

INDIA - CHINA CONFLICT

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INDIA-CHINA CONFLICT

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MINISTRY OF EXTERNAL AFFAIRS
NEW DELHI

INDIA-CHINA CONFLICT

"Nothing in my long political career," wrote Prime Minister Nehru to Premier Chou En-lai on October 27, 1962, "has hurt and grieved me more than the fact that the hopes and aspirations for peaceful and friendly neighbourly relations which we entertained and to promote which my colleagues in the Government of India and myself worked so hard, ever since the establishment of the People's Republic of China, should have been shattered by the hostile and unfriendly twist given on India-China relations during the past two years." India was hurt and grieved, because she had not only extended the hand of friendship to People's China, but gone out of her way to plead the cause of China in the Councils of the world, constantly advocated her admission to U.N., and all along opposed the military pacts which were set up to isolate China.

A LEGACY OF FRIENDSHIP

2. India was hurt and grieved, also because the border dispute was an entirely new and deliberate attempt on the part of China to give an unfriendly twist to the long history of peaceful and friendly relations between the two countries. History, far from having left over any political conflicts or territorial disputes, was witness to the remarkable absence of such conflicts and disputes between the two biggest countries of Asia. This legacy of peaceful neighbourly relations

was further developed after India became independent, and China proclaimed the People's Republic. For eight or ten years after 1949, the relations between the two countries remained extremely cordial.

3. It was on January 23, 1959, that Mr. Chou En-lai, in a letter to Mr. Nehru, for the first time, questioned the established boundary between India and China. Even then, no specific territorial claims were made. The claim to 50,000 square miles of Indian territory was put forward by Mr. Chou En-lai only on September 8, 1959.* The timing of this territorial claim and the manner in which the ground for it was prepared was significant. Had the Chinese any genuine doubts about the boundary and had they desired an amicable settlement, they could have raised the question in the years when there was confidence and understanding between the two countries. But the question was not raised, even though the Government of India had made public declarations affirming the established boundaries of India.

CHINA CONCEALS HER CLAIMS

4. The Government of China, concealed their territorial claims, even when the two countries negotiated and signed the 1954 Agreement on Tibet. Though it was an agreement on trade and intercourse, it was concluded to settle all outstanding issues and to consolidate the friendly relations between the two countries. The Preamble to this Agreement indicated the wider purposes of the treaty. The Five Principles of Peaceful

*Map 1



Co-existence were embodied in it for the first time. One of the Five Principles was "mutual respect for each other's territorial integrity and sovereignty," which clearly implied that the borders of each party to the treaty were known to the other. Had China believed that there was a territorial dispute of any size about the entire Sino-Indian boundary, was it not the time to raise the question when the two countries were solemnly pledging the "territorial integrity" of each other?

THE QUESTION OF OLD MAPS

5. In October, 1954, when the Prime Minister of India visited China, he mentioned to the Chinese leaders that he had seen some maps published in China which showed a wrong boundary between the two countries, and added that he was not worried about it, because the boundaries of India were quite clear and not a matter of argument. The Chinese Prime Minister replied that these maps were reproductions of old maps drawn before 1949 and they had had no time to revise them. Again, in 1956, when Mr. Chou En-lai visited India, Mr. Nehru referred to the wrong Chinese maps, especially in relation to the Eastern Sector. Mr. Chou En-lai then said that he had accepted the McMahon Line* as the border between China and Burma, and he would accept this border with India also. As late as 1958, the Government of India drew the attention of the Chinese authorities to a map published in an official Chinese magazine, which included in Chinese territory four of the five Divisions of India's North-East Frontier Agency, some

*Map 4

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areas in Uttar Pradesh in the Middle Sector and large areas in Ladakh. It was pointed out that as the People's Government had been in power for nearly nine years, corrections in Chinese maps should not be delayed any longer. Thus, even when India, in a frank and friendly manner, raised the matter of these wrong maps, the Chinese did not even suggest that the boundary, according to them, was in any manner under dispute.

CONDITIONS 'RIPE' FOR DISPUTE ?

6. On January 23, 1959, Mr. Chou En-lai wrote to Mr. Nehru admitting "It was true that the border question was not raised in 1954 when negotiations were being held between Chinese and Indian sides for the Agreement on Trade and Intercourse between Tibet region of China and India. This was because *conditions were not yet ripe for its settlement.*" This is one of the amazing admissions of dissimulation in modern history. How did time become 'ripe' in 1959 for the dispute to be raised? By that time China had obtained effective control of Tibet, having put down the popular rebellion there, and the Chinese army was well-entrenched across the borders of India. So, China raised the question only when she was in a position to subject the issue to the arbitrament of arms. This is clearly contrary to the spirit of good neighbourliness and Afro-Asian solidarity.

INCURSIONS AND USE OF FORCE

7. China waited to put forward her claim, not only until she became militarily strong in Tibet, but until she had, through clandestine incursions into remote areas, occupied parts of Indian territory. In 1957, the Chinese built a road across the Aksai Chin area of India.

An Indian patrol in this area was detained by the Chinese in the summer of 1958 and in reply to a protest the Chinese referred to their "frontier guards" having detained the Indian patrol because they were in Chinese territory. The next year, Chinese armed forces came to Khurnak Fort in Ladakh, arrested an Indian patrol party in Aksai Chin and made other incursions across Indian territory. In October 1959, they further penetrated into Ladakh and opened fire on an Indian patrol near the Kongka Pass, killing nine Indians. Ten other members of the party were taken into custody and meted out inhuman treatment. China had thus by 1959 already begun to resort to force and to raise tension in the border areas.

TALKS AND DISCUSSIONS

8. In view of the deterioration in relations between the two countries, the Prime Minister of India wrote to Premier Chou En-lai on February 8, 1960, suggesting a meeting between the two. The meeting which took place in April, 1960, only confirmed the serious differences in regard to the understanding of even basic facts about the border. The Prime Ministers, therefore, agreed that officials of the two Governments should meet and examine relevant documents and make a joint report, and that, in the meantime, every effort should be made to avoid friction and clashes on the border. The Officials' Report is a unique document. The mass of evidence produced by the Indian side clearly established the validity of the boundary alignment asserted by India. The Government of India published the Report in February, 1961, but the Government of China did not even acknowledge its existence, and published it only in April, 1962.

CHINA LAUNCHES AN INVASION

9. Early in 1962, Chinese troops stepped up their forward patrolling in the Western Sector. In July 1962, Chinese troops encircled an Indian post in the Galwan Valley. There were also other clashes. On July 26, 1962, the Government of India wrote to the Chinese Government that, as soon as the current tension had been eased, India was prepared to enter into discussions on the basis of the Officials' Report. While notes on preliminary discussions to ease the tension were being exchanged, the Chinese troops, suddenly on September 8, 1962, marched across the well-established and, till then, peaceful boundary in the Eastern Sector, viz., the McMahon Line. This was followed, on October 20, 1962, by massive attacks by China in, both, the Western and Eastern Sectors of the border, overwhelming the limited Indian frontier posts.* The Chinese armies — still described by China as "frontier guards", though they were operating more than a hundred miles beyond the area where they were in 1958 — marched well inside Indian territory, and then, on October 24, Premier Chou En-lai put forward his three-point proposals for cease-fire and disengagement. These proposals amounted to dictating terms to India, and meant that China will keep what they have taken by force, and negotiate with India in regard to the rest of their territorial claims. India could not have, consistent with her national dignity, accepted these terms. India, therefore, made the simple and straightforward counter-proposal that the *status quo* on the border, as on September 8, 1962, should be restored,

*Map 2.

and thereafter the two countries should enter into discussions. The Chinese answered by further massive attacks deeper into Indian territory. Then, dramatically, on November 21, they announced their unilateral cease-fire and withdrawal declaration. Accordingly, the Chinese forces withdrew 20 k.m. behind the McMahon Line, which they called "the 1959 line of actual control" in the Eastern Sector, and also 20 k.m. behind the line of their latest aggression in Ladakh, which they further identified with the so-called "1959 line of actual control" in the Western Sector. This left the Chinese in illegal possession of 14,500 square miles of Indian territory in Ladakh, including the fruits of their latest aggression in this Sector*. India declined to accept these unilateral terms of the aggressor, but stated that she will not interfere with the cease-fire. At the same time, India asked for restoration of the *status quo ante* of 8th September 1962, in all sectors of the boundary as a condition precedent to a mutually-agreed cease-fire. A stalemate ensued as the Chinese rejected this Indian proposal.

COLOMBO CONFERENCE PROPOSALS

10. In order to break the stalemate and to provide a basis for agreed cease-fire arrangements, the representatives of six Afro-Asian countries (Ceylon, Burma, Indonesia, Cambodia, U.A.R. and Ghana) met at Colombo, between 10th and 12th December, 1962, and made certain proposals**. "The Conference believes," said this unanimously adopted document, "that these (Colombo)

*Map 3.

