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SIACHEN FOLLIES
Defining Facts and Objectives

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CONTENTS

Kayani's Call for Talks

The Karachi Agreement, 1949

CFL to LOC

CFL/LOC Is Unambiguously Delineated

Pakistan's Eastward Creep

A CIA Map?

Tracking Cartographic Aggression

International Atlases Award Saichen to Pakistan

Possible Political Explanations

Reversing Gear Defeats India's True Goal

The Way Out

No Constitutional Barrier

Annexure 1

Annexure 2 (Map 1)

Annexure 3 (Map 2)

SIACHEN FOLLIES

Defining Facts and Objectives

The origins, course, consequences and lines of resolution of the Siachen imbroglio have been so misunderstood, confused and even mismanaged by Indian policy makers over the years that we stand in some danger of scoring another own goal in J&K in favour of Pakistan. The singular unwillingness or inability to look at the bare facts defies understanding. How did India come to be hopelessly trapped in a web of Siachen follies? Where does responsibility lie for this inexplicable strategic slumber ?

Kayani's Call for Talks

There has been a flurry of interest after Pakistan's all-powerful Army Chief, Gen. Kayani, reversing gear, suddenly declared (April 2012) that India and Pakistan must live in peaceful coexistence as defence without development is neither viable nor acceptable. How true! He saw all issues dividing the two countries as capable of resolution and Siachen and Sir Creek, as convenient starting points to garner low-hanging fruit as strong confidence building measures. This impassioned appeal followed the tragic death on April 7 of 138 Pakistani troops in an avalanche "while on Siachen". He added that "everyone knows why the army is here ... because in 1984, the Indian Army occupied the area and in response to that the Pakistan army was sent in". The facts are otherwise.

Why is Kayani is suggesting a 180 degree turn in policy? With the breakdown in US-Pakistan relations and US military aid becoming increasingly conditional on Pakistan's good conduct and delivery of prescribed outcomes, Islamabad had hoped that China, its "all-

weather friend”, would play fairy godmother and bail it out. That assumption has been belied. The Chinese are also concerned at the impact of an Islamised/ jihadi Pakistan on its turbulent Muslim minorities in Xinjiang. So with its economy on drip, its external military budgetary resources shrinking and the need to counter internal security threats, Pakistan needs respite. Kayani is articulating that dawning reality. But Pakistan’s internal contradictions remain. It cannot preach peace while continuing to produce official school texts that preach hatred of “Hindu” India as revealed by the latest Jinnah Institute study of officially-produced text- books.

That apart, Kayani has got the genesis of the problem wrong though he rightly asserts that both sides are paying a high price in blood, treasure and environmental costs. Pakistan’s solution calls for an Indian withdrawal from the glacier, a mutual pull-back and demilitarisation. India in turn is willing to accept redeployment of troops to agreed positions provided Pakistan acknowledges the present “Actual Ground Position Line” (AGPL) that it holds. These are the proffered “solutions”. The Indian Army, however, fears that Pakistan could renege on the agreement and send troops dressed as “mujahideen” to occupy Siachen much as it attempted to annex J&K in 1947 and again in 1965 and the Kargil Heights in 1999. India therefore now insists on authentication and demarcation of the AGPL before redeployment to mutually agreed positions, a proposition unpalatable to Islamabad which fears its fiction about being on Siachen will be exposed. Nevertheless, the Kayani initiative should be pursued so that even a fleeting opportunity for peace is not lost.

The Karachi Agreement, 1949

The Siachen “solutions” proposed nevertheless beg the question. There was no AGPL prior to 1984. Where then did the northern extremity of the CFL/LOC lie? The critical date is therefore not 1984 but July 29, 1949, when the Cease-Fire Agreement was signed in Karachi by ranking military representatives of India and Pakistan and the UN Military Observer Group. The purpose of the Karachi meeting (July 18 to 27) was to establish “a ceasefire line in the State of J&K” in pursuance of Part I of the key UN resolution of August 13, 1948

that prescribed a ceasefire. This was to be followed by a Truce under Part II, leading finally to a plebiscite under Part III after full compliance with the terms and conditions set out in Parts I and II.

