US resolution, if implemented, would only have aggravated the crisis by enabling Yahya to strengthen his armed forces to carry out genocidal activities with greater ferocity, with the Mukti Bahini - totally ignored in the resolution - also stepping up their liberation struggle to meet the challenge. There was hardly any doubt that the dauntless nationalist spirit of the Bangladesh people was unsuppressible and was bound to succeed ultimately. The security, economic, social and human problems caused by about 10 million refugees which was the main concern of India would also have remained unsolved as they could not be expected to return as long as their butchers remained in Bangladesh.

The French representative, Kosciusko - Morizet, speaking after George Bush, succinctly analyzed the

situation(46). In his view "the situation has two aspects: one which is at the origin of the crisis and which is political in nature. It affects relations between the Government of Islamabad and the population of East Pakistan. It is subject to a political solution susceptible of receiving acceptance by both sides. The second aspect is derived from the first, by reason of the influx of refugees to India. It affects relations between that country and Pakistan. It has created a state of tension which after much violence has eventually reached the stage of open acts of hostility. A civil war has thus been transformed into a war between nations". Hinting at the limitations of the US draft resolution, the French Representative declared that "we appreciate the fact that India cannot feel satisfied with superficial solutions when it has millions of refugees under its care", and, therefore, he demanded, instead, "a substantive draft resolution".

Adopting almost similar line as the French representative, Sir Colin Crowe, representative of the UK, said that the whole issue was "a complex matter, and for that very reason, requires a comprehensive solution". He said that not only the conflict but also its causes were to be kept in mind and his delegation was to support only that proposal which was "likely to help us towards a satisfactory solution"(47).

The representative of Poland, Kulaga, stated that the fundamental problems were caused by the Pakistani authorities by their attempts "to overcome and throttle the resistance movement of the population of East Pakistan solely by military means, by oppression and force" and he emphasized that any effort "to limit oneself to the elimination of consequences without taking into account the actual essence of the problem cannot provide any positive results and cannot bring lasting peace to the sub-continent"(48).

The Chinese representative, Huang Hua, in his short intervention, spoke little about the issue under consideration but introduced international power politics in the sub-continental problems by using the UN platform to castigate Indian 'aggression' launched with the support of 'social imperialism' of the USSR(49).

Intervening in the debate, Jacob Malik, representative of the USSR, gave a befitting reply to China saying that "it is precisely chatter, prattle and demogogy about social imperialism that will defend imperialism and its policy of aggression..... It

defends military dictatorship, terror and oppression(50). Citing the report of the Secretary General of 3 December 1971 (S/10412) which clearly stated that it were the Pakistani troops which crossed the cease-fire line first at the Poonch crossing point, Malik took, those governments (meaning, obviously, the USA and China) to task for having attempted clearly "to shift the blame from the guilty party to the innocent party". Coming to the US draft resolution Dr. Malik asked the Council not to "close their eyes to the past" and pointed out how it would be wrong to put India and Pakistan "on the same footing". He called it "a one-sided and unacceptable draft". Referring to the statements of certain representatives supporting the US draft, the Soviet representative called it "a policy of the ostrich, a policy of closing one's eyes to reality, a policy of hiding one's head in the sand" since it ignored "what has been taking place since the beginning of this year, specifically since March of this year (i.e. 1971)".

When the Soviet request for postponing the voting on the US draft was not accepted, the Soviet representative cast negative vote on the US draft(51), and thus it stood vetoed (rejected).

Three more draft resolutions were proposed on 4 December, First S/10417, by Belgium, Italy and Japan; the second, S/10419, by Argentina, Nicaragua, Sierra Leone and Somalia, and the third, S/10418, moved by the USSR, ostensibly to secure some more time before voting on the US draft resolution took place. After the fate of US draft resolution was known, the draft resolution S/10417(52), which suffered from the same defects as the US draft resolution and S/10419, which, in its operative part, only called upon India and Pakistan to take forthwith all measures for "an immediate cease-fire and withdrawal of their armed forces" but ignored all other aspects of the problem, were not pressed for voting.

When, on 5 December 1971, the Security Council met in the afternoon, it had three draft resolutions for consideration: (1) S/10418 by USSR which was introduced the previous day; (2) S/10421 by China, and (3) S/10423, moved by eight non-permanent members - Argentina, Belgium, Burundi, Italy, Japan, Nicaragua, Sierra Leone and Somalia (called eight-power draft resolution)(53).

The Soviet draft resolution, in the first place, called for "a political settlement in East Pakistan which would inevitably result in a cessation of hostilities", and then, it called upon "the Government

of Pakistan to take measures to cease all acts of violence by Pakistani forces in East Pakistan which have led to deterioration of the situation"(54).

The Chinese representative put forward a draft resolution which, in its preamble, strongly condemned India for what it called "subverting, dismembering and committing aggression against Pakistan". The operative part of the draft resolution called upon India to withdraw its armed forces from Pakistan territory "immediately and unconditionally" and Pakistan to withdraw its troops it had "sent into Indian territory for counter-attacks". The draft also called upon India and Pakistan to cease hostilities and to disengage from each other "so as to create conditions for a peaceful settlement of the disputes between India and Pakistan". At the end, the Chinese draft called upon "all states to support the Pakistan people in their just struggle to resist Indian aggression".

The eight-nation draft called upon India and Pakistan to cease-fire immediately and withdraw their troops, and, in the second place, urged that "efforts be intensified in order to bring about, speedily and in accordance with the principles of the Charter, conditions necessary for the voluntary return of the East Pakistan refugees to their homes"(55).

Agha Shahi, representative of Pakistan, in his statement(56) criticised the Indo-Soviet Treaty and India's policy on the East Bengal problem. India's representative, Samar Sen, brushing aside "the Chinese delegation's standard accusations with standard indifference"(57), argued strongly in favour of an opportunity being given to a representative of East Bengal to be heard by the Security Council under its Rule 39.

As the approaches of various member countries were now well-known, it was not difficult to predict the fate of the resolutions before the Security Council. The Soviet draft resolution was first put to the vote. With the Soviet Union and Poland voting for the draft, China against and others abstaining, the Soviet draft resolution came to nothing. The Chinese draft, which was nothing but an outpouring of rabid anti-Indian tirade, was not put to the vote, on the request of the mover himself. Lastly, the eight-power resolution was put to the vote. It was vetoed by the Soviet Union.

The same day, five non-permanent members, Italy, Belgium, Japan, Nicaragua and Sierra Leone, and Tunisia (invitee), in a desperate bid "to get rid of a

resolution somehow or other"(58) introduced a three-para draft (UN Doc. S/10425)(59), which called upon "the Governments concerned forthwith, as a first step, for an immediate cease-fire", requested "the Secretary General to keep the Council promptly and currently informed of the implementation of this resolution", and decided "to continue to discuss the further measures to be taken in order to restore peace in the area".