**Appendix I.

proposals, which could help in consolidating the cease-fire, *once implemented*, should pave the way for discussion between representatives of both parties for the purpose of solving problems entailed in the cease-fire position." The intention of the Conference obviously was that the Colombo proposals should be accepted by both parties, so that substantive discussions on the border problem could take place between the two countries. India accepted the proposals in full, but China did not accept them, and took an ambiguous stand, stating their agreement 'in principle'. Peking's attitude to the Colombo proposals is indicative of the unwillingness of the Chinese Government to settle the border question in the Afro-Asian context of genuine peaceful co-existence.

PEKING RAISES RESERVATIONS

11. The Colombo proposals were conveyed to Peking and Delhi through a special envoy of the Ceylon Prime Minister. Later, the Ceylon Prime Minister, accompanied by the Indonesian Foreign Minister, visited Peking in the first week of January 1963, to explain the proposals in detail to the Chinese Government. During this Peking visit, the Ceylon Prime Minister and her colleagues handed over to the Chinese Government a document explaining the background of the Colombo proposals, entitled "The Principles Underlying the Proposals of the Six"* . In their oral explanation as well as in this document containing the principles underlying the Colombo proposals, they made it clear that the Colombo proposals were made to provide a basis for an agreed cease-fire and to consolidate the cease-fire, thus

*Appendix II.

creating the necessary atmosphere for direct discussions between the parties concerned for settlement of the main differences. They also made it clear that the acceptance of the proposals will not prejudice the position of either of the two Governments as regards their individual conception of the final alignment of the boundaries. The Chinese Government, while stating their so-called acceptance of the Colombo proposals, "in principle", handed over to the Prime Minister of Ceylon a Memorandum, dated 6th January, 1963, and a letter dated 8th January, 1963, which made various reservations on the proposals. In brief, the reservations made by the Chinese Government required:

- (i) that the Indian Army should not advance into areas in the Eastern Sector from which the Chinese forces had withdrawn in accordance with their declaration of unilateral cease-fire and withdrawal dated 21st November, 1962; and
- (ii) while the Chinese will maintain their civilian posts in the demilitarised zone in the Ladakh sector, there should be no Indian civilian posts of any kind in this sector of the demilitarised zone.

These reservations, which the Chinese have maintained throughout, are in direct contravention of the principles and provisions of the Colombo Conference proposals, especially paragraphs 3 and 2 (c) of the Colombo proposals and paragraphs 6 (c) and 9 (e) of "the Principles Underlying the Proposals of the Six", communicated to the Chinese Government at Peking.

INDIA ACCEPTS COLOMBO PROPOSALS

12. The Ceylon Prime Minister, Mrs. Bandaranaike, accompanied by the U.A.R. representative, Mr. Ali Sabry, and the Ghana representative, Mr. Ofori-Atta, visited Delhi between 12th and 14th January 1963, on a similar mission. Here again they explained the proposals in detail and, on request from the Government of India, gave certain clarifications of the proposals* which were, in essence, the same as 'the Principles Underlying the Proposals of the Six' given at Peking.

13. The Government of India accepted the Colombo proposals, *in toto*, in the light of the clarifications given. This was done with the approval of Parliament. The Chinese Government continued to maintain the reservations and even entered into lengthy correspondence with Prime Minister Mrs. Bandaranaike, accusing the Colombo Powers of inconsistency and partiality. They further alleged that the Colombo Powers had set up themselves as arbitrators, etc. Marshal Chen Yi, the Vice-Premier of the People's Republic of China, told a correspondent of the Swedish Broadcasting Corporation on February 17, 1963, that the Colombo Proposals "are neither a command, nor an arbitration decision. The Chinese Government is not obliged to accept them *in toto*." Marshal Chen Yi also said: "The Colombo proposals contain contradictions and fallacies in logic."

ACCEPTANCE IS NOT INTRANSIGENCE

14. In their effort to cover up their non-acceptance of the Colombo proposals, China accused India of putting

* Appendix III.

her own interpretations on the proposals. The fact is that the clarifications given by Mrs. Bandaranaike and her colleagues, at Delhi, were the same which they gave in Peking. Indeed, China made her two reservations on the Colombo proposals before Mrs. Bandaranaike and her colleagues came to India and offered the clarifications to the Government of India. Thus the Chinese Government made their 'reservations' prior to and independently of the Government of India's stand. It is these Chinese 'reservations' which continue to thwart the realisation of the aims of the six Afro-Asian countries who met in Colombo, and stand as an obstacle to the opening of direct negotiations between India and China. Government of India's clear and straightforward stand that China should accept the Colombo proposals, in full, before negotiations can start, has been characterised by China as putting 'pre-conditions', 'intransigence', 'big power-chauvinism', etc. To have accepted fully and voluntarily the proposals of the six Afro-Asian nations can hardly be considered a sign of intransigence or big power-chauvinism. If the Colombo proposals are 'pre-conditions', they are not pre-conditions set by India, but by the Colombo Conference. These were meant "to create an atmosphere which would enable China and India to enter upon negotiations with dignity and self-respect" and so that "neither side should be in a position to derive benefit from military operations". Chinese insistence that direct negotiations should begin without the acceptance of the Colombo proposals means, in effect, that the above principles need not be observed in China's dealings with India. It would be a serious set-back to all that Afro-Asian nations stand for, if a country like India is to submit to Chinese pressures and threats, and compelled to settle her differences on China's unilateral terms.

THE QUESTION OF POSTS IN LADAKH

15. Ever since the Colombo Proposals were formulated, efforts were made by friends of India and China to persuade Peking to accept these Proposals fully just as India has done. The Colombo Conference had clearly laid down that the 20 k.m. demilitarized area in Ladakh "be administered by civilian posts of both sides". China, however, established, unilaterally, seven posts of her own in this area and objected to the setting up of civilian posts by India as provided for in the Colombo Proposals. In order to overcome this Chinese objection and to get negotiations between the two countries started, friends of China and India suggested that the demilitarized area be kept vacant of posts of either side. This meant that China should remove the seven posts she had unilaterally set up in the 20 k.m. demilitarized area.

INDIA'S CONCILIATORY GESTURE

16. Speaking in Parliament on April 13, the late Prime Minister Nehru clarified India's stand on the question of posts and said that "if both parties by agreement decided to have no posts at all in this area" it was possible to consider that this satisfied the Colombo Proposals. Later on, in his speech to the Session of the All-India Congress Committee in Bombay on May 17, 1964, the late Prime Minister spelt out India's stand even more clearly and said that India was prepared to negotiate with China if the Chinese Government agreed to remove their posts in Ladakh. He added that the initiative lay with China and that it was now for her "to take steps and say something."

17. What did China say to this conciliatory gesture made by Jawaharlal Nehru? On May 19, the New China News Agency dismissed the whole thing as another 'precondition' and as an 'obstacle' raised by India to the holding of negotiations. It went further and claimed that the 20 k.m. demilitarized area has always been Chinese territory, and that there was no question of China withdrawing her posts in "her own territory." On June 1, 1964, Prime Minister Lal Bahadur Shastri reiterated India's position regarding the withdrawal of posts, and added: "If the New China News Agency's comment represents the considered stand of the Government of China, it would be clear that, despite all their professions to the contrary, China is not interested in accepting the Colombo Proposals or in direct negotiations with India at present." Peking has continued to maintain this negative and intransigent stand. As late as August 30, 1964, *The People's Daily* of Peking in a long anti-Indian article said that "It is China's internal affair to set up civilian posts and there is no reason for asking China to withdraw on its own territory." *The People's Daily* forgot that the Colombo Conference had asked China to withdraw its troops from this very same 20 k.m. area which was seized by the Chinese in their massive military operations in the autumn of 1962. To say that this area was always Chinese territory and to insist upon the maintenance of the Chinese posts there is clear proof that Peking does not desire a negotiated settlement of the border dispute.

IS CHINA REALLY KEEN TO NEGOTIATE ?

18. The question is, therefore, not whether India is willing to negotiate, but whether the Chinese Government is willing to enter into discussions with India on

honourable and equal terms. "Pravda", the official organ of the Soviet Communist Party, wrote in their editorial of September 19, 1963: "...It is significant that, although the People's Republic of China Government strives to put all the blame for the conflict on the Indian Government, the non-aligned Afro-Asian nations, which attended the Colombo Conference, deemed it necessary to urge none other than the Chinese Government to withdraw its forces twenty kilometres from the line which they reached as a result of major military operations in the autumn of 1962... In the countries of Asia and Africa the fact is noted that the P.R.C. Government itself had twice issued calls to the countries of Asia and Africa, in October and November, 1962, to 'display initiative', and 'contribute' to the opening of direct talks between India and China. However, the Government of P.R.C. did not avail itself of the good services of these countries when they were offered... No wonder, many people now say that the P.R.C. Government, while extolling in every way the initiative of the non-aligned nations, and declaring that it 'values' and 'pays tributes' to their good services, *actually ignores these efforts* and does not display any desire to profit by the proposals drafted at Colombo."