Present at the Karachi Conference were members of the Truce Committee of the UN Commission for India and Pakistan, Hernando Semper of Colombia (Chairman), William L.S. Williams (U.S), Lt-Gen Maurice Delvoie, Military Adviser; and Miguel A. Martin (Legal Adviser). Pakistan was represented by Maj.Gen W.J. Cawthorn, Maj.Gen Nazir Ahmad, Brigadier Sher Khan and a couple of observers. Representing India were Lt.Gen S.M Shrinagesh, Maj.Gen K.S. Thimayya and Brigadier Sam Manekshaw, with H.M Patel and Vishnu Sahay as observers. The CFL delineated and demarcated the lines separating the two sides following the cessation of hostilities in J&K under UN auspices on January 1, 1949.

Relevant excerpts of the August 13, 1948 UN Resolution, the mother agreement on J&K, are set out in Annexure I. It is important that they be read as they contextualise the content and significance of the Karachi Agreement, and commit the United States to observing and upholding it, which it has not done as we shall see.

The Karachi Agreement delineated the entire CFL, demarcating over 740 kms on the ground. With the CFL increasingly running through high mountains and glaciated areas as it traversed north, it often followed a directional path in the absence of clear landmarks. Thus, finally, "Chalunka (on the Shyok River), Khor, thence North to the glaciers", passing through grid reference NJ 9842. The segment beyond NJ 9842 was by mutual agreement not demarcated on the ground, being a highly elevated, glaciated, unexplored and unpopulated region that had not witnessed any fighting. A plebiscite was soon to follow and the matter, it was assumed, would soon be settled.

The delineation of the northern-most segment of the CFL was, however, unambiguous: NJ 9842, "thence north to the glaciers". If every one of 30 or more earlier directional commands were meticulously followed in tracing the CFL, there was no reason whatsoever for any departure from this norm in the case of the very

last command. "Thence North", could only mean due north to wherever the boundary of J&K State lay. The very next section crucially directed that "the ceasefire line described above" be drawn "so as to eliminate any no man's land". Therefore, the Line, whether delineated or demarcated could in no way be left hanging in the air. Certain sectors along the CFL were also to be demilitarised and, even if deployed, troops would remain "500 yards from the cease fire line..."

CFL to LOC

The Cease Fire Line was ratified by both sides and deposited with the UNCIP. It was revalidated as the Line of Control by the Suchetgarh Agreement of December 1972, in accordance with the clear intent of the Simla Conference earlier that year to move from a military confrontation towards a political resolution in J&K. However, as mutually agreed, the LOC incorporated the military gains made by either side in J&K in the 1971 war. Thus in the Kargil-Siachen sector, all territorial gains went entirely to India which acquired the 254 sq mile Turtok salient comprising five villages (Chalunka, Thang, Tyakshi, Pharol and Turtok) just south and west of NJ 9842. This modest but important military acquisition provided India an additional territorial bulwark against hostile cartographic or physical claims on Siachen.

Earlier in 1956-58, during the UN-designated International Geophysical Year, an Indian scientific expedition led by the Geological Survey explored the upper Nubra and Shyok Valleys, mapped and measured the Siachen and other glaciers and publicly recorded its findings. This writer had written about these expeditions in his book "Himalayan Endeavour", published in 1962. Pakistanis were nowhere in sight and have never been there. No Pakistani protest followed the prolonged, internationally-known and publicised presence and activity of the Indian scientists. It is simple to see why? Locate NJ 9842 on a detailed physical map of northern J&K and draw a line "thence north" and much or most of Siachen will be found to lie on the Indian side of the CFL. Pakistani maps (ref. Musharraf's Memoir, "In the Line of Fire". Free Press, London. 2006), depicting Pakistan's military positions during the Kargil operations, situate

the entire Siachen glacier on the Indian side of the delineated line, NJ 9842, “thence north to the glaciers” (Annexure II, Map 1).

The argument that failure to demarcate the CFL/LOC on the ground in 1949 and again in 1972, somehow undid the sanctity of the Karachi Agreement and created a vast no-man’s land is absurd. The Indians were certainly remiss in not insisting on demarcation of this sector at Suchetgarh. Pakistan was on its knees after its surrender in Bangladesh. Morale was shattered. India was in possession of critical chunks of its territory in West Pakistan and held 90,000 POWs. Pakistan has its own fairy tale of what transpired at Simla. Mrs Gandhi demanded acceptance of the CFL/LOC as the permanent political boundary. Zulfikar Ali Bhutto pleaded that his fledgling democratic government would be unable to ward off a huge political backlash at home and that military rule would be reimposed on a hapless nation reduced to half its size. Mrs Gandhi relented in the larger interest of permanent peace and stability in South Asia and accepted Bhutto’s honeyed assurances that he would take steps to promote the evolution of the LOC into a permanent boundary. However, no sooner did the POWs return home and the territory lost in the West was restored than Bhutto reneged, raged and launched his Bomb project that was orchestrated by the notorious A.Q. Khan. Mrs Gandhi’s Secretary, P. N. Dhar finally put the record straight in a series of two articles in the Times of India. April 4-5, 1995.