When the debate resumed on 6 December, the French representative, Koseiusko-Morizet, in his statement read out a five-point resolution, which, however, was not formally submitted since he was convinced that "it would be faced with exceptions and objections"(60). Speaking next, the Soviet representative pointed out that "the approach that is proposed in the five-power draft resolution (UN Doc.S/10425) is inadequate"(61). Elaborating this point, Jacob Malik said: "the defect of the five-power draft resolution is precisely that in it the question of a cease-fire is not correlated with the question of the attainment of a political settlement in East Pakistan". In order to remove that shortcoming, Jacob Malik proposed a few amendments (S/10426)(62) in the five-power draft resolution. The proposed Soviet amendments would have called upon all parties concerned to observe an immediate cease-fire with the "cessation of all hostilities" simultaneously with Pakistan taking effective action for a political settlement acceptable to the duly elected representatives of East Pakistan. The Soviet representative also presented separately his own draft resolution (UN Doc.S/10428)(63) which was exactly what the Soviet delegation would have liked the five-power draft to be.

The implications of the proposed Soviet amendments being obvious, they would not have been acceptable to the sponsors of the draft resolution. The same was the case with the Soviet draft resolution S/10428. On the other side, the original draft resolution S/10425 was not acceptable to the Soviet Union. The fruitless exercise of putting to vote either the five-power resolution or the proposed amendments to it or the Soviet resolution was, therefore, not gone through.

During the course of the debate in the Security Council on 6 December, Samar Sen made a significant statement. He first read out the statement made by the Prime Minister, Indira Gandhi, in the Parliament declaring that "in the light of the existing situation and in response to the repeated requests of the Government of Bangla Desh, the Government of India

have, after most careful consideration, decided to grant recognition to the People's Republic of Bangla Desh"(64). Pointing out the importance of this step, Sen stated that "this recognition of Bangla Desh has put the relationship of India to Bangla Desh in a completely different legal, political and constitutional context; and I would request the Council to realize this new development before any decision is taken". After dealing with the developments in East Bengal before and after the military crackdown, Sen made the position of the Government of India on various resolutions absolutely clear. Firstly, Samar Sen said, "We cannot expect that any man of reason should equate India with Pakistan in any resolution or decision. We do not expect that, and we certainly do not accept it". "Secondly", continued the Indian representative, "we think it is wrong, illogical, undesirable - disastrous, even-to have to come to a decision without taking into account the point of view of the Bangla Desh representative, the representatives of the main party involved in these tragic circumstances". And thirdly, "We shall not, we cannot and we must not accept any resolution or decision which does not go to the root cause of the matter"(65).

The three-day debate in the Security Council on various resolutions and counter-resolutions had shown a clear cut polarization among its members. One side was insistent not to do anything worthwhile for removing the causes that caused the conflict but to somehow put a halt to the open hostilities. But the other side was equally determined to have a comprehensive approach which would remove the consequences as well as the causes of the East Bengal problem. The Soviet Union was not prepared to accept any resolution which did not mention solution of East Bengal problem as an essential condition but the United States and China were opposed to any resolution which put forward such a condition. The differences between the two sides thus appearing irreconcilable, there was no hope of any acceptable solution emerging from the Security Council.

With a view to escape from that stalemate, Somalia, obviously with inspiration from the United States, moved a 6-power draft resolution(66) in accordance with the General Assembly Resolution 377-A(V) of 3 November 1950 (better known as the "Uniting for Peace" resolution) to take the problem of the fighting in the Indian sub-continent to the General Assembly.

During the debate in the Council, on this six-power draft resolution, the Soviet representative, Jacob Malik, stated that his country "does not consider the transfer of the question to the General Assembly to be correct, either in terms of substance or from the procedural standpoint"(67). He declared that "it is entirely clear that the chief purpose" of the move to transfer the problem to the General Assembly "is to divert attention from the substance of the problem, from the main course of the conflict, to muddy the waters, to confuse the United Nations, and to avoid the adoption of a solution to the problem". The French representative, too, disapproved the move, stating that as a result of it "there will be new delays, new polemics, and in order to come to what? To a resolution, which will only be a recommendation"(68). The British delegate Sir Colin Crowe doubted the desirability of the step suggested in the draft resolution since it was "not likely to change matters or immediately overcome the limitations"(69).

However, when the draft resolution was put to the vote, the three above mentioned permanent members and Poland abstained. All other eleven members voting for it, the draft resolution was approved. The operative paragraph of the resolution said that the Security Council "Decides to refer the question contained in Document S/Agenda/1606 to the 26th session of the General Assembly as provided for in General Assembly resolution 377-A(V) of 3 November 1950"(70).

Thus, the Security Council admitted its helplessness in discharging its primary responsibility of re-establishing peace in the strife torn area, mainly because of utterly unrealistic and purely biased approach of the United States of America and China. The scene now shifted from the Security Council to the General Assembly, where the same drama was re-enacted on a much larger scale.

Meanwhile, on the battlefields on the other side of the globe, the Pakistani offensive had been decisively repulsed in Punch and considerably blunted in Chhamb. Pak armour, hammered by the IAF, had started fleeing from Longewala. By the time the UN General Assembly met in New York on 7 December, Jessore had fallen to the advancing Indian troops in Bangladesh.

GENERAL ASSEMBLY IGNORES BASIC CAUSES *

The Special Session of the General Assembly, which met on 7 December to discuss the conflict in the Indian sub-continent, had two draft resolutions on its agenda. The draft resolution A/L 647/Rev.I was sponsored by 34 countries, including its mover, Argentina. The draft "recognizing the need to deal appropriately at a subsequent stage, within the framework of the Charter of the United Nations, with the issues which have given rise to the hostilities" and "convinced that an early political solution would be necessary for the restoration of conditions of normalcy in the area of conflict and for the return of the refugees to their homes", in its operational part, firstly, called upon "the Governments of India and Pakistan to take forthwith all measures for an immediate cease-fire and withdrawal of their armed forces on the territory of the other to their own side of the India-Pakistan borders", and secondly, urged "that efforts be intensified in order to bring about, speedily and in accordance with the purposes and principles of the charter of the United Nations, conditions necessary for the voluntary return of the East Pakistan refugees to their homes".

The draft resolution moved by the USSR, A/L 648(71) was essentially the same as the one (S/10428) which it had moved in the Security Council on 6 December 1971.

The debate in the General Assembly also followed the same pattern as in the Security Council. George Bush, Permanent Representative of the USA, in his statement, gave a clean chit to the Yahya regime on almost all counts and declared that "India bears the major responsibility for broadening the crisis"(72). After accusing India for the conflict in very clear terms he declared that "we are not here - any nation - to assess blame". Supporting the draft resolution presented by Argentina, Bush hoped that the Assembly would "adopt over-whelmingly" the draft resolution.

The General Assembly debate provided China with yet another opportunity to give expression to its anti-Soviet, anti-Indian prejudices. Qiao, the representative of China, called the Indian government "an outright aggressor"(73). In his view, the Soviet government was "the boss behind the Indian aggressors". He virtually put forward a five-point resolution asking the United Nations to "strongly

condemn India's aggression" and "thoroughly expose the shameless support given by the Soviet social-imperialists to the Indian aggressors"; called upon all countries to support Pakistan; and also called upon India and Pakistan for immediate withdrawal of forces and cease-fire.

