

own history in the sphere of human rights, their reply was that everybody knows about it. But, on my personal enquiry I found that nobody knows because at least in the United Nations all the diplomats from the developing countries are very young people. They have no idea how Pakistan came into being; what has been the record of Pakistan in the field of Human Rights and so on. Ultimately, a Paper was prepared and then the Pakistan withdrew its resolution on Human Rights.

There is definitely a policy to go on countering what Pakistan is doing, but there is no policy on our part to take offensive. I would like to know from the Minister, what was the Government of India's policy regarding this earlier and whether they have changed it or they are going to change this policy in the near future.

SHRI R.L. BHATIA: Our Missions abroad are giving information to other governments. We are also providing information to the embassies of different countries. We always apprise them of particular situation and our Missions are constantly in touch with the respective governments and they are providing all the information that is required.

SHRI UMRAO SINGH: Sir, the Indian communities abroad, of which the majority belongs to my State and my constituency, have their genuine grievances.

MR. SPEAKER: That is a completely different thing.

SHRI UMRAO SINGH: They have a problem regarding dual citizenship and such other problems which they face locally. Similar problems had occurred in

UK and US also. In UK, Indian Overseas Congress has done a very commendable job and we do not need any lobby there. I would like to know from the Minister why cannot we have a similar organisation in America which shall be composed of all Indians and it should help us in creating a lobby, as is being done in United Kingdom.

SHRI R.L. BHATIA: As I have explained earlier, there are a number of Indian organisations regarding which I have just now given the information. They are all doing a good job. We are assisting them with the necessary information and they are playing a good role. We cannot coordinate all of them because there are different types of people who are working at different levels. For instance, students are involved, lawyers are involved and even business people are involved. In their own sphere everybody is contributing towards it. All of them are doing a good job.

[Translation]

US Views on Kashmir and Punjab

*63. SHRI CHETAN P.S.
CHAUHAN:

SHRI PARASRAM
BHARDWAJ:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the Government are aware of the recent views expressed by the US President and the other high officials of the State Department of that country on Kashmir and Punjab;

(b) if so, the details thereof and the reaction of the Government thereto;

(c) whether the Government have taken up the matter with the US authorities; and

(d) if so, their response in this regard?

[English]

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI R.L. BHATIA): (a) to (d) *Statement* is laid on the Table of the House.

STATEMENT

Government are aware that on February 14, 1994 at the ceremony on the occasion of Pakistan's Ambassador to the US Maleeha Lodhi's presentation of credentials, President Clinton said that "increasing respect for human rights around the world is a pillar of US foreign policy". He shared "Pakistan's concern about human rights abuses in Kashmir" and also said that the US opposes "infringements of individual human rights as a result of extremism and fanaticism, whether of a religious or secular nature, wherever it occurs".

2. In a statement on February 16, 1994 our official spokesman said that India is committed to uphold human rights as part of our heritage and as enshrined in our Constitution and our laws. It is unfortunate that the President has made common cause with Pakistan in his remarks on human rights in Jammu and Kashmir and has not taken into account the proven role of Pakistan as a State sponsor of terrorism. We regret that no concern has been expressed for the human rights of the victims of the terrorists armed, trained and sent into Jammu and Kashmir by Pakistan.

3. Prior to this, Government's concern at President Clinton's response to Ghulam Nabi Fai's letter was conveyed by Ambassador Ray in a letter to US Under Secretary (for Political Affairs) Peter Tarnoff. Attention was drawn to the fact that Fai is a paid lobbyist of the Kashmiri American Council, a front organisation involved in funding and promoting militancy and terrorism in Kashmir. It was disconcerting to see that an individual like Fai, who is in the forefront of the campaign for dismembering India, should seemingly receive recognition and encouragement from the highest political authority in the US. Any suggestion that the US President appreciates his inputs and looks forward to working with him is liable to serious misunderstandings.

4. In response to media queries, our Official Spokesman said "we trust that when the US President referred to respect for human rights, it was in the context of gross violations of human rights by militants and terrorists aided and abetted from outside India. We entirely share the growing global interest in the strict observance of human rights and we are committed to strengthening the institutions relevant to the upholding of human rights".