Even so, when later Pakistan sought to incorporate the Northern Areas within its territory, and still later when it announced construction of the Basha-Diamer dam, and yet again when it conferred a limited constitutional status on Gilgit-Baltistan, India protested against what it saw as an infringement of its own sovereignty. This betrays an inherent inconsistency in India’s policy on the contours of a final political settlement in J&K, entrapped as it has been in a powerful muddle.

CFL/LOC Is Unambiguously Delineated

The further argument that the CFL/LOC was not delineated flies in the face of the Karachi Agreement. It also ignores the basic

cartographic principle of a progression in map-making from delimitation through delineation to demarcation on the ground. The last segment was therefore clearly delineated from NJ 9840, "thence north to the glaciers". The next objection inferentially made is that drawing a straight line would make no sense especially as it would run through a glacier or glaciers, rugged rivers of ice whose very changing contours, shifting crevasses, ice-falls and avalanches would not admit of creating any stable defensive positions or allow credible logistical support. Therefore, the argument goes, the CFL/LOC must follow natural features which, in this case, must mean the Saltaro ridge, running NNW from the glacier snout to Indra Col and the Saser Kangri and Sia Kangri peaks crowning the Siachen glacier.

The fallacies are obvious. Many land boundaries follow straight lines as for example state boundaries in the U.S, Canada, Australia and parts of Africa and the Arabian peninsula. Most EEZs are marked by straight lines in mid-ocean but mariners know where and how they run because the coordinates are given, as in the case of NJ 9842 (a grid reference), "thence north to the glaciers". Likewise, latitudes and longitudes are straight lines but not demarcated on the waters by buoys or other markers; yet no one has argued that they are for that reason invalid.

Therefore to interpret NJ 9842, thence north to the glaciers, as meaning northwest is to give up the sure, objective sanctity and precision of the Karachi/Suchetgarh Agreements for any one of many subjective interpretations. Pakistan religiously insists that "north" here really means northeast to the Karakoram Pass. If so, my own personal preference could be to interpret "north" to mean "south-northwest to Skardu", home to a rich Balti civilisation of which one would like to know more! All this is jejune nonsense. A notional line NJ 9842, thence north to the glaciers need not be defended in situ. Given a Pakistani intrusion, retaliation could follow at a point of our choosing. This is how Lal Bahadur Shastri reacted to Pakistan's Operations Gibraltar and Grand Slam in 1965. If nuclear arms have changed equations since, they have altered it for everybody and everything. Nuclear blackmail did not work for Pakistan in Kargil in 1999.

Pakistan's Eastward Creep

All Pakistan, UN and global atlases depicted the CFL neutrally or correctly till around 1964-72. By the mid-1950s Beijing had commenced its creeping cartographic aggression in Aksaichin and the Pangong-Demchok sector of southeast Ladakh. In 1963 it signed a boundary agreement with Pakistan which unilaterally ceded the Shaksgam Valley to China. Thereafter, Pakistan started extending its lines of communication eastwards and began licensing western mountaineering expeditions to venture east of K2. It was emboldened to extend this "eastward creep" when, between 1964 and 1972, the US Defence Mapping Agency, an international reference point for cartography, began depicting the CFL as extending from NJ 9842 to a point just west of the Karakoram Pass. The most charitable explanation for this totally unwarranted and unfriendly action was that it erroneously hardened what was possibly no more than an extant dotted World War II air defence information zone (ADIZ) line into a politico-military divide. World atlases followed suit, depicting the line drawn from NJ 9842 northeast to the Karakoram pass as the authentic and internationally accepted CFL/LOC, backed by international mountaineering lore that India did little to rebut or put in context. Pakistan gladly accepted this fraudulent international endorsement and thereafter initiated moves to occupy Siachen. Reconnaissance teams were sent to the Salto Ridge, Siachen's western wall, in 1983. Getting wind of this stratagem, India, pre-emptively occupied the glacier in March 1984.

A CIA Map?