Jacob Malik, the Permanent Representative of the USSR, castigated the "initiators and inspirers" of the move to transfer the question to General Assembly as those who wished "to close their eyes to the reality" and resisted elimination of the main causes for "the serious political crisis in East Pakistan"(74). Criticising the United States and China without specifically naming them, he said, "it was the fact that two great powers, because of their political orientation and ideological conceptions and military-political commitments, proved unable to rise above their narrow, selfish considerations and aspirations". Replying to the Chinese accusations against the Soviet Union, he said, "social imperialism is as great an absurdity as fried ice" and "it is being used for base slander and anti-Sovietism by the traitors to socialism and schismatics of China"(75).

As regards Pakistan's motives, Malik reiterated the Russian view that the Pakistani authorities had launched an attack on India "to find a way out" from the uncontrollable fast deteriorating situation in East Pakistan, which was of their own making. "Having initiated the military action, they obviously hoped to transform the domestic problem of East Pakistan into an international one, and therefore to solve it through interference by the great powers and the United Nations"(76). Many countries had rightly emphasised the cease-fire between India and Pakistan but what was objectionable was that "some of them - and not a few - either by accident or deliberately, have left out of account another related problem - the need for the immediate elimination of the prime cause of the conflict"(77). This is why the Soviet Union had put forward the proposal (A/L-648) which envisaged that "there should be, simultaneously, a cease-fire, an end to the bloodshed and hostilities, and the beginning of a political settlement of the problem of East Pakistan on the basis of respect for the lawful rights and interests of its people".

The Permanent Representative of the UK said that object of his government had been "to try to find if there were some ways to stop the fighting and which might lead to a sane and just solution"(78). Expressing his doubts about the utility of either of the pending draft resolutions he pointed out that the on-going debate had shown, "how deeply important

sections of opinion among us are divided" and, therefore, "we do not think that the passage of either draft resolution would really contribute to a settlement - and that is what counts"(79). Sir Colin Crowe was of the view that "the Security Council is still the main forum through which, perhaps by means of bilateral consultations inside and outside, we should explore possibilities to try to overcome the difficulties, halt the fighting and find solutions to the desperately complicated issues which gave rise to the outbreak of war"(80).

Kosciusko - Morizet, representative of France, said that "to urgently seek a realistic and effective solution"(81) was their duty. Pointing out the shortcomings of the two draft resolutions under consideration, he said that they "reflect the division" among the members and they "have been left behind by the progress of events". In his view the "only realistic measure, before all else and without prejudice to what may be decided subsequently, would be to obtain the cessation of hostilities - of all hostilities(82).

Samar Sen, who was one of the early speakers on the subject in the General Assembly, gave a detailed account(83) of the developments in East Bengal, particularly since March 1971, and India's efforts to draw the attention of the international community to the serious fallout on India of the tragic events in East Bengal and remarked: "Had the United Nations recognised these factors earlier, it would have been able to influence the developments of the present crisis". After that, in view of the intensifying resistance of the East Bengalees to the repressive tactics of the Pak Army, the only possibility open to the military rulers of Pakistan "was to involve India in a military conflict so that the world's attention would be diverted from what was happening in East Pakistan and so that a face-saving escape might be provided"(84), stated Sen. And now, he continued "once again when the realization came" to the Pak military junta "that even armed aggression against India would not succeed, United Nations help was invoked". Replying to the oft-repeated Pakistani allegation that India was dismembering Pakistan, Samar Sen said that "it was in fact Pakistan which was dismembering itself all these months". Commenting on the 34-nation draft resolution he pointed out that "the hostilities are taking place not only between the armies of India and Pakistan, but also between the Pakistan army and the Mukti Bahini of Bangla Desh. No cease-fire could be realistic or effective if it did not take into account the Mukti Bahini. No withdrawal of forces could be effective or realistic

if it did not cover the occupation forces of Pakistan in Bangla Desh"(85). Samar Sen made it quite clear that "in so far as the implementation of any resolution of the Assembly is concerned, nothing can be done unless it is acceptable, to the Government of Bangla Desh". In a subsequent intervention, Samar Sen drew the attention of the Assembly to the inadequacies of the 34-nation draft resolution saying that it was "unrealistic, irrelevant and, ... even dangerous. It is unrealistic, because it is not one kind of battle that is going on in the sub-continent, it is two kinds of battle that are going on. There is a battle between Indian soldiers and Pakistani soldiers brought about by Pakistani aggression, and a battle between the Mukti Bahini and Pakistan soldiers brought about by Pakistani repression. What this draft resolution tends to do is to stop one kind of battle and leave the repression part, resistance part alone. This obviously will not work"(86).

Agha Shahi, in his statement once again harped on the non-use of force in international affairs, interference in internal affairs and breaking up of the integrity of his country and, in utter disregard of the facts, alleged that "it was India which, by its interventionist role, caused and aggravated Pakistan's internal crisis and then used that crisis as a pretext for unleashing aggression against Pakistan"(87).

Apart from the above mentioned countries, another fifty countries expressed their views on the issue. The draft resolution was then put to the vote. It was adopted (A/RES/2793 (XXVI), on 7 December 1971) by 104 votes to eleven(88), with ten abstentions(89).

Pakistan's Permanent Representative, Agha Shahi, described the voting as "over-whelming historic vote"(90). But a critical analysis of the voting pattern and speeches made by a large number of countries among the 104 who cast an affirmative vote would show that they voted for reasons other than support to Pakistan's allegations of aggression by India or opposition to the Indian view point that peace could be restored only by solving the basic reason - the want of a just political solution in East Pakistan - which had led to the war. No doubt, some of the countries supported the resolution because of their well-known anti-Indian prejudices or blind support to Pakistan because of religious affinities. Pakistan itself and the countries like USA, China, Israel, Albania, Portugal and South Africa came in the former category, while the Islamic countries belonged to the latter category. It was indeed ironic that the Islamic countries were moved only by the consideration of preserving the unity and integrity of a premier

Islamic country, Pakistan, but ignored the fact that the vast majority of East Bengalees, whom the Pak Army had subjected to mass massacre, and rape were, also Muslims. In this connection, it is significant that Afghanistan and Oman - two members of the Islamic group - were among those who abstained from voting. There were also a number of small countries like Fiji, Costa Rica, Malta, Togo, Haiti and Philippines which presumably because of political, economic and military reasons could not afford to take a line different from that of the United States, which, it was no secret was the main spirit behind the 34-nation draft resolution. Moreover, there were several countries of Asia and Africa like Ceylon (now Sri Lanka), Chad, Congo, Cyprus and Ethiopia which faced problems of instability and secession at home. They felt that the success of the Bangladesh movement might set a harmful precedent for the disgruntled and disruptionist elements in their own country. Due to their coloured vision they failed to see that the liberation struggle of the East Bengalees was of a majority of the people of Pakistan against a tyrannical minority.