5. On receiving information about President Clinton's reply of December 27, 1993 to Congressman Condit that he "shares" the latter's "desire for a peaceful solution that protects Sikh rights", Government immediately reacted with a strong statement nothing that the US President's letter to Congressman Condit came in the wake of a series of negative pronouncements by US Authorities on issues such as Kashmir, human rights and Punjab. The situation in Punjab was peaceful and a solution had been attained

by democratic means whereby rights of all India including Sikhs, are protected under the law, irrespective of religion. It was emphasised that India's commitment to human rights and democracy is axiomatic to India's existence and no external prescriptions would be accepted. It was categorically stated that such official pronouncements by the US Government, including at the highest level, cannot but have a negative impact on Indo-US bilateral relations. Ambassador Ray also met Assistant Secretary Robin Raphel to convey Government's concern.

6. Government also noted the remarks regarding Kashmir by Assistant Secretary Robin Raphel at a speech in Washington on 9 February 1994 to the Asia Society wherein she compared "the civil war in Afghanistan" to the "insurgency in Kashmir". She said that both conflicts will remain high on her agenda for US South Asian policy. Responding to questions she reiterated that the US believes that Kashmir is disputed territory and, as a practical matter, the people of Kashmir have to agree and accept any solution to the dispute as otherwise it would not be a stable solution. She said the history of this State is not necessarily the key to its future. It is a tortured history. When questioned about how the views of the people of Kashmir would be ascertained, she said that the US does not have a formal view on how this should be done.

7. In an official statement on February 11, 1994, Government pointed out that no comparison can be made between the situation in Afghanistan and J&K. The former is a by-product of the Cold War whereas J&K has been facing a massive campaign of terrorism aided and abetted by Pakistan. The only link between Afghanistan and J&K is that

weapons and mercenaries have moved from both Afghanistan and Pakistan in support of terrorism in J&K. Government hoped that the US Administration will recognize that Pakistan sponsored terrorism is the major obstacle in restoring peace and tranquillity in J&K. Repeated references lacking in balance and proper perspective regarding the situation in J&K by responsible US Administration officials tend to provide encouragement to Pakistan and terrorists sustained by them to continue with their violent activities. Such references are unhelpful and hinder resumption of the democratic political process and a return to normalcy which the Government of India are striving to bring about.

8. Government constantly monitor developments having a bearing on India's national interests. Government are pursuing a policy of considered and constructive dialogue with the US. Government remain committed to policies in consonance with India's national interest and to take all steps necessary to safeguard India's territorial unity and integrity.

9. All the developments listed above have been discussed with the US Government both in Washington and Delhi. Their response has been that these do not constitute and should not be construed to imply and change in US policy.

SHRI CHETAN P.S. CHAUHAN:
Speaker, Sir, it is only last week that the House passed a resolution, supported by all the parties, on Kashmir. But, India has taken too long to assert its position on Kashmir. Due to this failure, it is subjected to intense diplomatic pressure in every international forum; in the United Nations, Vienna, Brussels and Geneva. Besides

continuing with Article 370, that is giving special status to Kashmir.....

MR. SPEAKER: Please do not read out the question. You have to put the question.

SHRI CHETAN P.S. CHAUHAN: I am coming to the question, Sir. All this is very important. Besides continuing with Article 370 and not highlighting the plight of migration of nearly 5 lakh Kashmiri pandits and other Muslims and Sikhs and failure to counter terrorism sponsored by Pakistan has aggravated the matter further. Is the Government aware of the third option theory of United States of independent Kashmir? What measures the Government is taking to counter this, because the very accession to India has been questioned by the USA?

SHRI R. L. BHATIA: The Government of India is doing its best to apprise the people of the true situation in Jammu and Kashmir.

AN. HONOURABLE MEMBER: That is not good enough.

SHRI R.L. BHATIA: If you want to be good enough, I would say...

MR. SPEAKER: You are all the time responding to the interjections. Please confine yourself to the main Supplementary. The best way to do is to address the Chair. No responding to the interjections. Otherwise, you will reply something else.