INDIA'S CONSTRUCTIVE PROPOSALS

19. The Government of India, by its attitude to the Colombo proposals, has shown its sincere desire for a settlement of the border question, peacefully, and in the Afro-Asian context. In a note dated April 3, 1963*, and in the Indian Prime Minister's letter to Premier

*Appendix IV,

Chou En-lai, dated 1st May, 1963*, India also suggested various constructive steps, including international arbitration, that could be taken to resolve the problem in a peaceful manner. For nearly six months, the Government of China did not make any response to these proposals, and then, on October 9, 1963, they contemptuously rejected these suggestions and accused India of having proposed these steps "to make negotiations impossible by setting up an array of obstacles." This is despite the fact that China is a party to the Ten Bandung Principles, one of which spoke of "settlement of all international disputes by peaceful means, such as negotiations, conciliation, arbitration or judicial settlement...." All these demonstrate that India is not only willing but anxious to enter into discussions with China and to find a peaceful solution to the border question. India has set no 'pre-conditions' or erected obstacles in the way of a peaceful settlement. On the contrary, it is China who has created difficulties by refusing to agree to universally acknowledged methods of peaceful settlement of international disputes.

DEADLOCK AND TENSION

20. The rejection by China of the various reasonable proposals mentioned above has led to a deadlock in Sino-Indian relations. In the meantime, China has further augmented her military strength in Tibet across India's northern border. In fact, Chinese troop concentrations in Tibet, today, are even greater than at the time of the massive Chinese invasion across the Indian borders in October/November, 1962. China has also

*Appendix V.

taken steps to consolidate her illegal occupation of 14,500 square miles of Indian territory in Ladakh. In the 20 k.m. demilitarized zone, China has unilaterally and in contravention of the Colombo proposals, set up her own civilian posts. Quite recently, she has also been setting up stone cairns along the so-called "line of actual control" in Ladakh, presumably to demarcate this 'line' as if it were the international boundary. China is also conducting a ceaseless and virulent propaganda campaign against India. Almost every aspect of India's basic policies, internal and external, has come under Chinese attack. India's policy of non-alignment has been singled out for intemperate criticism and gross misrepresentation by China who prides itself as a committed and aligned nation. All this conduct casts doubts on the sincerity of the Chinese Government for a negotiated settlement and for peaceful co-existence with India on a footing of equality. One can only hope that the Chinese leadership, which is militant and aggressive not only *vis-a-vis* India but even in its relations with its Communist allies like the U.S.S.R., will modify its attitude as a result of Afro-Asian and international opinion, and agree to negotiate with India on the basis of the acceptance of the Colombo proposals.

APPENDIX I

Proposals of the Conference of Six Non-aligned Nations held at Colombo (10th to 12th December, 1962)

1. The Conference considers that the existing *de facto* cease-fire period is a good starting point for a peaceful settlement of the Indian-Chinese conflict.

2. (a) With regard to the Western Sector*, the Conference would like to make an appeal to the Chinese Government to carry out their 20 kilometres withdrawal of their military posts as has been proposed in the letter of Prime Minister Chou En-lai to Prime Minister Nehru of November 21 and November 28, 1962.

(b) The Conference would make an appeal to the Indian Government to keep their existing military position.

(c) Pending a final solution of the border dispute, the area vacated by the Chinese military withdrawals will be a demilitarized zone to be administered by civilian posts of both

*Map 5

sides to be agreed upon, without prejudice to the rights of the previous presence of both India and China in that area.

3. With regard to the Eastern Sector*, the Conference considers that the line of actual control in the areas recognised by both the Governments could serve as a ceasefire line to their respective positions. Remaining areas in this sector can be settled in their future discussions.

4. With regard to the problems of the Middle Sector**, the Conference suggests that they will be solved by peaceful means, without resorting to force.

5. The Conference believes that these proposals, which could help in consolidating the ceasefire, once implemented, should pave the way for discussions between representatives of both parties for the purpose of solving problems entailed in the cease-fire position.

6. The Conference would like to make it clear that a positive response for the proposed appeal will not prejudice the position of either of the two Governments as regards its conception of the final alignment of the boundaries.

*Map 6.

**Map 7

APPENDIX II

The Principles Underlying the Proposals of the Six*

1. The Sino-Indian boundary dispute must be settled by peaceful negotiations between China and India. The object of the Six is to create an atmosphere which would enable China and India to enter upon negotiations with dignity and self-respect.

2. The proposals of the Six are intended to create such an atmosphere.

3. In considering the proposals made by them, the Six welcomed the announcement of a unilateral ceasefire and withdrawal made by China on November 21, 1962.

4. In the formulation of these proposals, the Six paid particular attention to the following principles:—

- (a) neither side should be in a position to derive benefit from military operations;
- (b) a stable ceasefire must precede any attempt at negotiations between China and India;

*Document given by the Representatives of the Colombo Conference to the Chinese Government at Peking.

- (c) any ceasefire arrangements must be without prejudice to the boundary claims of either party;
- (d) in the establishment of a stable ceasefire, neither side should be requested to withdraw from territory which is admittedly theirs, or from territory over which they exercised exclusive civilian administration;
- (e) the establishment of a stable ceasefire may or may not, according to circumstances, require the establishment of a demilitarized zone.

5. On a consideration of these principles, the Six were of the view that it was not feasible to formulate one uniform proposal to apply to all sectors of the Sino-Indian boundary now in dispute.

6. On the Eastern Sector,

- (a) it seems to be clear that, whether the McMahon Line is considered to be an illegal imposition or not, it has in fact become a line of actual control, with the Chinese Government exercising exclusive administrative control to the north of it, and the Indian Government exercising exclusive administrative control to the south of it, except in Che Dong and Longju which are disputed;
- (b) for purpose of a ceasefire, the Six considered that this line of actual control would be the most appropriate;

- (c) if this line were to be adopted, the nature of the terrain would bring about an automatic disengagement of forces, so that the establishment of a demilitarised zone would become unnecessary;
- (d) the Six considered that China and India should enter upon immediate negotiations in regard to the disputed portions of the Eastern Sector (*i.e.* Che Dong and Longju), and that it might be appropriate if arrangements similar to Longju could be made in respect of Che Dong pending a final settlement.

7. In the Middle Sector, the Six considered that, inasmuch as there have been no military operations in this sector, and inasmuch as the line of actual control is not in dispute, except at one place (Wuje or Barahoti), it would be appropriate if, pending a final settlement of overall boundary question,

- (a) both sides desisted from military actions;
- (b) both sides respect the *status quo*.

8. In formulating proposals for a ceasefire on the Western Sector, the Six bore in mind the following factual considerations:—

- (a) that China and India are not agreed as to what is meant by "the line of actual control as of 7th November 1959;"
- (b) that India exercised exclusive administrative control to the west of what the Chinese claim

to be the traditional customary line, and, prior to 1959, may have sent out patrols to the east of that line from time to time;

- (c) that between 1959 and 1962, India has established 43 military check posts to the east of what the Chinese have described as the traditional customary line;
- (d) that prior to 1959, the Chinese held somewhere to the east of the traditional customary line as claimed by them;
- (e) that between 1959 and 1962, the Chinese also have established some military posts westward but to the east of what China claims as the traditional customary line;
- (f) that the Chinese reached what they claimed to be the traditional customary line in 1962 as the result of their recent military actions;
- (g) that the area to the east of what the Chinese claim as the traditional customary line is uninhabited so that civilian administrative control in the strict sense of that term would not have been possible by either side;
- (h) that at the date of the unilateral cease-fire declared by the Chinese, the Chinese and Indian military forces were confronting each other more or less along the traditional customary line claimed by China.

9. Bearing these considerations in mind, the Six propose as a basis for a ceasefire:—

- (a) that Chinese forces should carry out the withdrawal proposed by Prime Minister Chou En-lai on November 21, 1962, on the Western Sector;
- (b) that Indian forces should remain where they are *i.e.* on the traditional customary line as claimed by China;
- (c) that the area in between should be demilitarized pending a final settlement of the border dispute;
- (d) that the demilitarized zone should be so administered as not to exclude the presence of either India or China as hitherto, pending a final settlement of the border dispute;
- (e) that pending a final settlement of the border dispute, this zone should be so administered as to exclude the presence of military forces of both sides. It is therefore proposed that this zone should be administered by civilian posts to be agreed upon by both sides.