In fact, a big majority of the countries which cast affirmative votes could not be supposed to have voted against India or India's basic stand on the issue. It was, as a matter of fact, "an acceptance of the standard formula for cease-fire and withdrawals"(91), and it amounted only to unwillingness on part of those countries to consider simultaneously, rather than refusing to recognise, the realities of the situation and the basic issues involved. Their prime concern was to stop the war and bloodshed forthwith. Everything else could be left to be tackled subsequently(92). For example, Canada, Fiji, Malaysia, Algeria and Italy (the last two were among the sponsors of the draft resolution), in their statements, emphasized that cease-fire should be achieved first and at a subsequent stage, the issues which gave rise to the hostilities could be dealt with appropriately(93).

Countries like Cyprus, Greece and Yugoslavia, whose representatives, "blamed Pakistan for suppression in East Pakistan and for violation of human rights"(94) and held that "the crisis would not be over till basic cause of the conflict was removed and political settlement reached", supported the 34-nation draft at the time of the vote. The Netherlands, Gabon, Mexico, Peru and Sweden, besides the above three countries, were also of the view that the problem would not be solved till the basic causes of the conflict were eliminated and an acceptable political settlement was arrived at. But they cast their vote in favour of the draft resolution.

Madagascar and New Zealand, like Cyprus, Yugoslavia, Gabon and Peru, in their statements made in the General Assembly "specifically linked the political settlement with cessation of hostilities and withdrawals, etc", still they voted in the affirmative on the 34-nation draft resolution. It is also interesting to note that countries like Sierra Leone (one of the sponsors of the 34-nation draft resolution) and Gabon wanted both the draft resolutions - A/L 647 Rev.1 as well as the Soviet Union's A/L 648 - to be adopted(95) or their texts to be combined(96) to enable the resolution to command a wide measure of unanimity and effectiveness. Both Sierra Leone and Gabon, obviously, voted for A/L 647 Rev.1 and since the other draft was not asked to be put to the vote, their opinion ultimately remained recorded in favour of the 34-nation draft resolution.

It appears that a majority of the countries were mainly doing something to salvage the prestige of the United Nations by supporting a resolution calling for an immediate end to the hostilities. "Although they differed in their assessments of the situation on the Indian sub-continent, the members shared an immediate concern about doing something to uphold some of the basic principles of the UN Charter or, in any case, to make it at least appear that these principles had been upheld"(97). They failed to realise that the situation which had arisen in the sub-continent was unprecedented. The fire which was raging could not be stopped by playing politics in the UN heedless of history and of justice and giving a routine call for a "cease-fire" without tackling the root cause.

The Secretary General conveyed the General Assembly resolution telegraphically to India and Pakistan and sought their views on it. Pakistan promptly conveyed its acceptance(98). Islamabad also decided now to put every effort to secure a more active UN intervention in the conflict. Z.A. Bhutto was designated Deputy Prime Minister and Foreign Minister of Pakistan and despatched to New York for that purpose.

As regards, the Indian response, an official spokesman, in his briefing to the Press on the subject, said that India would politely but firmly reject the resolution "as an impractical an unrealistic solution to the situation in the sub-continent"(99). But, for conveying their formal response to the telegraphic message of the Secretary General, the Government of India took its own time. Mrs. Gandhi, on 9 December, declared that the resolution was "under consideration of the Government. India had neither accepted nor rejected it"(100).

Finally, on 12 December, a formal reply(101) was sent by India in which it was stated that "there can be a cease-fire and withdrawal of India's forces to its own territory, if the rulers of West Pakistan would withdraw their own forces from Bangla Desh and reach a peaceful settlement" with the people of Bangladesh. It was further stated that Bangladesh fulfilled all the conditions for separate existance and India had recognised the new state. It then asked: "In these circumstances, is it realistic to call upon India to cease-fire without, at the same time, giving a hearing to the representatives of Bangla Desh whose armed forces are engaged against the forces of West Pakistan?"(112). In conclusion, the letter said that "in the light of the facts set out above, the United Nations will consider once again the realities of the situation, so that the basic causes of the conflict are removed and peace is restored. Given an assurance of a desire to examine these basic causes with objectivity, India will not be found wanting in offering its utmost cooperation". Thus, indirectly, India politely rejected the resolution of the General Assembly.

Irrespective of the merits of the General Assembly resolution and the motivations of individual countries at the time of the vote, the Government of India felt concerned over the fact that 104 of them had voted for a draft resolution to which India was opposed. It was, therefore, decided to send a high level delegation consisting of Sardar Swaran Singh, Minister of External Affairs, T.N. Kaul, Foreign Secretary, G. Parthasarathi, a former Permanent Representative of India to the UN, and Prof. Nurul Hassan, Minister of State for Education, to the United Nations who could acquaint different delegations to the United Nations, probably in a more effective way, with the Indian point of view as well as get from them a clearer appreciation of the reasons which made them support the 34-nation draft resolution. This delegation would have also raised the level of India's participation in any further proceedings in the United Nations.

USA REACTIVATES SECURITY COUNCIL

While war ravaged the Indian sub-continent, the UN continued to play politics. The General Assembly resolution of 7 December 1971 having failed in securing what it was expected to, the United States, again requested(103) the President of the Security Council on 12 December to convene its meeting immediately, stating stridently that it had "an obligation to end this threat to world peace on a most urgent basis".

This new urgency and talk of threat to world peace was related to the crucial developments on the far away battlefields. India had delayed its formal reply to the General Assembly resolution till 12 December and the USA also urged the Security Council meeting on 12 December. By then the Pak offensive in Chhamb also had been halted and thrown back on the night of 10-11 December. In the Barmer Sector of the Western Front, Indian troops had occupied Chachro and were approaching Naya Chor in Pakistan on 8 December. In Bangladesh Chandpur, Comilla, Ashuganj and Daudkandi had all been occupied by Indian troops on 9 December and the mighty Meghna river had been crossed by India's 4 Corps on 9-10 December. The para drop at Tangail had taken place on 11 December. Reeling under these hammer blows, the Pak forces in Bangladesh were clearly on their last legs, and defeat stared Pakistan in the face. That was the context of the Indian reply, which no longer referred to a political solution acceptable to the East Pakistan elected representatives and demanded instead the withdrawal of West Pakistan forces from Bangladesh calling it an independent new state. These battlefield developments also explain the urgency and seriousness of the US request for a Security Council meeting.

The Council was convened the same day. The representative of the United States, George Bush, moved a draft resolution (UN/Dec S/10446)(104), which, noted "General Assembly resolution 2793 (XXVI) of 7 December 1971, adopted by a vote of 104-11-10" and Pakistan's acceptance of the resolution and "India's failure to do so". The first operative paragraph of the draft resolution called upon the Government of India "forthwith to accept a cease-fire and withdrawal of armed forces" in accordance with the General Assembly resolution. The six remaining paragraphs of the draft were more or less a repetition of the General Assembly resolution. Later on, since the formal response of the Government of India (A/8580, S/10445) was received and the Japanese representative had requested to do so, the US revised the draft(105) by replacing "India's failure to do so" by reference to India's reply. The following new para was added in the preamble of the draft resolution: "Regretting that the Government of India has not yet accepted an unconditional and immediate cease-fire and withdrawal as set forth in General Assembly resolution 2793(XXVI)". However, the main operative part in the original one - a call upon the Governments of India and Pakistan for an immediate cease-fire and withdrawal of troops from each others' territories.