At a US Institute for Peace conference on J&K in Washington in 1991, delegates were delivered a map at their hotel rooms without the mandatory credit line regarding its origins. It was headed "The Kashmir Region: Depicting the CFL/LOC, Siachen and Shaksgam". This showed a hatched triangle NJ 9842-Karakoram Pass-K2, and Shaksgam to the north, with a legend reading, "Indian occupied since 1983". The conference organisers disowned what they surmised could be a CIA map that might be treated as "withdrawn"! The map not

only confirmed Pakistan's claims but labelled India an aggressor.(Annexure 3, Map 2).

As one present, I "protested" to friends in the US State Department and informed the Indian Embassy and the MEA at home to no avail. Weeks later, the absent host of the USIP Kashmir peace conference in Washington, Robert Oakley, a senior diplomat, wrote me a letter. Referring to my raising the Kashmir map issue he thought it was "a fascinating footnote on topography", adding, "Fortunately, the United States has no pretence or desire to be the arbitrator or official international authority on such lines, maritime or terrestrial. Much is made of such small things by those looking for conspiracies, but this has been around for so long as to have lost its power to generate hysteria". A neat, self-serving side step that !Years later, US Ambassador Robert Blackwill said the US Defence Mapping Agency had got its lines wrong and that the impugned maps would be amended. Nothing ensued.

If the USDMA map was a product of genuine error, howsoever irresponsible, it would have been natural and simple to apologise and make amends in an appropriate manner. Nothing of the kind happened. Imagine the furore were the Survey of India to publish and distribute maps showing Alaska as part of Russia.

Tracking Cartographic Aggression

Puzzled by the mysterious USIP map of 1991 depicting India as an aggressor in the NJ 9842- Karakoram Pass-K2 triangle, I posed the problem to the well-known Minnesota University cartographer and South Asian scholar , Joseph E. Schwartzberg, author of the University of Chicago's prestigious "A Historical Atlas of South Asia". In due course he gave me a bunch of USDMA maps showing how that official cartographic agency had changed the alignment of the CFL/LOC over a period from 1967 to 1972. He did not read any mala fides in this line and attributed it to mistakenly adopting an old Air Defence Information Zone marking for the CFL. The line went back and forth and by the 1970s had stabilised at the NJ 9842-Karakoram Pass alignment where it remains in all international atlases, Philips,

Bartholomew, The Times, Oxford, the National Geographic, et al, to this day. I presented a set of these maps to the office of the DG Military Operations at Army Headquarters in 2001 when I was briefly Information Consultant to the Raksha Mantri and briefed other senior officials. The Government of India simply did not react to my concerns.

Later, Robert G. Wirsing, the American scholar, dwelt on this issue at some length in “India, Pakistan and the Kashmir Dispute: On Regional Conflict and Its Resolution” (Rupa 1994). He writes: “By the early 1980s, practically all the most respected atlases ... were showing the CFL/LOC extending beyond grid reference point NJ 9842 about 55 miles in a clear north-easterly direction all the way to the Karakoram Pass on the Chinese border. The extension was a distinct departure from past cartographic practice. UN maps of Kashmir produced in the early years of the dispute all terminated at the map coordinate NJ 9842. In India and Pakistan, display of the CFL or LOC on publicly sold maps has been officially discouraged at least since the 1965 war; but among the scores of pre-1965 official or officially-approved maps surveyed by this author in the Library of Congress, not a single one showed any extension beyond NJ 9842”.

This means that until 1965 or even somewhat later, Pakistani maps never depicted the CFL/LOC running northeast to the Karakoram Pass, though it now asserts the contrary. (Emphasis added).

Wirsing continues: “The international map-makers’ change in the depiction of the CFL/LOC did not come all at once, and in some cases, at least, it came rather clumsily. The 1977 edition of The Times Atlas of the World, for example, like the 1980 edition, represented the CFL/LOC (still labelling it simply as the CFL) running all the way to the border to China. In an earlier edition, however, the extended CFL/LOC was shown running *westward* of the Siachen glacier, reaching China about 60 miles west of the terminal point shown in the 1980 edition of the same atlas. Surprisingly, an even earlier edition of this atlas (1959) depicted the CFL running to the Karakoram Pass. Despite these detours, a nearly universal shift by map-makers to an extended and *eastward* -running CFL/LOC was

eventually achieved. And it seems to have resulted from a new and conscious consensus in regard to the line's terminal point".

International Atlases Award Saichen to Pakistan

Now comes the punch-line. "Precisely what motivated this new (and from the Indian point of view, disturbing) consensus is not clear. Unquestionably contributing to it, however, were erroneous depictions of the CFL/LOC on some official maps produced by agencies of the US Government".