APPENDIX III

Clarifications Given by the Representatives of the Colombo Powers to the Government of India on 13th January 1963.

Upon request from the Government of India, the following clarifications of paragraphs 2, 3 and 4 of the Colombo Conference proposals were given by the delegations of Ceylon, U.A.R. and Ghana:

Western Sector

(i) The withdrawal of Chinese forces proposed by the Colombo Conference will be 20 kilometres as proposed by Prime Minister Chou En-lai to Prime Minister Nehru in the statement of the Chinese Government dated 21st November and in Prime Minister Chou En-lai's letter of 28th November 1962, *i.e.*, from the line of actual control between the two sides as of November 7, 1959, as defined in maps III and V circulated by the Government of China.

(ii) The existing military posts which the forces of the Government of India will keep to will be on and up to the line indicated in (i) above.

(iii) The demilitarised zone of 20 kilometres created by Chinese military withdrawals will be administered by civilian posts of both sides. This is a substantial part of the Colombo Conference proposals.

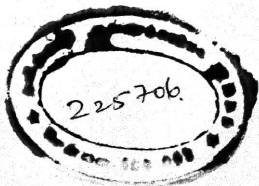
It is as to the location, the number of posts and their composition that there has to be an agreement between the two Governments of India and China.

Eastern Sector

The Indian forces can, in accordance with the Colombo Conference proposals, move right up to the south of the line of actual control, *i.e.*, the McMahon Line, except for the two areas on which there is difference of opinion between the Governments of India and China. The Chinese forces similarly can move right up to the north of the McMahon Line except for these two areas. The two areas referred to as the remaining areas in the Colombo Conference proposals, arrangements in regard to which are to be settled between the Governments of India and China, according to the Colombo Conference proposals, are Che Dong or the Thagla Ridge area and the Longju area, in which cases there is a difference of opinion as to the line of actual control between the two Governments.

Middle Sector

The Colombo Conference desired that the *status quo* in this sector should be maintained and neither side should do anything to disturb the *status quo*.



APPENDIX IV

Note given by the Ministry of External Affairs, New Delhi, to the Embassy of China in India, 3 April 1963.

The Ministry of External Affairs presents its compliments to the Embassy of the People's Republic of China and has the honour to state that, despite the Chinese Government's announcement on March 1st of withdrawal of Chinese troops 20 kilometers beyond the so-called line of actual control and the latest announcement of their intention to release Indian military personnel taken during the massive Chinese attacks in October and November 1962, the Chinese Government have, contrary to the established international practices in this regard, been indulging in making propagandic and baseless allegations of Indian military preparations, forward patrolling and provocations and sending notes couched in provocative and scurrilous language. These notes are strongly reminiscent of similar baseless Chinese charges against India in 1962 immediately prior to China's massive invasion of Indian territory.

2. The Chinese Government have, at the same time, been stating from time to time that they desire a peaceful settlement of the boundary question. Foreign Minister Chen Yi, in a recent broadcast, has stated that "the Chinese Government has been consistently seeking direct negotiations between China and India." If the Chinese Government are really sincere in their desire

for peaceful settlement of their differences with India regarding the boundary, there is no need for them to keep up this propaganda barrage of scurrilous and provocative notes or to decline to take various constructive steps indicated by the Government of India in the communications sent to the Government of China from time to time. These constructive steps are reiterated for the consideration of the Government of China:

- (i) The Government of China should accept, without reservations, the Colombo proposals just as the Government of India have done.
- (ii) The acceptance by both sides of the Colombo proposals can be followed up by a meeting of the officials to arrive at settlement of various matters left by the Colombo Powers for direct agreement between the parties and to decide the details regarding implementation of the Colombo proposals on the ground.
- (iii) The officials of both sides concerned can then take action to implement these proposals on the ground so that agreed cease-fire arrangements are established on the ground.
- (iv) Thereafter, in the improved atmosphere, India and China can take up the question of their differences on the boundary question and try to reach a mutually acceptable settlement in one or more than one stage. If a settlement is reached, this can then be implemented in detail on the ground.
- (v) If a settlement is not reached in these direct talks and discussions between the two parties

both sides can consider adoption of further measures to settle the differences peacefully in accordance with international practices followed in such cases. Both India and China can agree to make a reference, on the differences regarding the boundary, to the International Court of Justice at The Hague and agree to abide by the Court's decision. If this method of peaceful settlement is, for any reason, not acceptable to the Government of China, both parties can agree to some sort of international arbitration by a person or a group of persons nominated in the manner agreed to by both Governments, who can go into the question objectively and impartially and give their award, the award being binding on both Governments.

3. That the Government of India are sincere in their desire to reach a peaceful settlement of the differences regarding the India-China boundary is clear from the fact that, in spite of the crisis of confidence caused by Chinese massive aggression and wanton attacks on Indian territory, the Government of India made the constructive suggestions for peaceful settlement detailed in the preceding paragraph. If the Government of China are really sincere in their professions of peaceful settlement of the differences both in connection with the cease-fire arrangements and in connection with the main question of differences regarding the boundary, they should, instead of indulging in scurrilous propaganda and baseless allegations which are not only not conducive to peaceful settlement of the differences, but which further vitiate the atmosphere between the two countries, accept these constructive suggestions made by

the Government of India. The Government of India hope that the Government of China will revert to the paths of peace and accept the constructive suggestions for peaceful settlement reiterated in paragraph 2 above.

4. The Ministry of External Affairs avails itself of this opportunity to renew to the Embassy of the People's Republic of China the assurances of its highest consideration.

APPENDIX V

Letter from the Prime Minister of India to Premier Chou En-lai, 1 May 1963.

Dear Mr. Prime Minister,

Thank you for your letter of 20th April.

2. The first two paragraphs of your letter clearly demonstrate the intrinsic contradictions in the Chinese Government's attitude to adoption of various processes for peaceful settlement of the differences between India and China and this feature dominates all the arguments advanced in your letter. You accuse India of rejecting the Chinese proposals to start direct negotiations. At the same time, you had to admit that India has taken the first step in this direction and accepted the Colombo proposals and the clarifications *in toto* and China has not done so.

3. The plain facts of the situation are:

- (i) It is the Chinese authorities who resorted to force to settle the differences on the border question and mounted an invasion against India.
- (ii) Following initial success of their massive attacks, it was the Chinese authorities who tried to dictate cease-fire terms to India. I refer to your three-point proposal of October 24, 1962.

(iii) India rejected the three-point proposal and asked for restoration of the *status quo* prior to 8th September 1962.

(iv) When India refused to submit to these military dictates, Chinese authorities, after regrouping their forces, mounted another massive attack further penetrating nearly a hundred miles into Indian territory.

(v) Having failed to compel India by force to accept the three-point proposal dictated by them, the Chinese made what they called their unilateral cease-fire and withdrawal declaration which had the three-point proposal rejected by India as its essential basis. India maintained its earlier position that restoration of the *status quo* prior to 8th September 1962 and the undoing of the latest aggression were necessary before direct talks and discussions on the border differences between India and China can start. India, at the same time, stated that Indian forces will not interfere with the cease-fire or with the withdrawal of the Chinese forces.

(vi) Having failed in the attempt to force India to come to the conference table on Chinese terms and realising the effort of their ways in using force and committing aggression on Indian territory, the Chinese started what you call efforts towards reconciliation. All these efforts towards so-called reconciliation, however, have only one aim, namely, to compel India by alternate threats and cajolery to go to the conference table on Chinese terms without doing

anything to resolve the crisis of confidence created by unprovoked Chinese aggression and massive attacks. China has no real intention of undertaking talks and discussions except on Chinese terms for resolving peacefully the differences between India and China on the border question. This is the dishonest approach and that explains the sad story of contradictory and inconsistent Chinese attitude to the Colombo proposals.

4. The Colombo Conference of the six non-aligned countries was held on the initiative of Prime Minister Mrs. Bandaranaike, to resolve the stalemate in the India-China dispute created by Chinese rejection of the Indian demand for the restoration of the *status quo* prior to 8th September 1962 and Indian rejection of the Chinese three-point proposal. The Government of China began by welcoming this initiative. When, however, the Colombo proposals were put to the Government of China and explained by Prime Minister Mrs. Bandaranaike, the Government of China, while making a show of accepting the proposals in principle, handed over to Prime Minister Mrs. Bandaranaike, a memorandum, dated 6th January 1963 and a letter dated 8th January 1963 which made various reservations on the Colombo proposals. These reservations which have since been maintained by the Government of China, in one form or another, were made prior to any clarifications given by Prime Minister Mrs. Bandaranaike to the Government of India in Delhi. To bring in the clarifications given in Delhi, therefore, as the main ground for China's non-acceptance of the Colombo proposals is patently absurd. The Government of China having previously attempted to force its own terms on

the Government of India has, since the emergence of the Colombo proposals, continued its attempts to force the Colombo Conference countries to modify the proposals to suit China's requirements. This alone can explain Chinese characterisation of the Colombo proposals as "not precise and inconsistent in certain respects" and Chinese allegations that different sets of clarifications were given in Peking and Delhi. I understand that Prime Minister Mrs. Bandaranaike has replied to you and refuted these criticisms and allegations.