While introducing the draft resolution, George

Bush strongly criticised India. He issued a 'good character certificate' to Pakistan and squarely held India responsible for the conflict. Also Bush raised questions about "further intentions"(106) of India. He asked: "Does India intend to use the present situation to destroy the Pakistan army in the West? Does India intend to use as a pretext the counter-attacks in the West to annex territory in West Pakistan? Is its aim to take parts of Pakistan-controlled Kashmir?" He wanted to be assured by India that she did not intend to do any of those things.

Foreign Minister Sardar Swaran Singh, who now represented India in the Security Council, replied to the US representative's allegations and commented frankly on the US-moved draft resolution in his statements made the same day (12 Dec) and the day following(107).

Giving the historical background of the events which led to the tragic conflict, Sardar Swaran Singh said that the basic problem had originated from Pakistan's "denial, by coercive authority and brutality, of the legitimate and declared aspirations of the people of Bangla Desh". Following the "consistent pattern of antagonism and hostility which has characterized Pakistan's policies towards India", Swaran Singh stated, the rulers of the Pakistan, in an attempt "to confuse the issue" "shifted the blame onto India" and ultimately, converted the "war in Bangla Desh" into "a war on India" by launching "a premeditated and massive aggression against India"(108) on 3 December 1971, so that attention would be diverted from the evil and destructive policies of West Pakistan in East Bengal. In the light of the above, India's Foreign Minister submitted that the appeal for stopping hostilities should be directed to the Government of Pakistan(109).

Coming to the then existing situation, the Foreign Minister of India said that "any solution to the present conflict will have to take into account the views of the Government and people of Bangla Desh"(110). He added that "if the Security Council wants to ensure peace and security in the present crisis", it would have to take note of "the successful struggle of the 75 million people of Bangla Desh to assert their birthright of freedom and independence. Any proposal or resolution of the Security Council that does not take note of the existence of the Government of Bangla Desh, established by the democratic Will of the people, and the fact that it is in effective control of its territory, would be a hollow and empty resolution devoid of any effect". It

was, therefore, "imperative for the success of any proposal for a cease-fire, not only in Bangla Desh, but also in the west"(111) that the representatives of Bangladesh be given an opportunity to state their case.

A suitable reply was given by the Indian Foreign Minister to the US representative's charges levelled against India. Swaran Singh adduced several facts to show that, due to intransigence of President Yahya Khan, at no stage the so-called "quiet diplomacy" of the US had created any chance for negotiating a political settlement of the problem of East Bengal, and to accuse India, even by implication, of having "impatiently precipitated the conflict" showed the "one-sided and partisan attitude of the Representative of the United States"(112). About India's intention, Swaran Singh stated categorically that she had "no intention whatsoever of acquiring any part of West Pakistan or of Bangla Desh by conquest or otherwise". India's recognition of the People's Republic of Bangladesh and her willingness to consider any reasonable proposal for cessation of hostilities were proofs of that. As for Pakistan-occupied Kashmir, it would be better to ask about Pakistan's intentions since "it appears to be concentrating only on that part of Jammu and Kashmir which is on our side of the cease-fire line. Pakistan has used force against our territory of Kashmir on two occasions in the past, in 1947 and 1965, and is at this very time concentrating practically all its infantry artillery, armour and air force in a massive attack across the cease-fire line in order to extend its occupation and aggression on Kashmir"(113).

Swaran Singh also replied befittingly to the charges levelled against India "so vehemently and rhetorically" by the Pak representative, Deputy Prime Minister and Foreign Minister, Z.A. Bhutto, in his speech in the Council a day earlier. About the "crocodile tears" shed by Bhutto for India's so-called abandonment of non-alignment, as a result of the Indo-Soviet Friendship Treaty, Swaran Singh referred to clause IV of the Treaty and said that it was "not aimed against any country" and Bhutto was critical of the Treaty because it was an impediment to dreams and visions harboured by him "of conquering the whole sub-continent"(114). As to the charge that India was dismembering Pakistan, Sardar Swaran Singh stated that "it is the oppressive regime of West Pakistan which has dismembered Pakistan by its own actions".

Lastly, Swaran Singh turned to the US-moved draft resolution. It reflected "the one-sided approach" adopted by the US representative in his

speech. The Indian Foreign Minister pointed out: "While preambular paragraph 6 pays lip service to the desirability of finding a political solution there is nothing in the operative paragraphs to implement this pious wish". He added that India was "not opposed either to a cease-fire or to a withdrawal. However, there can be no viable ceasefire or durable peace without going into the reasons, the origin and the development of the situation which has resulted in an armed conflict"(115).

He suggested that the Council should accept the right of Bangladesh to be heard in any discussion of the problem and to be a party to any proposed cease-fire arrangements; and a political solution acceptable to the already elected representatives of Bangladesh should be found(116).

The Chinese representative, in each of his interventions during the debate, cared only to denounce India and the Soviet Union in his usual vituperative way. The Soviet representative, Jacob Malik, in his statement during the second day of the debate, accused the US government of pouring oil on the fire in the sub-continent and China of setting Asians against Asians. Malik also noted that although the United States representative had conceded the need for a political settlement, he did not make any suggestion as to the kind of political settlement needed or the means of promoting it(117). As regards the return of the refugees from India, he asked the US representative: "Where and to whom are they going voluntarily to return - the people who have been killing them and from whom they fled in an attempt to survive?"(118). He reiterated his country's stand that a cease-fire, to be effective, should be "closely, indissolubly and organically linked with the solution to the problem of a political settlement in East Pakistan". He expressed the view that the US-moved draft resolution was therefore, "totally unacceptable" to the Soviet Union.

At the conclusion of the first round of debate on 12 December the United States had demanded that its draft resolution be put to the vote that day itself. However, on the request of some representatives, including that of the USSR, it was postponed for the next day. The debate on the issue on 12 and 13 December had shown clearly the sharp division among members of the Security Council, more importantly among its Permanent Members. Still the United States insisted that its draft resolution be put to the vote. Expectedly the draft resolution was vetoed by the Soviet Union(119).

Even before the US-sponsored draft resolution was vetoed, the representatives of Italy and Japan, knowing its likely fate and realising the seriousness of a rapidly deteriorating war situation for Pakistan, had brought forward another draft resolution (UN Doc.S/10451/Rev.1) which envisaged the appointment of a three-member Security Council Committee to assist India and Pakistan in their efforts "to bring about normalcy in the area of conflict, as well as to achieve reconciliation in accordance with the principles of the Charter and in keeping with the aforesaid resolutions and to report to the Council"(120). But in view of the prevailing division among the members this draft resolution was not debated upon and the Security Council, after disposing of the US draft resolution, adjourned for the day.