Astonishingly, there was during all of this period no known formal protest from the Government of India or any of its agencies even as others cheerfully played ducks and drakes with one of India's most sensitive borders. This undermined the solemnly certified UN-authenticated CFL. India was placed at a huge political and military disadvantage in J&K through a cartographic sleight of hand that gratuitously rewarded Pakistan.

Let Wirsing complete his story. In widely distributed aeronautical maps prepared by the USDMA (successor to the Army Map Service) after 1972, "the extension depicted, surprisingly, is not an extension of the CFL/LOC at all. On the contrary, these maps depict the east-west running Sino-Pakistan border established by treaty in 1963 extending unbroken from the Karakoram Pass south-eastward to map coordinate NJ 9842.... *as an international boundary*.... about five miles east of Dzingrulma, a point directly at the eastern snout of the Siachen glacier..... *One can hardly escape the conclusion that the US Defence Mapping Agency, one of the largest and probably the most influential of international map-makers, played a far from inconsequential role in the world's "cartographic award of Siachen to Pakistan"*. (Emphasis added).

According to Wirsing, however, Lt. Gen M.N. Kaul, former Northern Army Commander in the late 1970s, had said at a conference of serving and retired Defence officials in Delhi in 1991, that the Indian Army had taken "keen interest" in his time at the "how, when and why" USDMA had taken on itself the task of border delimitation in

this sector. The only answer vouchsafed was that the process had commenced in 1967. No other records were apparently available with the US. But on March 12, 1987, the Office of the Geographer of the U.S State Department issued guidelines to producers of official US maps that admitted past inconsistencies and specifically instructed them not to extend the line beyond NJ 9842 to the Karakoram Pass.

Nonetheless, the damage had been done and remains uncorrected, with no apologies by or to anybody to this date.

Possible Political Explanations

If innocent absent mindedness on the part of one or more official US agencies is not altogether convincing, where else might one look, howsoever tangentially, for possible explanations of the Siachen muddle? The Sino-Soviet rift was out in the open and the US, having extricated itself from the Indo-China quagmire, had begun to review its relations with the People's Republic of China, now a nuclear power. The Sino-Pakistan rapprochement post-1963 made Pakistan a critical conduit for quiet Sino-US talks. Kissinger headed to the sub-continent to stave off the possibility of an Indo-Pakistan war on account of the Bangladesh liberation struggle, a mission famously overshadowed by his secret dash to Beijing from Islamabad and the ensuing announcement of a Mao-Nixon meeting. The Indo-Soviet Friendship Pact was signed and the notorious "Nixon tilt" against India went into play. "Kissinger Transcripts" by William Burr (1999) makes the extraordinary disclosure of the Secretary of State encouraging the PRC in December 1971, through its Ambassador Huang Hua in Washington with whom he was now in very close touch, to move against India in order to divert it from severing Bangladesh from Pakistan, a mutual ally. The US reassured Beijing that it would counter any Soviet riposte. He added that Nixon had already ordered a US naval squadron headed by the nuclear-powered USS Enterprise to steam into the Indian Ocean to show the flag, although this might ramp up tensions with the Soviet Union.

It was against the background of this bizarre play of events that US map-makers, starting with a school atlas in 1964, started fiddling

gratuitously with India's strategic boundaries. (Kashmir: Where Three Powers Compete" published by the Civic Education Service in Washington, DC for use in schools).

Reversing Gear Defeats India's True Goal

Look now at the implications of some of the options being canvassed for resolution of the Siachen matter. Any unqualified redeployment from the Siachen glacier without asserting the correct delineation of the CFL/LOC from NJ 9842 "thence north to the glaciers", will mean accepting the Pakistan claim and throwing the August 1948 UN Resolution and derivative 1949 Karachi Agreement into the dustbin. This "mother" Resolution on J&K implicitly found Pakistan the aggressor and intruder, required its military personnel and tribal cohorts to leave the State forthwith, and upheld India's de jure sovereignty over the entire State even while preparations were made for a plebiscite. On February 4, 1949, the U.S representative, Senator Warren Austin, told the Security Council that "with the accession of Jammu and Kashmir to India, the foreign (external) sovereignty (over Kashmir) went over to India and is exercised by India, and that is how India happens to be here as petitioner". The LOC is a subsequent derivative of the August 8, 1949 Resolution that drew the CFL.

The Manmohan Singh-Musharraf 2005 peace formula would sanctify the LOC as an evolving international boundary, rendered porous as "a mere line on a map" across which movement, investment, commerce, exchange and cooperation might be encouraged and joint institutions allowed to develop for their management. Dr. Manmohan Singh had hinted that this arrangement might even include water.