SHRI R. L. BHATIA: The Government of India is doing its best to explain to the people all over our point of view so far as Jammu and Kashmir is concerned; we have also explained to the people all over the world, all the

governments, all the institutions through our Missions that whatever is happening in Kashmir is as a result of the terrorism sponsored by Pakistan; and this fact is known to the people all over; and if again and again, Pakistan is raising the question of human rights, our reply is very clear that as soon as terrorism sponsored by Pakistan continues, this question will always be there. But we consider Jammu and Kashmir an integral part of India and we will not brook any interference of any kind in our country.

SHRI CHETAN P.S. CHAUHAN: He has not answered about the third option. Are you aware of the option of the United States for an independent Kashmir?

SHRI R. L. BHATIA: This is a bilateral matter between India and Pakistan and only two Governments can sit and have a dialogue over this; and there is a Shimla frame under which we can have a dialogue. We cannot consider any other mediation, any other method or any other theory with regard to this.

SHRI CHETAN P.S. CHAUHAN: President Bill Clinton has written to 16 legislators about the situation in Punjab and protection of Sikh rights.

This has encouraged the terrorists in Punjab and also the protagonists of Khalistan. Normalcy is returning to Punjab, terrorism has been controlled and demand for Khalistan was also died down in Punjab.

What steps the Government is taking so that this kind of aggravating matters are not raised by the officials of the United States? It is said that some one in the State Department who does not know even where India is...

MR. SPEAKER: You are again reading.

SHRI CHETAN P.S. CHAUHAN: I am not reading; I am referring to my notes. It is said that somebody who does not even know about India, somebody who does not even know where Kashmir is in India, is drafting these letters; and these are being signed by the high officials of the United States.

SHRI R.L. BHATIA: It is true that President Clinton has sent a letter in reply to some Senator there with regard to the situation in Punjab and with regard to Khalistan; but our Ambassador immediately reacted and met the officials in the State Department and made it clear that this kind of a reference, whether it is at the level of what you have mentioned at the lower level or at a higher level, will affect our relations between India and USA. We have categorically told them that these things will stand in the development of relations between the two countries.

MR. SPEAKER: Shri Parasram Bhardwaj — not present. Shri Chandra Jeet Yadav.

SHRI CHANDRA JEET YADAV: On three very important occasions not only the officials of the State Department but the President of the United States of America himself made very, I will say, anti-India statements. One occasion was a very important one when newly appointed Pakistani Ambassador on February 14, 1994 was submitting her credentials, the President said that he shared the views of Pakistan about the abuse of human rights in Jammu and Kashmir. On another occasion to a paid lobbyist of Kashmiri American Council, Mr. Fai, in reply to his letter, President

made an anti-Indian statement. The third occasion was last year, December 23, when in reply to a letter of congressman Mr. Condid said that he shared the concern of the abuse of human rights in India particularly in Punjab and Kashmir.

He also spoke about the Sikh Rights; in defence of the Sikh Rights, when Punjab problem has been very smoothly solved to the satisfaction of our countrymen.

Sir, I am sorry to say that the President of the United States of America made anti-India remarks on three occasions but our Government has taken it very lightly and rebuttal has been made at a very low level. Not even the Foreign Minister, not to speak of the Prime Minister, has till today said anything. It is not an ordinary thing that the President of a country is continuously making anti-Indian observations and our Prime Minister is keeping quiet; our Foreign Minister is keeping quiet. They are saying that they had expressed their concern through our Ambassador. It is a shameful situation.

They have not lodged any protest, they have only conveyed their concern. The Americans say that it does not mean that there is a change in their approach towards India. Does the Government of India agree with the Government of The United States of America that there is no change in their policy towards India or do they think that these remarks are anti-Indian? Do you think that they are not going to affect our relations? Keeping in view the strong emotions and feelings of the Indian people, will the Prime Minister take up this matter at his level with the President of America?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI DINESH SINGH): Mr.

Speaker, Sir, the United States is very concerned about human rights all over the world. They referred to the human rights violation in India and in many other countries. That is the line that the President is following in his domestic policy.

