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8th May, 2007

Dear Baroness,

Reference the report "Kashmir: Present situation and future prospects", adopted by the Committee on Foreign Affairs on 21st March, 2007.

Para 2 of the explanatory statement annexed to the report states:

"The division gave Kashmir Valley, Jammu, Laddakh, and Siachin Glacier accession to the Republic of India as the State of Jammu and Kashmir. The Islamic Republic of Pakistan took control of Azad Jammu and Kashmir (AJK) and Gilgit and Baltistan, the latter renamed the Northern Areas, a small part of which Pakistan ceded to the People's Republic of China in 1963."

In this context, I would like to bring to your notice the following salient points regarding the Northern Areas of Pakistan:

- The Northern Areas of Pakistan consist of six districts, viz. Gilgit, Skardu, Diamir, Ghizer, Ghanche and Astore. Its population is around 1.5 million and it spreads over a vast area of 72,495 sq. Km.
- Historically, the Treaties of Lahore and Amritsar of 1846, which constitute the basic documents regarding the establishment of the State of Jammu and Kashmir, do not recognize its territorial limits on the areas westwards of the River Indus. The whole of Northern Areas, which include Gilgit Agency and Baltistan Agency, was not a part of Jammu and Kashmir State in August 1947.
- The States of Hunza and Nagar were never treated as part of Jammu and Kashmir. They were autonomous states but nominally under the suzerainty of the Dogra ruler. Hunza and Nagar acceded to Pakistan and the instrument of accession signed by the Mirs (rulers) of these states was accepted by the Quaid-e-Azam in 1947.
- The UNCIP resolutions are also relative to the State of Jammu and Kashmir and do not, in any manner, apply to any part of the Northern Areas which were not included in the State of Jammu and Kashmir before 1947. From this perspective, integration of the Northern Areas with Pakistan is also not prohibited.

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Regarding Siachin, the following information may be of interest to you:

- Siachen Glacier forms part of the Northern Areas, which has been under the administrative control of Pakistan, right from 1947. The physical control of this area was acknowledged by the Government of India when Pakistan signed the Border Agreement with China in 1963.
- This control was never disturbed during the conflicts of 1948, 1965 and 1971. Thus, Pakistan's control over the area remained effective till April 1984 when Indian troops were found to be present there-a development violating the provisions of the Simla Agreement.
- The Karachi Agreement of 1949 specifically fixes NJ 9842 as the northern most terminus of the Cease Fire Line (CFL). As the Agreement was one between military representatives for purpose of establishing a CFL, it obviously did not touch on the question of drawing a line beyond the area of hostilities. The Sub-Para B 2 (d) of the Agreement gives the descriptive narrative of CFL towards its terminus in Baltistan which reads as:

"... Chorbatla (Pt 15700), Chulanka (on the Shyok River), Khor, thence north to the glaciers. This portion of the CFL shall be demarcated in detail on the basis of the factual position as of 27 July 1949 by the local commanders, assisted by UN Military Observer."
- Because of Pakistan's control over the area a number of mountaineering expeditions, including foreign expeditions which took permission from the Government of Pakistan visited Siachen area, the most well known of which was undertaken by a term of the Imperial College of London led by Eric Shipton in 1957. Two Australian expeditions visited Siachen area during 1962. These expeditions sought and were given permission by the Government of Pakistan as a matter of course.
- The conclusion of a Boundary Agreement between China and Pakistan in 1963 established the second terminus at Karakoram Pass. Thus, the area located North and North East of NJ 9842 upto the Karakoram pass has been under the de-facto control of Pakistan. This fact is clearly reflected in prestigious international atlases like National Geographic and Britannica etc.
- Pakistan's control over the area during and after the 1965 conflict remained undisturbed. The 1949 CFL was restored after the Tashkent Agreement. Pakistan's control over the area in question remained undisturbed during 1971 war. The Line of Control resulting from the Cease Fire of December 17, 1971 as delimited by

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the Military Representatives of both the Governments again terminated at NJ 9842. Pakistan's control was also recognized by India in the Karachi and Simla agreements.

- Pakistan continued to exercise control in the area in question after the Simla Agreement. Up to 1984, Pakistan granted permission to a number of foreign mountaineering expeditions who visited the Siachen Glacier and the area to the east along with a large number of Pakistani personnel.
- Pakistan protested to India on March 29, 1982 against intrusion by the Indian troops in the area. India described the protest as "invalid" stating that "this area is a part of Jammu and Kashmir the whole of which is an integral part of India".
- In 1984, India, in violation of the Simla Agreement, moved its troops north of LoC terminus NJ 9842 and occupied Sia La and Belafond La passes of the Salto range lying west and adjacent to the Siachen Glacier.
- In response, Pakistan Army moved in the area to check further Indian ingress. Pakistani troops occupied position in Gyong La, overlooking the Nubra Valley.

I hope that the information given above would find due place in the final report and would help in removing factual errors from the report.

With best wishes,

M. Saeed Khalid
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Ambassador

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