Such a progression would bind the peoples of J&K and of India and Pakistan together in friendship and cooperation. Indeed, this arrangement harks back to the vision of some kind of proto-confederal entity in J&K projected by Sheikh Abdullah and Jawaharlal Nehru in 1964 without prejudice to the existing twin sovereignties. Abdullah carried the message to a sceptical President Ayub in Rawalpindi.

The Sheikh then went on to Muzaffarabad to meet Qayyum Khan but barely had he arrived there than word came of the death of Nehru. A half-century had to pass before the idea was picked up again.

This is the only viable win-win solution for all with regard to J&K. But unless the LOC is firmly anchored to a northern terminus, it will dangle loose in no-man's land and surely unravel, leaving everything for grabs.

The AGPL is in essence a new military line. It defines post-1984 ground realities and necessarily follows a natural feature, namely, the Salto Ridge. Redeployment from there is a military proposition that would leave untouched the political question. Those who would validate the AGPL must answer the question as to where the CFL/LOC ran until the AGPL was established in 1984?

When in 2000 Musharraf tried to argue that the Kargil Heights were "undemarcated" and the LOC was unclear, Bill Clinton firmly told him that established boundaries could not be redrawn and the Pakistan Army must withdraw and respect the LOC. He had to do so.

If we now fiddle with the internationally-delineated LOC and move from an objective to a subjective definition of that Line, we will be shooting ourselves in the foot and leap from the frying pan into the fire. At the end of the day the AGPL is an irrelevance. The Army's fear is that unless authenticated, Pakistan might sneak back and capture the Salto Ridge that commands the Siachen glacier. Hence the new demand for demarcation of the AFPL. This would be unwise and pushing too far. Redeployment too would solve nothing.

The Way Out

The way out would therefore be quiet authentication of the AGPL, if necessary through an annexed exchange of letters. This should be combined with agreement on the only true meaning of "NJ 9842 thence north to the glaciers" leaving no room for creating any no-man's land

and clearly marking a firm boundary running from NJ 9842 thence north to the glaciers.

Finally there should follow an understanding on converting the NJ 9842-K2-Karakoram Pass triangle into a demilitarised Third Pole International Peace Park for Glacier and World Weather Studies, hopefully with Shaksgam as a partner, to monitor climate change. Sovereignty within its own territory would remain with India and Pakistan, and with China should it join. Such an arrangement would foreclose risk of any clandestine military occupation of the vacated AGPL or adjacent Pakistani positions by anybody. None need lose face. All would gain.

No Constitutional Barrier

Some critics argue that the 1994 Indian Parliamentary Resolution claiming title over all of the erstwhile J&K Maharaja's domain is binding and that any such partitioning as here proposed would be both illegal and unacceptable. This is specious reasoning. Any settlement and demarcation of the final post-partition boundaries of India will not amount to ceding of territory as already clearly set out by the Supreme Court in the Tin Bigha judgement. These boundaries will surely be endorsed by Parliament notwithstanding any interim resolution when matters were in flux. So let us not draw red herrings across the trail.

Everything said, we should warmly welcome Gen. Kayani's second thoughts and pursue his call for a Siachen-Sir Creek settlement for a start without getting snow-blinded regarding the facts, larger perspectives and the true national interest. A separate conversation with the U.S on rectifying its maps in this sector and making due amends for its egregious error in this regard would be in order.

U.N.C.I..P. RESOLUTION OF AUGUST 13, 1948
(S/1100, PARA 75)

x x x x x x x

PART I

Cease-Fire Order

A. The Governments of India and Pakistan agree that their respective High Commands will issue separately and simultaneously a cease-fire order to apply to all forces under their control in the State of Jammu and Kashmir as of the earliest practicable date or dates to be mutually agreed upon. x x x x x

B. The High Commands of the Indian and Pakistani forces agree to refrain from taking any measures that might augment the military potential of the forces under their control in the State of Jammu and Kashmir.

For the purpose of these proposals "forces under their control" shall be considered to include all forces, organized and unorganized, fighting or participating in hostilities on their respective sides.

x x x x x x x

PART II

Truce Agreement

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

A

1. As the presence of troops of Pakistan in the territory of the State of Jammu and Kashmir constitutes a material change in the situation since it was represented by the Government of Pakistan before the Security Council, the Government of Pakistan agrees to withdraw its troops from that State.
2. The Government of Pakistan will use its best endeavour to secure the withdrawal from the State of Jammu and Kashmir of tribesmen and Pakistan nationals not normally resident therein who have entered the State for the purpose of fighting.
3. Pending a final solution, the territory evacuated by the Pakistani troops will be administered by the local authorities under the surveillance of the Commission.