Now, whenever any statement is made, we respond to it. We felt that this kind of a statement was not worth that either the Prime Minister or I should give a reply. The spokesman's reply was quite sufficient, in my opinion. What do I do?... *(Interruptions)*... That is your opinion and this is my opinion. what do I do? *(Interruptions)*

AN HONOURABLE MEMBER: It is the President of United States who said this.

SHRI DINESH SINGH: It may be the President, but what should we do? *(Interruptions)*

SHRI CHANDRA JEET YADAV: Sir, the Minister's statement is a worthless statement. *(Interruptions)*

SHRI DINESH SINGH: If you are not interested to listen to me, what do I do then? *(Interruptions)*

Mr. Speaker, Sir, our Ambassador's statement in the United States was sufficient to answer this. The President may make a statement. My friend may think that the President's statement should be replied to by the Prime Minister, it is not always necessary because the statement made by the Government of India, by our representative in America carries sufficient influence in the United States.

We have made it clear again and again that Kashmir is a part of India and

will remain part of India. It is our domestic affair. If they do not listen and go on saying something, what do I do? We also make our statements. *(Interruptions)*

SHRI BASUDEB ACHARIA: Is India so helpless that you cannot do anything? *(Interruptions)*

SHRI DINESH SINGH: Even after that if they say that their relations, their attitude towards India is same, what do we do? Should we tell them that it is not the same? *(Interruptions)*

They have themselves corrected their statement. I do not think that we should attach too much importance to this. The Resolution that has been passed by this House has gone all over the world and it carries more power than any statement made by any of us could have carried.

[Translation]

SHRI RAM KAPSE: Mr. Speaker, Sir, I have objection to what the Minister is saying. *(Interruptions)*

[English]

SHRI JASWANT SINGH: Mr. Speaker, Sir, there are three aspects of this question: The State of Jammu and Kashmir and its status, the question of Punjab and the question of human rights.

MR. SPEAKER: May I intervene? One can understand the feelings of the Members on this question but we should also understand that somebody is trying to internationalise it and we should not fuel it.

SHRI JASWANT SINGH: Absolutely. On these three subjects, the

State of Jammu and Kashmir and its status, the question of Punjab and the overall question of human rights and the supposed violation of human rights in India there have been occasions when the President of the United States, orally, in writing and the Head of South Asia Desk again orally have made certain comments. Notwithstanding what the United States of America has said that there has been no change in their policy, taking into account the collectivity and the cumulative consequences of these statements what is the interpretation of the Government of India? Does this amount to a change on these three subjects in so far as the Government of the United States of America is concerned, firstly, or can it be attributed to insufficient and inefficient briefing and lack of maturity and experience in the officers as those hold high office in the United State of America?

MR. SPEAKER: That is not going on record.

SHRI JASWANT SINGH: Sir, I am talking about officers.

MR. SPEAKER: Okay, 'Officers' is all right.

SHRI JASWANT SINGH: All that I am asking is: Is it a change of policy? Can it be attributed to inefficient and insufficient briefing on the part of the State Department and officers of the United States of America? Conversely, mindful of the concern about human rights, in which India is second to none, would the Government of India also consider expressing its great concern about the violations of human rights, particularly when it comes to the Blacks of the United States of America?

SHRI R.L. BHATIA: It is true that at various levels these statements have been made.

MR. SPEAKER: If there are two statements, the last statement carries weight.

SHRI DINESH SINGH: They have made the statements and they have themselves corrected it by saying that America's position is the same as in the past. So we should accept that they have made these earlier statements wrongly.

SHRI M. GHANEDRA REDDY: I am putting a direct question to the hon. Minister. Is it a fact that the Pakistan Government is encouraging terrorism and militancy in India? If so, is the Government of India considering declaring Pakistan as a terrorist state in view of the gross violation of human rights by Pakistan aiding militants and terrorists and whether the Government of India is considering the sponsoring of the issue, to declare Pakistan as a terrorist state in the UNO?

SHRI R.L. BHATIA: All we have done is that we have put up all the information to all the Governments and friendly countries about what Pakistan is doing in Jammu and Kashmir, how terrorism is being sponsored by them, how weapons are being supplied by them and how the human rights arise out of the interference by Pakistan. That has been explained to all our friends and all the countries.