When the Council resumed its sitting on 14 December, in the afternoon, the writing on the wall was getting clearer. The fall of Dhaka appeared a certainty. The pace of events on the war front in the Eastern Theatre, naturally, had its reflection in the activities in the Security Council. Hectic consultations were on among the members to hammer out a cease-fire resolution which should take into account the rapidly changing situation on the war front and which, at the same time, should achieve unanimous acceptance in the Council. The representative of Poland proposed a draft resolution (UN Doc.S/10453)(121) whose main operative part was for transfer of power to Mujib to be followed by a cease-fire and withdrawal of Pak forces from the Eastern Theatre. The British representative announced that he, in collaboration with his French counterpart, was working on a draft for which intensive consultations would require more time. On his request the Council was adjourned.

On 15 December in the afternoon the Security Council witnessed a hysterical performance by Pakistan's Deputy Prime Minister, Bhutto, who had earlier asked the President of the Council permission to make an urgent statement. Bhutto's speech(122) reflected his despondent mood over the worsening war situation and frustration at the ineffectiveness of the United Nations to bail his country out of the trouble. Denouncing the United Nations for 'dilatatory tactics' and 'filibustering', Bhutto, called it a 'fashion house', a 'farce and fraud' which 'hides ugly realities'. The countries which supported India and those adopting neutral attitude, like the UK and France, were also condemned by him. At the end he walked out of the Council, tearing up all his papers and declaring that he 'will not be a party to the ignominious surrender of part of my country'.

Bhutto, who had called for a thousand-year war against India in 1965 and had hailed the genocide in Dhaka exclaiming "Thank God Pakistan is saved", was not relishing the results of his policies. It would be uncharitable to suspect that his tears were only for home consumption, and for image building before he reached Karachi and his goal of becoming the ruler of Pakistan, after defeating Mujib as well as the Pakistan Army.

Bhutto's speech was followed by the statement of the Chinese representative who, in his now familiar offensive manner, condemned India and, even more, the Soviet Union, for having "wrecked the peace on the Indo-Pakistan sub-continent"(123). Jacob Malik returned the Chinese 'compliments' in full measure by saying that China was only interested in exploiting the situation in order to strengthen its position in East Asia and the Indian sub-continent(124).

SECURITY COUNCIL TRIES TO SAVE FACE

With the surrender of the Pakistani troops in the Eastern Theatre round the corner, four more draft resolutions were put forward in the Security Council on 15 December(125): (i) Moved by Poland (UN Doc.S/10453/Rev.1), which was essentially the same as one presented a day earlier). (ii) Co-sponsored by France and the UK, (UN Doc S/10455). (iii) Proposed by Syria (UN Doc. S/10456), and (iv) UN Doc. S/10457), presented by the Soviet Union. All the four resolutions, stressed "the need for a cease-fire, detached it from the withdrawal of forces, and linked it inseparably with a political settlement, thus making it explicit that the mandate of the elections in East Bengal should be respected"(126).

But, due to the fact that the surrender of the Pakistani troops in Bangladesh was imminent and the differences among the Permanent Members of the Security Council still remained, none of the four draft resolutions was pressed for a vote.

The Security Council reassembled on 16 December in the afternoon - when it was early morning in Bangladesh on 17 December, and Niazi had surrendered some ten hours earlier. There were two more draft resolutions on the Security Council's agenda, viz. one by the USSR (S/10458) and the other co-sponsored by Japan and the USA (S/10459/Rev.1)(127). Both these draft resolutions were moved in the wake of the reports reaching the UN Headquarters that the Pakistani forces in Bangladesh had un-conditionally surrendered on 16 December at 1631 hrs (Indian

Standard Time) and soon after that, India had announced unilateral declaration of cease-fire on the Western Front to be effective from 2000 hrs (Indian Standard Time) on 17 December 1971 if Pakistan agreed to it. The Prime Minister's statement to that effect was quoted by Sardar Swaran Singh(128) in the Security Council when it was convened to discuss the draft resolutions on its agenda.

Of the above last two draft resolutions, the one moved by the Soviet Union, not only took cognizance of the sea-change that had taken place in the war situation, but also welcomed the developments in the Eastern Theatre(129). The other draft by Japan and USA, tried to gloss over the momentous changes taking place and demanded that an immediate and durable cease-fire and cessation of all hostilities in all areas be strictly observed(130). But, conspicuous by its absence was the earlier insistence on immediate withdrawal of troops.

The unconditional surrender of the Pakistani forces in Dhaka to the Indian Commander signalled an end to the war in the Eastern Theatre. The unilateral declaration of the cease-fire on the Western Front, by India which was accepted by Yahya Khan, brought to an end the war there also. Thus the war had come to an end by developments which had nothing to do with the United Nations. All the draft resolutions on the agenda of the Security Council were, therefore, rendered infructuous and they remained on record as an evidence of the Council's impotence to discharge its primary duty of maintaining international peace and security. The Security Council adjourned on 17 December.

However, the members of the Security Council, especially the United States and other like-minded countries, wanted to work out "a face-saving device for themselves"(131) which could also give an impression that it was, after all, the Security Council which had the final word on the problem in the Indian sub-continent. In view of the position taken by different delegations it was not an easy task. After intensive consultations, Argentina, Burundi, Japan, Nicaragua, Sierra Leone and Somalia managed to produce a draft resolution (UN Doc.S/10465)(132). The main operative part of the draft resolution, which was vaguely worded in order to get the maximum support, demanded "that a durable cease-fire and cessation of all hostilities in all areas of conflict be strictly observed and remain in effect until withdrawals take place, as soon as practicable, of all armed forces to their respective territories and to positions which fully respect the cease-fire line in Jammu and Kashmir

supervised by the United Nations Military Observer Group in India and Pakistan." The other parts of the resolution dealt with the observation of the Geneva Convention, and the relief and rehabilitation of the refugees, and authorised the Secretary General "to appoint if necessary a special representative to lend his good offices for the solution of humanitarian problems."

When the Security Council was re-convened on 21 December 1971, to consider the above draft resolution, Agha Shahi of Pakistan took a strong exception (133) to a remark of the President of the Council, Taylor-Kamara of Sierra Leone, who while moving the resolution said that it "takes account of the realities of the existing situation." He wanted the sponsors to explain resolution. However, it was clear that if the resolution was made explicit chances for its passage would have been wrecked. Hence, the suggestion of Farah of Somalia that the resolution be voted first and the sponsors make an 'interpretative statement' later was accepted by the Council. The resolution put to vote was approved by the Council with all members voting for it, except USSR and Poland, who abstained. Thus it became resolution No.307(1971), (134) the only resolution adopted by the Security Council on the Indo-Pak War, 1971, much after the war was over.