B

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

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

x	x	x	x	x	x	x
x	x	x	x	x	x	x

PART III

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

x	x	x	x	x	x	x
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*U.N.C.I..P. RESOLUTION OF JANUARY 5, 1949
(S/1430, PARA 143)*

The United Nations Commission for India and Pakistan, having received from the Government of India and Pakistan, in communications dated December 23 and December 25, 1948, respectively, their acceptance of the following principles which are supplementary to the Commission's resolution of August 13, 1948:

1. The question of the accession of the State of Jammu and Kashmir to India or Pakistan will be decided through the democratic method of a free and impartial plebiscite.

2. A plebiscite will be held when it shall be found by the Commission that the cease-fire and truce arrangements set forth in Parts I and II of the Commission's resolution

of August 13, 1948, have been carried out and arrangements for the plebiscite have been completed.

3. (a) The Secretary-General of the United Nations will, in agreement with the Commission, nominate a Plebiscite Administrator who shall be a personality of high international standing and commanding general confidence. He will be formally appointed to office by the Government of Jammu and Kashmir.

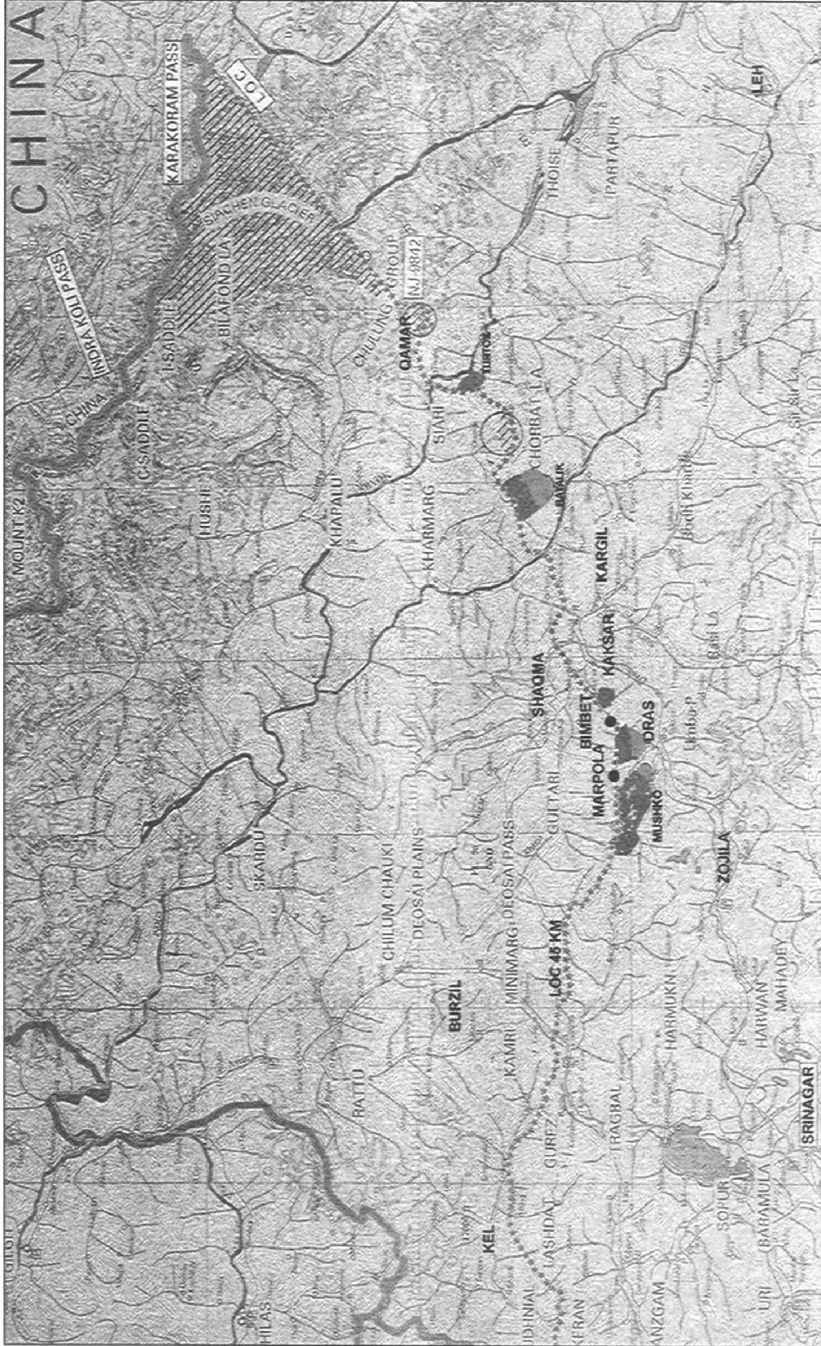
(b) The Plebiscite Administrator shall derive from the State of Jammu and Kashmir the powers he considers necessary for organizing and conducting the plebiscite and for ensuring the freeness and impartiality of the plebiscite.