5. In your anxiety to justify the Chinese attitude to the Colombo proposals, you have questioned the aims and purposes of these proposals, by raising the bogey of arbitration and adjudication. That these queries are fanciful and far fetched is clear from the following observations made by the Ceylon Prime Minister during the Conference at Colombo:

In her words the purpose of the Conference was "to find a means by which India and the People's Republic of China could be brought together with a view to consolidating the cease-fire and negotiating a settlement of their border dispute."

Towards the end of the Conference she explained the purpose of the Colombo proposals and said: "It was the unanimous opinion of the countries which participated that these proposals provide such a basis and we earnestly hope that they will deserve your careful consideration and subsequently win your *approval and acceptance.*"

You have stated, Mr. Prime Minister, that "the task of the Conference was to mediate and not to arbitrate;

and that the Conference proposals are merely a recommendation for the consideration of China and India, not a verdict or adjudication which China and India had to accept *in toto*". The Colombo proposals only deal with the question of consolidation of the cease-fire arrangements and not with the merits of the border differences. There can, therefore, be no question of arbitration or adjudication. Paragraph 5 of the Colombo proposals defines their scope and purpose in clear terms:

"The Conference believes that these proposals, which could help in consolidating the cease-fire, *once implemented*, should pave the way for discussion between representatives of both parties."

The Colombo Conference countries have also categorically stated in para 6 of the proposals that acceptance of the proposals in response to their appeal "will not prejudice the position of either of the two Governments as regards its conception of the final alignment of boundaries."

The aim, purpose and the scope of the proposals have been stated in a clear straightforward manner by the members of the Conference and do not call for any arguments or polemics.

I regret, Mr. Prime Minister that, on this, as on other matters, the issues are being deliberately confused to find some justification for Chinese intransigence with regard to the Colombo proposals.

6. India accepted the proposals *in toto* because it wanted to consolidate the cease-fire arrangements and

proceed to the next step of implementing these proposals so that, in the improved atmosphere, after implementation of the cease-fire arrangements, India and China can undertake talks and discussions on the main issue, that is, their differences regarding the border and try to resolve these peacefully. China has not, so far, accepted the Colombo proposals though it glibly talks about acceptance in principle. Surely cease-fire arrangements have to be accepted and implemented as suggested in para 5 of the Colombo proposals. There can be no half-hearted or partial approach in this matter. People the world over can see for themselves which country is obstructing consolidation of the cease-fire arrangements and the return to paths of peace and peaceful talks and discussions.

7. You state in your letter that "it has now been established that the clarifications produced in New Delhi are not even a document prepared by participating nations of the Colombo Conference." Having failed to substantiate the baseless allegation that different clarifications were given at Peking and Delhi by the Prime Minister of Ceylon and her colleagues, you are now making yet another unwarranted and baseless statement intended to confuse the main issue that the Government of China has not accepted the Colombo proposals. That your allegation is baseless is clear from the fact that in the Joint Communique issued on the termination of the visit of the Prime Minister of Ceylon and her colleagues His Excellency Mr. Aly Sabry of the U.A.R. and His Excellency Mr. Kofi Asante Ofori-Atta of Ghana, it was clearly stated that "*upon the request of the Government of India, the leaders of the three visiting delegations gave detailed clarifications of the Colombo Conference proposals.*" And again from the fact that the document

in which the clarifications were given in detail begins: "Upon request of the Government of India, the following clarifications of paragraphs 2, 3 and 4 of the Colombo Conference proposals were given by the delegations of Ceylon, U.A.R. and Ghana."

8. No amount of casuistry, Mr. Prime Minister, can conceal the fact that the Government of China, while claiming to accept the proposals in principle, has been consistently opposing these proposals by maintaining its so-called reservations. If your concern for a peaceful settlement of the border dispute and for the preservation of Afro-Asian solidarity is genuine, one cannot understand your refusal to accept the proposals made unanimously and in all sincerity by six non-aligned friendly Afro-Asian countries.

9. The Government of China is perfectly within its sovereign rights if it refuses to accept the Colombo proposals. It is, however, inconsistent with the dignity of a sovereign and independent country to find flimsy excuses or to resort to indiscriminate accusations against other governments in an attempt to confuse the issues involved and to cover up its intransigence. The Colombo proposals are neither Indian nor Chinese. As a matter of fact, they considerably fall short of the Indian demand that the *status quo* prior to 8th September 1962 should be restored. And yet the Government of India accepted them in the interest of peace and Afro-Asian cooperation. It seems to be a strange form of logic for you to reject the Colombo Conference proposals just because the Government of India has accepted them. The obvious reason for the Government of China's attitude in this matter is its desire to retain at least partially the gains of its latest aggression and no amount of camouflage can hide this particular design.

10. You have deliberately misquoted my letter of 5th March as stating that the dispute concerning certain areas was one between the Chinese Government and the Colombo Conference countries. All that my letter stated was that any reservations in regard to the Colombo Conference proposals that the Chinese Government may have are matters for the Colombo Conference countries and the Government of China to deal with. Apart from this misquotation, you are also misinterpreting the scope of the Colombo Conference proposals. The quotations in para 5 above will convince you that the Colombo Conference put forward these proposals for acceptance by both India and China because the participating countries believed that these proposals, if implemented, will pave the way for discussion between the representatives of India and China on their differences regarding the border.

11. What is being discussed in this correspondence between you, Mr. Prime Minister, and myself is neither the Chinese three-point proposal nor the Indian proposal regarding restoration of the *status quo* prior to 8th September 1962, but the proposals made by the Colombo Conference. It is high time that the Government of China took a clear and categorical attitude to these proposals. India has accepted them *in toto* and, if the Government of China states that they also accept the Colombo proposals without any reservations, we can go on to the next stage of discussing the points which the Colombo proposals have left to the two countries to decide by common agreement and then implement the agreed cease-fire arrangements on the ground. We can then revert to the question of talks and discussions on the main question of our border differences.

12. You categorically state in your letter that "the Chinese Government is of the opinion that complicated questions involving sovereignty, such as the Sino-Indian boundary question, can be settled only through direct negotiations between the two parties concerned and absolutely not through any form of arbitration. The Chinese Government has never agreed to refer the Sino-Indian boundary dispute to international arbitration, nor will it ever do so." Having stated this categorical attitude of the Chinese Government you proceed to justify this attitude again by quoting me out of context. I agree that arbitration on the question of sovereignty is a concept that is unacceptable to my Government. The Sino-Indian boundary dispute, however, involves differences on interpretation of treaties, agreements, maps and the factual data relating to exercise of administration in the boundary areas under dispute. These differences are matters which are justiciable and capable of judicial interpretation either by the International Court of Justice at The Hague or by an arbitrator or arbitrators agreed to between our two governments. It is true that on August 7, 1961, I did not consider that arbitration on the Sino-Indian dispute was called for because we were hoping to resolve our differences by talks and discussions and evaluation of the material advanced in support of their claims by both sides. Since then, however, the Government of China has attempted to settle this dispute by force. In this context of force having been actually used, reversion to peaceful procedures requires that we must also agree, in case our differences cannot be settled by direct discussions, to some other peaceful method of resolving these differences so that neither India nor China need resort to force in future for settling this dispute.

13. There is no change in attitude, sudden or otherwise, on the part of the Government of India on the question of arbitration. There has been only one change and that is that the Government of China has sought to settle the differences by force of arms. It is in this context that the other peaceful methods suggested by me — reference to the International Court of Justice at The Hague or arbitration by an impartial individual or group of individuals agreed to by both the countries — has to be considered. I need not cite instances of such international arbitration resorted to by various countries in the past as these are well known.

14. In your letter, Mr. Prime Minister, you refer to actions of the Chinese Government, such as, your decision to cease fire and withdraw and repatriation of Indian prisoners of war etc., which you characterise as magnanimous. But this overlooks the basic fact that there would not have been any need for such actions if the Government of China had not invaded India and undertaken large-scale massive attacks in the western and the eastern sectors of the Sino-Indian border. Your so-called “magnanimous actions” are not only mere palliatives of the serious wrong done to a friendly and peaceful neighbour but are calculated moves to compel India to accept the terms dictated by the Government of China. If this were not so, why should the Government of China decline to accept impartial and objective proposals for consolidation of cease-fire made by the six independent non-aligned countries of Asia and Africa?