The reference to the General Assembly Resolution of 7 December 1971 and the responses of Pakistan and India thereto in the preambular part of the resolution(135) were pointless and irrelevant, in view of the fate of that resolution. Significantly, in the same part, the resolution did note that as a consequence of "a unilateral declaration of a cease-fire in the western theatre" by India and "Pakistan's agreement" to that declaration, "cease-fire and a cessation of hostilities prevail." Under the circumstances operative paragraph 1 could only demand that the cease-fire be "durable." Again, about the withdrawal of troops 'to their respective territories', it laid down that it was to take place "as soon as practicable." In the Eastern Theatre, there was no question of withdrawal of the Pakistani troops. All of them had surrendered and were POW. (The resolution did not specifically refer to the surrender of the Pak troops). About the Indian troops' withdrawal from Bangladesh, Pakistan had no say. It was to be negotiated between the Governments of India and Bangladesh. In the Western Theatre, Sardar Swaran Singh stated in the Council after the passage of the resolution that "we wish to negotiate and settle with Pakistan as early as possible(136). About the last part of operative paragraph 1 demanding

full respect to "the cease-fire line in Jammu and Kashmir supervised by the United Nations Military Observer Group in India and Pakistan,"(137) he stated that though India "respected the cease-fire line" "in order to avoid bloodshed and for preserving peace", there was "need to avoid the repetition of such incidents", (viz. the crossing of this line by the troops of Pakistan in 1965 and in 1971) "by making some adjustments in the cease-fire line in order to make it more stable, rational and viable"(138).

Commenting on the resolution, the Soviet representative, called it 'one sided' since the cease-fire and the cessation of hostilities should have been organically linked with a settlement in Bangladesh and the transfer of power to its representatives(139). The Chinese representative Huang Hua, on the other hand was furious and insisted that the 'occupation' of Bangladesh would lead to instability and that the Pakistani people would not cease their resistance. In contrast to the tone of his own speeches made earlier, as well as to that of the Chinese delegate, George Bush the US representative, now expressed the hope that the resolution would alleviate human suffering in the Indian sub-continent.

Thus the passage of the resolution 307 (1971) of 21 December 1971 marked an end to the 18-day drama in the United Nations, with the conflict in the Indian sub-continent as its theme a conflict, which could have averted but for the alignments and narrow self interests of some Powers or personal prejudices and predilection of some influential individuals(140). The United Nations "could neither prevent nor terminate"(141) the conflict, but could only accept the 'fait accompli'.

In this whole drama the role of the Soviet Union had been vital and helpful. Its Permanent Representative to the United Nations, Dr. Jacob Malik, fully, actively and forcefully supported the Indian stand both in the Security Council and the General Assembly(142). The Soviet Union had to exercise veto on three occasions to frustrate the design of the US-China combine.

The very fact that the UK and France - military allies of the US - took an independent line and did not succumb to the US pressure, as probably, some small countries had to, showed their maturity and statesmanship. A number of other countries, too, withstood such pressures to judge the issue objectively and express their views fearlessly.

Not that the attitude of the above noted countries in the United Nations made or could have made any material difference to the policy and actions of the Government of India, Indira Gandhi was prepared to defy US-manipulated resolutions by the Security Council and the General Assembly. She was fully convinced of the correctness and justice of her stand on the issue and she knew that the international public opinion was behind her. But the direct support of the Soviet Union and other socialist countries and the indirect support of the UK, France and a few others did make India's task less difficult. In that respect the exercise of veto by the Soviet Union was "indeed crucial in so far as it could help us to ward off the issue in the Security Council and gave us valuable time to complete operations in Bangladesh"(143). In effect the USSR and Poland held the ring and prevented unfair intervention for the critical few days needed by India to liberate Bangladesh and solve the problem.

PAKISTAN FAILS TO INVOLVE UN AFTER THE WAR

Pakistan and its supporters, especially the USA, did not give up their efforts to work for a UN role in the developments in the sub-continent after the war. Pakistan calculated that if the UN could be involved in a post-war settlement, international pressure could be manipulated to induce India to make concessions on the POW issue; to maintain the 1949 Cease-Fire Line in Jammu and Kashmir; and also, possibly a tenuous link with Bangladesh could be forged. Agha Shahi vociferously complained of cease-fire violations. On 28 January, he formally requested the UN Secretary General for the posting of UN observers on the Western Front under the operative part of S.C. Resolution 307(1971). His move for a Security Council meeting was obviously inspired by the US and China but was frustrated by the USSR opposition to it. India's position was that the cease-fire was the result of bilateral negotiations. The cease-fire violations were of a minor nature and could be bilaterally settled under the modalities already evolved to settle them by flag meetings between the local commanders. There was no need for a third party like the UN to interfere in the matter. The question of observers could arise only after the durable peace was achieved through bilateral negotiations(144).

Again, an unsuccessful attempt was made to revive some kind of UN role in the post-war settlement when the UN Secretary General sent his Special Representative, Winspeare Guiccardi, under the Resolution S.C. 307 (1971) which authorised him to lend his "good offices for the solution of

humanitarian problems". Obviously, under US inspiration, Guiccardi sought to play a political role when during his visit to India from 27 December to 12 January, he indicated to the Indian Foreign Secretary, T.N. Kaul, that he had something more political than merely humanitarian aspect in mind. He offered his good offices to solve the pending problems between India and Pakistan arising out of the recent developments. For example, he could serve as a channel of communications between the two countries and also talk to Bangladesh government which would not mean its recognition by the UN. The Foreign Secretary disabused his mind by firmly telling him that India and Pakistan could discuss their problems directly without UN intervention, and Pakistan and Bangladesh could also discuss their bilateral problem directly(145).

In March 1972, UN Secretary General, Waldheim, turned down the request of Pakistan for reactivating the mission of the Special Representative for humanitarian purposes, Guiccardi, to investigate the allegations of alleged ill-treatment of PsOW in Indian camps. According to the Secretary-General, it was the work of the International Red Cross to inspect the POW camps and it was already doing so(146).

Thus all attempts by Pakistan and its supporters to thrust a UN role again in the solution of the post-war problems in the sub-continent proved of no avail. India's position favouring only direct negotiations between the countries concerned - India, Pakistan and Bangladesh - for solving the problems, held the ground.

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NOTES AND REFERENCES

1. AR 14-20 May 1971.
2. BD II, p.89.
3. AR 18-24 June 1971.
4. Ibid. And AR 30 July-5 August 1971.
5. Misra, pp.58-59.
6. From Official Records.
7. Jackson, p.60.
8. Misra, p.35 and Jackson, p.67.
9. From Official Records.
10. Robert Jackson, South Asian Crisis, p.67. The Government of USA had also made informal suggestions for UN observers. LSD(Fifth):VII; 52, 2 August 1971.
11. BD I, pp.586-587.
12. From Official Records.
13. An obvious reference to the devastating cyclone in 1970.
14. From Official Records.
15. Ibid.
16. Ibid.
17. Misra, pp.38-39.
18. From Official Records.
19. Hindustan Standard, 3 October 1971.
20. From Official Records.
21. LSD(Fifth):IV;26, 28 June 1971.
22. BD II, p.276.
23. Ibid., p.532.
24. Ibid., pp.323-324.
25. Ibid., p.532.
26. From Official Records.
27. BD II, pp.333-334.
28. Argentina, Belgium, Burundi, Italy, Japan, Nicaragua, Somalia, the United Kingdom, and the United States. Misra, p.63.
29. India had held the view that if the Security Council were to discuss the situation arising out of the developments in East Bengal, it should hear what the representatives of the people of East Bengal, the party most affected and directly concerned with the crisis, had to say on the situation. The Soviet Union had assured, on 22 November 1971, that it would support India's viewpoint fully, if the Security Council were to discuss the subject. From Official Records.
30. UN Doc S/PV/1606 4 Dec 1971.
31. Nakagawa, Representative of Japan's statement. Ibid.
32. It included challenging the President's ruling under Rule 39 of the Rules of Procedure of the Security Council which says: "The Security Council may invite members of the Secretariat or other persons, whom it considers competent for

the purpose, to supply it with information or to give other assistance for examining matters within its competence". Misra, p.66.