(c) The Plebiscite Administrator shall have authority to appoint such staff of assistants and observers as he may require.

4. (a) After implementation of Para I and II of the Commission's resolution of August 13, 1948, and when the Commission is satisfied that peaceful conditions have been restored in the State, the Commission and the Plebiscite administrator will determine, in consultation with the Government of India, the final disposal of Indian and State armed forces, such disposal to be with due regard to the security of the State and the freedom of the plebiscite.

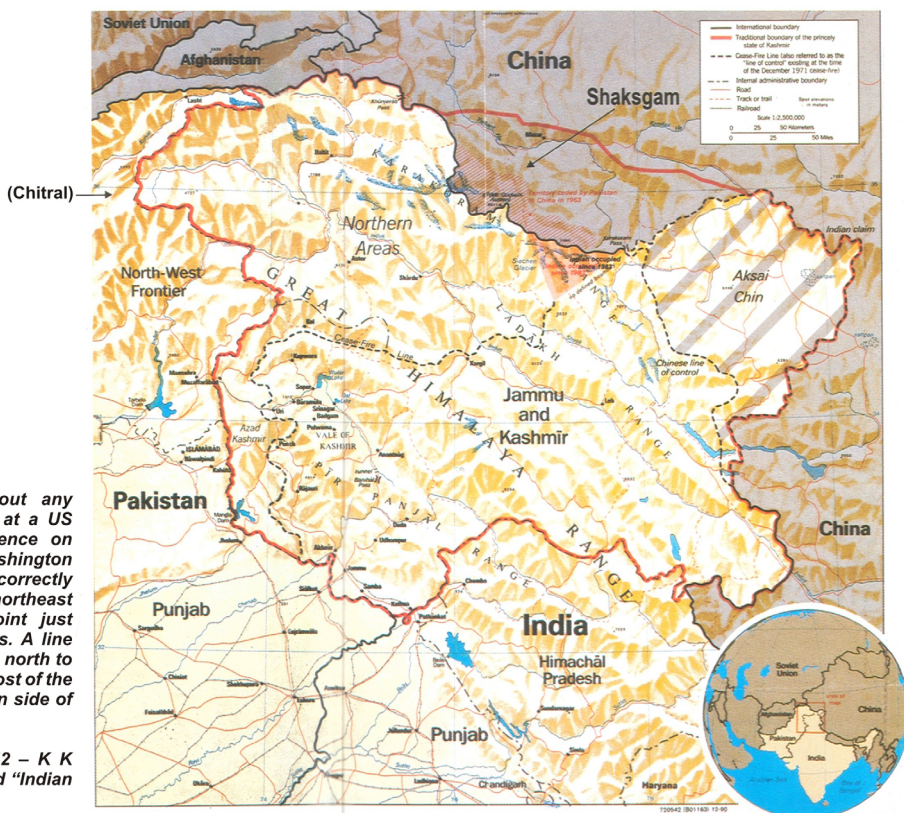
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In the Line of Fire: A Memoir
Pervez Musharraf
(New York, Free Press, 2006, p. 94)



Map 1

Kashmir Region (Depicting the Cease Fire Line/Line of Control, Siachen and Shaksgam)



(Chitral) →

This American map, without any credit line, was distributed at a US Institute for Peace Conference on J&K held just outside Washington D.C. in October 1991. It incorrectly depicts the LOC as running northeast from what is NJ 9842 to a point just west of the Karakoram Pass. A line drawn from NJ 9842 “thence north to the glaciers” would locate most of the Siachen glacier on the Indian side of the LOC.

The hatched triangle NJ9842 – K K Pass – K2 Carries the legend “Indian Occupied since 1983”.

Map 2