15. As aggression and massive attacks by China have occurred and the Government of China continues to be intransigent on the Colombo proposals though these only deal with consolidation of cease-fire, the

Government of India has had to take necessary measures for the defence of its territorial integrity and independence against the recurrence of what happened in October-November, 1962. This is a purely defensive measure and the Government of China has no need to worry on this score unless it harbours aggressive designs against India.

16. In your letter you have thought fit to refer to a number of measures that the Government of India had to take in the interest of security when faced with Chinese aggression and made various baseless allegations against the Government of India. These have been dealt with in detail in the replies sent by the Ministry of External Affairs of the Government of India. I would only say that all these measures are the direct result of Chinese aggression and massive attacks. The Government of India had to take, though reluctantly, these minimum measures to safeguard the independence and territorial integrity of India. At no time have Indian forces violated Chinese frontiers nor have any undue restrictions been placed on the activities of the Chinese Embassy in India. Even on the question of repatriation of Chinese detainees, the Government of India has wholeheartedly co-operated in facilitating the repatriation of those who wanted to go to China. The only point on which the Government of India could not co-operate with the Chinese Government was in respect of the Chinese demand that even those Chinese detainees who wanted to stay in India should be compulsorily repatriated to China.

17. You have, Mr. Prime Minister, made a mischievous insinuation in the concluding portion of your letter that the Chinese Government is willing to wait

with patience if the Indian Government, owing to its internal or external political requirements, is not prepared to hold negotiations for the time being. This insinuation is entirely unwarranted and baseless. The Government of India has behind it the united support of the entire people in its attitude in support of the Colombo Conference proposals and the measures it had to take in the face of the aggressive and expansionist policies of the Government of China. Nor has the Government of India at any time since its independence been ever influenced in its decisions by external factors or outside influences.

18. Despite the crisis of confidence created by Chinese aggression and massive attacks, the Government of India is determined to seek all peaceful avenues of settlement of the Sino-Indian differences on the border question as indicated in Government of India's note dated 3rd April, 1963. While taking necessary precautions against the repetition of the events of October-November 1962, it continues to follow the policy of non-alignment, peaceful co-existence and development in peace and freedom for the betterment of the conditions of the 450 million people of India who stand united in their support of the Government of India's firm resolve to pursue these policies.

19. The Government of India does not make any pre-conditions nor does it serve any ultimatum. Equally clearly it will not accept any pre-conditions or be coerced by any ultimatum or threats aimed at modifying what are clearly straightforward and impartial proposals made by six friendly and independent non-aligned countries for consolidation of cease-fire arrangements between India and China as the first step in the series of

processes to be undertaken to settle the India-China border differences by peaceful means as distinct from the attempt by China to settle these differences by the arbitrament of war.

Please accept, Your Excellency, the assurances of my highest consideration.

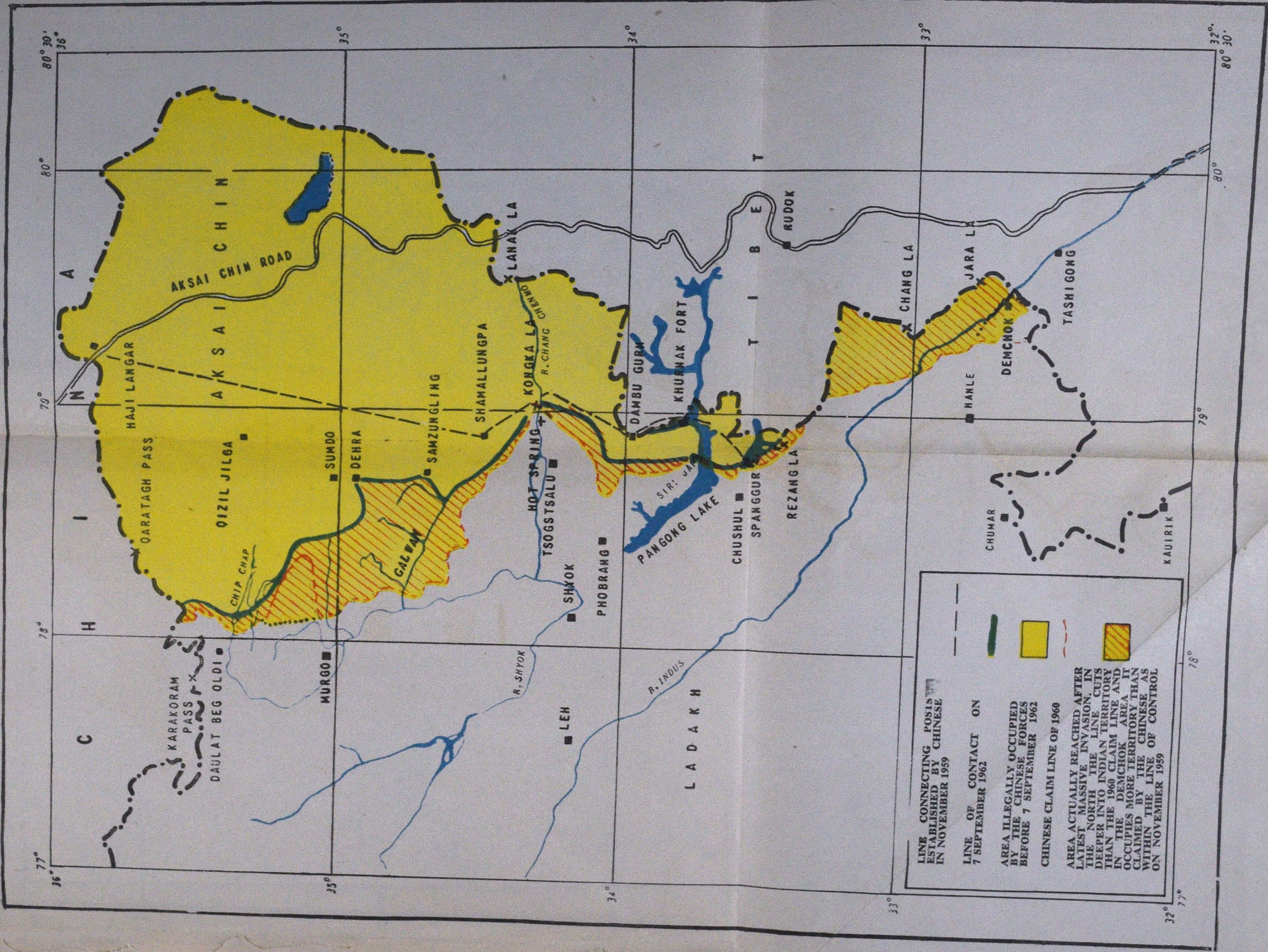
V2-4419
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MAPS