33. Misra, p.68.
34. Statement of Samar Sen, India's Permanent Representative to the UN, in the Security Council, 4 December 1971, Bangladesh and Indo-Pak War - India Speaks at the UN (hereafter referred to as 'India Speaks at the UN')
35. Ibid., pp.76-77.
36. Ibid., pp.80-81.
37. Ibid., p.81.
38. Statement of Huang Hua, Representative of China, 4 December 1971. From Official Records. Also BD II, pp.435-436.
39. BD II, p.436.
40. Ibid., pp.431-433.
41. The New York Times, 5 December 1971, cited in Ibid., p.225.
42. From Official Records.
43. Ibid.
44. Incidentally, the New York Times (4 December 1971) supported the second line and said: "In responding to this crisis, it is essential that it (the Security Council) address itself simultaneously to the root cause of the conflict, the repression in East Pakistan which has placed intolerable strains on the economic social and political fabric of neighbouring India. Quoted in BD II p.224.
45. From Official Records.
46. BD II, pp.434-435.
47. Ibid., p.442.
48. UN Doc S/PV 1606 4 Dec 1971.
49. From Official Records. Also BD II, pp.435-436.
50. BD II, pp.436-442.
51. Two Permanent Members of the Security Council, viz., France and the UK, abstained from voting, Poland voted against the US draft.
52. BD II, pp.335-336.
53. Ibid., pp.336-337.
54. Ibid., p.336.
55. Ibid., p.337.
56. From Official Records. Also BD II, pp.447-452.
57. From Official Records. Also India Speaks at the UN, p.83.
58. India Speaks at the UN, p.112.
59. BD II, p.338.
60. Ibid., p.459.
61. Ibid., p.460.
62. Ibid., pp. 338-339.
63. Ibid., p.339.
64. India Speaks at the UN, pp.100-109.
65. Ibid., p.109.
66. UN Doc S/10429, 6 Dec 1971; BD II, p.339.

67. BD II, p.485.
68. Ibid., p.487.
69. UN Doc S/PV 1608 6 Dec 1971.
70. BD II, p.340.
71. Ibid., p.342.
72. Ibid., p.494.
73. Ibid., pp.502-504.
74. Ibid., pp.505-509.
75. Ibid., p.509.
76. Ibid., p.508.
77. Ibid.
78. Ibid., pp.501-502.
79. Ibid.
80. Ibid., p.502.
81. Ibid., pp. 504-505.
82. Ibid.
83. From Official Records. Also BD II, pp.494-501.
84. BD II, p.498.
85. Ibid., pp.499-500.
86. Ibid., p.516.
87. Ibid., p.513.
88. Those voting against were: Bhutan, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Hungary, India, Mongolia, Poland, Ukrainian Soviet Socialist Republic, and the Union of Soviet Socialist Republics. From Official Records.
89. United Kingdom of Great Britain and Northern Ireland, Afghanistan, Chile, Denmark, France, Malawi, Nepal, Oman, Senegal, Singapore, Ibid.
90. BD II, p.517.
91. Ibid., p.487.
92. This is borne out by the fact that after the unilateral declaration of cease-fire by India on the Western Front on 16 December following the unconditional surrender by the Pakistani occupational forces in Dhaka the same day, Pakistan made an attempt to collect signatures to take the whole issue back to the General Assembly but that attempt failed as it was able to collect only 23 signatures out of 104 countries which had voted for the resolution of 7 December. Ibid., p.518.
93. Ibid., pp.487-493.
94. Ibid., pp.488-490.
95. UN Doc A/PV 2003 7 Dec 1971.
96. Ibid.
97. Misra, p.97.
98. BD II, pp.346-347.
99. The Statesman, 8 December 1971.
100. The Times of India, 10 December 1971.
101. BD II, pp.347-350.
102. Ibid., p.350.
103. Ibid.
104. From Official Records. Also BD II, pp.350-352.

105. BD II, pp.351-352.
106. UN Doc S/PV 1611 12 Dec 1971.
107. BD II, pp.518-537 & 537-545.
108. Ibid., p.527.
109. Ibid., p.529.
110. Ibid., p.533.
111. Ibid., p.534.
112. Ibid., p.542.
113. Ibid., p.543.
114. Ibid., p.534.
115. Ibid., p.544.
116. Ibid., p.545.
117. UN Doc S/PV 1613 13 Dec 1971.
118. Ibid.
119. The voting pattern was the same as on 4 and 5 December in the Security Council. The Soviet Union and Poland voted against it, UK and France abstained and the rest eleven members supported it. From Official Records.
120. BD II, p.353.
121. From Official Records. Also BD II, pp.353-354.
122. UN Doc S/PV/1614 Add.1, 15 Dec 1971.
123. UN Doc S/PV/1615 15 Dec 1971.
124. Ibid.
125. From Official Records. Also BD II, pp.354-357.
126. Misra, p.119.
127. From Official Records. Also BD II, pp.358-359.
128. BD II, p.545 & pp.551-552.
129. Ibid., p.358.
130. Ibid., pp.358-359.
131. Misra, p.120.
132. BD II, pp.359-360.
133. UN Doc S/PV/1621 21 Dec 1971.
134. From Official Records. Also BD II, p.360.
135. Ibid.
136. BD II, p.547.
137. Ibid., p.547. The Statement of Swaran Singh truly reflected the foreign policy of the Govt. of India that "the old cease-fire line in Jammu-Kashmir is no longer tenable because it was violated by Pakistan and a fresh line will have to be negotiated by mutual consent before UNMOGIP or any other observers came into picture". From Official Records.
138. BD II, p.360.
139. AR, 22-28 January 1972.
140. It is said that the Nixon administration's "tilt" towards Pakistan was not because of US national or strategic interests but it was motivated by President Nixon's own prejudices against India and in favour of Pakistan.
141. Misra, p.120.
142. The Soviet Ambassador to India had assured, on 5 December, that the Soviet delegation would closely cooperate with the Indian delegation at

the UN and would support various moves of India. Two days later on 7 December Dr. Jacob Malik was given the following instructions by his Govt:

- i. Maintain close contact and coordinate with the Indian representative and oppose any proposal to send UN observers.
- ii. Oppose any resolution if it is limited to a call for a cease-fire without any clear provision for immediate political settlement in accordance with the wishes of the people of East Pakistan.
- iii. Take into account Indian representative's wishes.
- iv. Step up contacts with members and non-members of the Security Council to seek support for India's cause.

143. Sharma, p.204.
144. From Official Records.
145. Ibid.
146. Ibid.

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