MAP SHOWING STAGES OF CHINESE AGGRESSION



LINE CONNECTING POSTS ESTABLISHED BY CHINESE IN NOVEMBER 1959

LINE OF CONTACT ON 7 SEPTEMBER 1962

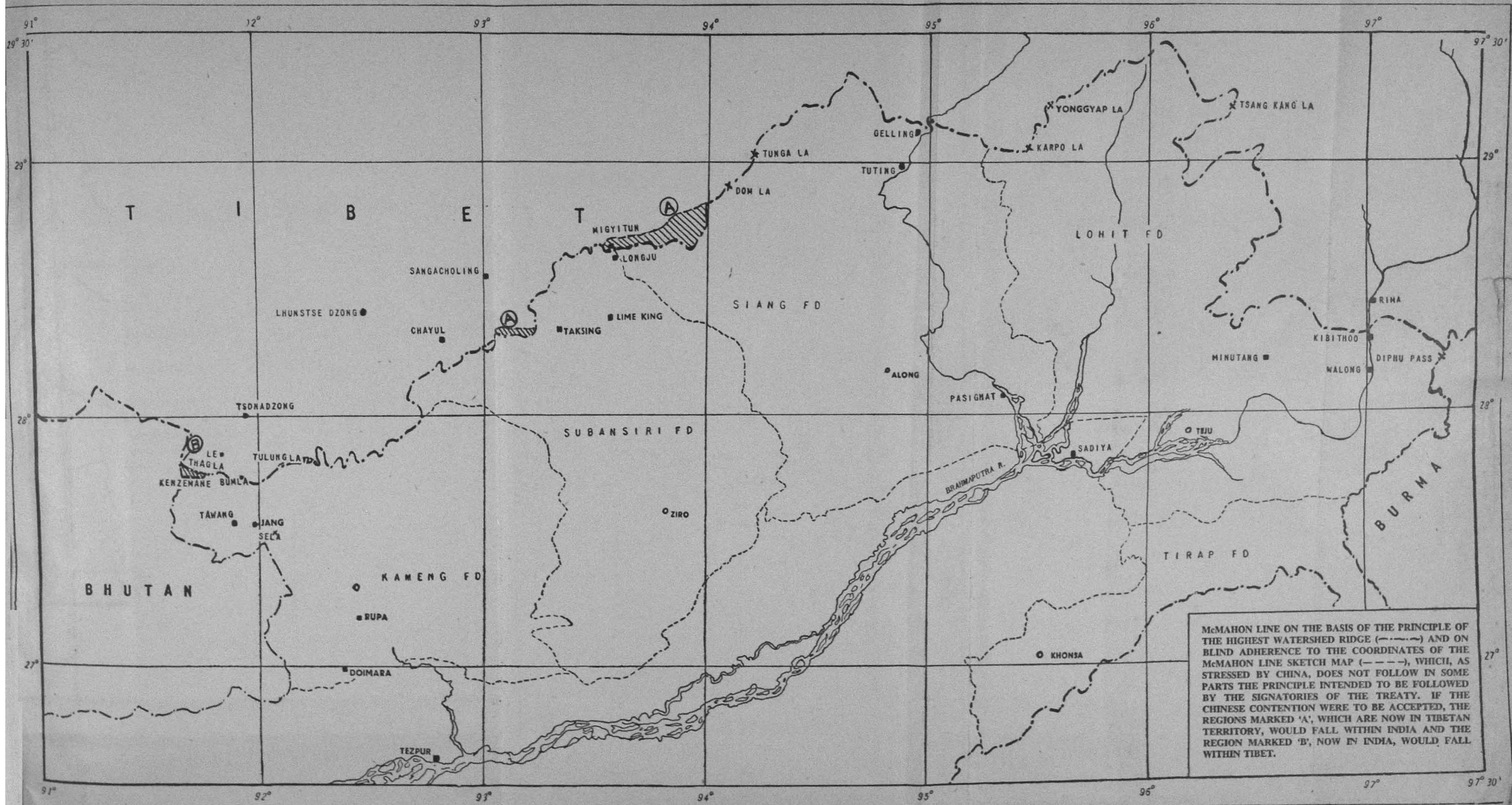
AREA ILLEGALLY OCCUPIED BY THE CHINESE FORCES BEFORE 7 SEPTEMBER 1962

CHINESE CLAIM LINE OF 1960

AREA ACTUALLY REACHED AFTER LATEST MASSIVE INVASION IN THE NORTH THE INVASION CUTS DEEPER INTO INDIAN TERRITORY THAN THE 1960 CLAIM LINE AND IN THE DEMCHOK AREA OCCUPIES MORE TERRITORY THAN CLAIMED BY THE CHINESE AS WITHIN THE LINE OF CONTROL ON NOVEMBER 1959

4

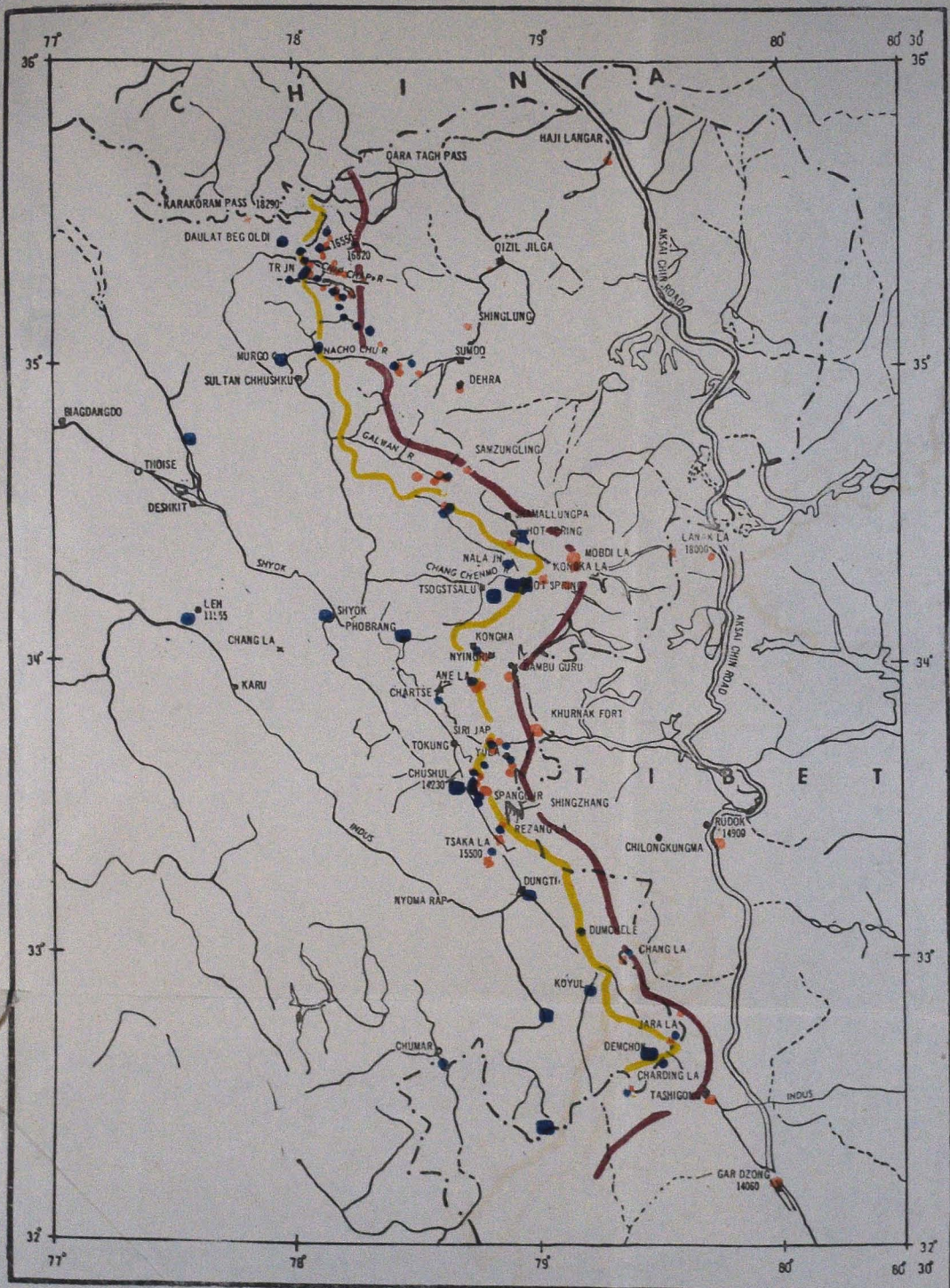
THE McMAHON LINE



McMAHON LINE ON THE BASIS OF THE PRINCIPLE OF THE HIGHEST WATERSHED RIDGE (---) AND ON BLIND ADHERENCE TO THE COORDINATES OF THE McMAHON LINE SKETCH MAP (—), WHICH, AS STRESSED BY CHINA, DOES NOT FOLLOW IN SOME PARTS THE PRINCIPLE INTENDED TO BE FOLLOWED BY THE SIGNATORIES OF THE TREATY. IF THE CHINESE CONTENTION WERE TO BE ACCEPTED, THE REGIONS MARKED 'A', WHICH ARE NOW IN TIBETAN TERRITORY, WOULD FALL WITHIN INDIA AND THE REGION MARKED 'B', NOW IN INDIA, WOULD FALL WITHIN TIBET.

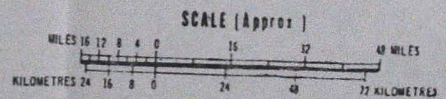
OUTLINE MAP OF LADAKH

(ILLUSTRATION OF THE COLOMBO CONFERENCE PROPOSALS - WESTERN SECTOR)



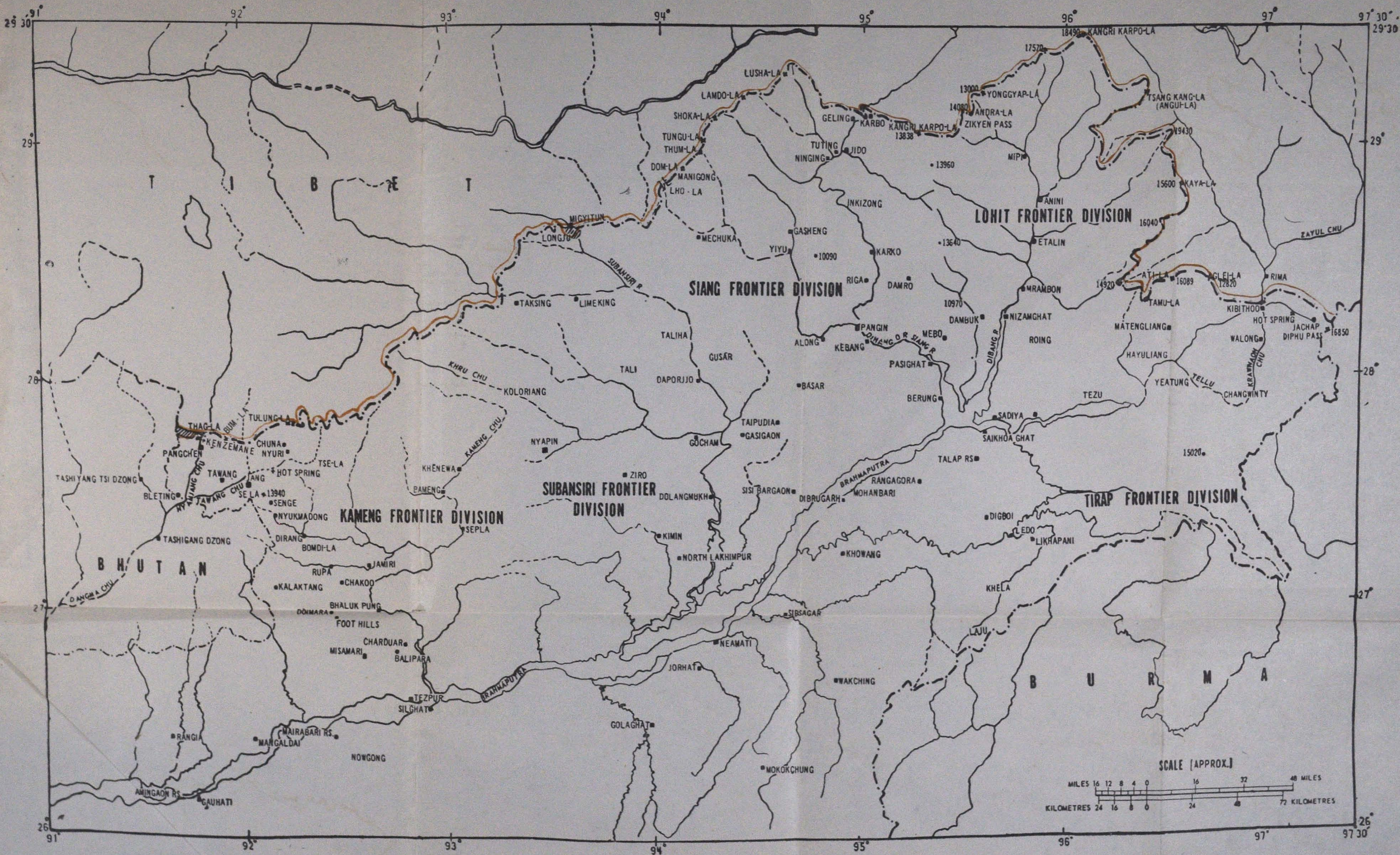
LEGEND

- INTERNATIONAL BOUNDARY
- POSTS IN NOV 59 Own CHINESE
- POSTS AS ON 7th SEP. 62
- LINE FROM WHICH CHINESE FORCES WILL WITHDRAW 20 Km. ACCORDING TO THE COLOMBO CONFERENCE PROPOSALS
- LINE TO THE EAST OF WHICH CHINESE FORCES WILL REMAIN ACCORDING TO THE COLOMBO CONFERENCE PROPOSALS



OUTLINE MAP OF NEFA

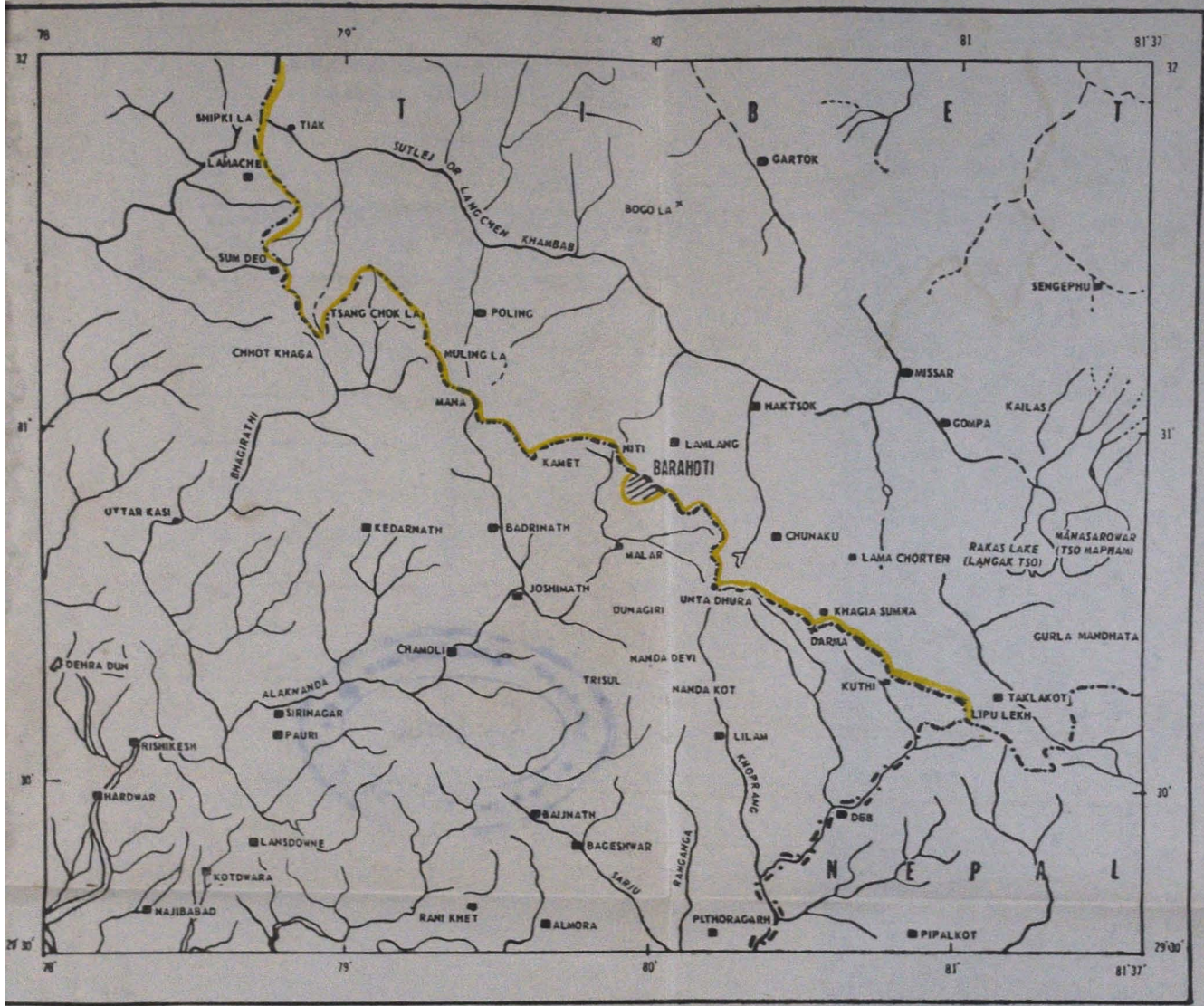
[ILLUSTRATION OF THE COLOMBO CONFERENCE PROPOSALS—EASTERN SECTOR]



LEGEND

- INTERNATIONAL BOUNDARY (McMAHON LINE) - - - - -
- (THE LINE SEPARATING CHINESE AND INDIAN FORCES ON 7th SEPTEMBER 1962 WAS IDENTICAL WITH THIS INTERNATIONAL BOUNDARY)
- LINE TO THE SOUTH AND NORTH OF WHICH INDIAN AND CHINESE FORCES WILL REMAIN ACCORDING TO THE COLOMBO CONFERENCE PROPOSALS - - - - -
- REMAINING AREAS, ARRANGEMENTS REGARDING WHICH ARE TO BE SETTLED IN FUTURE DISCUSSIONS ACCORDING TO THE COLOMBO CONFERENCE PROPOSALS [Hatched area symbol]

OUTLINE MAP OF THE MIDDLE SECTOR OF THE INDIA-CHINA BOUNDARY



LEGEND

INTERNATIONAL BOUNDARY - - - - -

(THE LINE SEPARATING CHINESE AND INDIAN FORCES ON 7th SEPTEMBER, 1958 WAS IDENTICAL WITH THE INTERNATIONAL BOUNDARY BETWEEN INDIA AND CHINA)

CHINESE VERSION OF THE LINE OF ACTUAL CONTROL OF 7th NOVEMBER, 1959 —————

DIFFERENCE BETWEEN THE CHINESE VERSION OF THE LINE OF ACTUAL CONTROL AND THE INTERNATIONAL BOUNDARY ▨▨▨▨▨



