

DOCUMENTS

(June-December2003)

Document No. 1

DECLARATION ON PRINCIPLES FOR RELATIONS AND COMPREHENSIVE COOPERATION BETWEEN THE REPUBLIC OF INDIA AND THE PEOPLE'S REPUBLIC OF CHINA

At the invitation of Premier of the State Council of the People's Republic of China H.E. Wen Jiabao, Prime Minister of the Republic of India H.E. Atal Bihari Vajpayee paid an official visit to the People's Republic of China from 22 to 27 June 2003.

During this visit, Premier Wen Jiabao held talks with Prime Minister Vajpayee. Their Excellencies President Hu Jintao of the People's Republic of China, Chairman Jiang Zemin of the Central Military Commission, Chairman Wu Bangguo of the Standing Committee of the National People's Congress and Vice President Zeng Qinghong of the People's Republic of China held separate meetings with Prime Minister Vajpayee. The talks and meetings were held in a sincere and friendly atmosphere.

Leaders from both countries noted with satisfaction the progress made over recent years in bilateral relations. This is conducive not only to their respective development, but also to regional stability and prosperity. The two sides recalled the historical depth of their friendly contacts. India and China are the two largest developing countries of the world with centuries-old civilization, unique history and similar objectives. Both noted that the sustained economic and social development in the two countries, representing one third of humanity is vital for ensuring peace, stability and prosperity not only in Asia but also in the whole world.

The two sides agreed that India and China have a mutual desire for good neighborly relations and have broad common interests. They agreed to fully utilize the substantial potential and opportunities for deepening mutually beneficial cooperation.

Friendship and cooperation between the two countries meets the need to:

- promote the socio-economic development and prosperity of both India and China;
- maintain peace and stability regionally and globally;
- strengthen multipolarity at the international level; and enhance the positive factors of globalization.
- Both sides affirmed that they would abide by the following principles, promote a long-term constructive and cooperative partnership and, on this basis, build a qualitatively new relationship:
- Both sides are committed to developing their long-term constructive and cooperative partnership on the basis of the principles of Panchsheel, mutual respect and sensitivity for each other's concerns and equality;
- As two major developing countries, India and China have a broad mutual interest in the maintenance of peace, stability and prosperity in Asia and the

world, and a mutual desire in developing wider and closer cooperation and understanding in regional and international affairs;

- The common interests of the two sides outweigh their differences. The two countries are not a threat to each other. Neither side shall use or threaten to use force against the other; and
- Both sides agree to qualitatively enhancing the bilateral relationship at all levels and in all areas while addressing differences through peaceful means in a fair, reasonable and mutually acceptable manner. The differences should not be allowed to affect the overall development of bilateral relations.

Both sides agreed to hold regular high-level exchanges between the two countries. This will greatly enhance mutual understanding and expand bilateral relations. With a view to deepening their coordination and dialogues on bilateral, regional and international issues, both sides agreed on the need for annual meetings between Foreign Ministers of the two countries. They also agreed that personnel exchanges and friendly contacts between ministries, parliaments and political parties of the two countries should be further enhanced.

The two sides welcomed the positive momentum of bilateral trade and economic cooperation in recent years and shared the belief that continued expansion and intensification of India-China economic cooperation is essential for strengthening bilateral relations.

Both sides shared the view that existing complementarities between their two economies provide an important foundation and offer broad prospects for further enhancing their economic relations. In order to promote trade and economic cooperation, both sides will take necessary measures consistent with their national laws and rules and international obligations to remove impediments to bilateral trade and investment. They reaffirmed the importance of the ministerial meeting of the Joint Economic Group (JEG) and agreed to hold the next (seventh) JEG meeting within the year.

The two sides will set up a compact Joint Study Group (JSG) composed of officials and economists to examine the potential complementarities between the two countries in expanded trade and economic cooperation. The JSG would also draw up a programme for the development of India-China trade and economic cooperation for the next five years, aimed at encouraging greater cooperation between the business communities of both sides. The Group should present a study report and recommendations to the two Governments on measures for comprehensive trade and economic cooperation by the end of June 2004.

The two countries will launch a financial dialogue and cooperation mechanism to strengthen their dialogue and coordination in this sector.

The two sides agreed to enhance cooperation at the World Trade Organization, which is not only to mutual benefit but also in the broader interest of developing countries. The two sides will hold dialogues on a regular basis in this regard.

Historical and cultural links between India and China will be strengthened, inter-alia, through the promotion of exchanges in culture, education, science and technology, media, youth and people-to-people relations. They agreed to set up Cultural Centers in each other's capitals and facilitate their establishment.

Both sides will work towards the enhancement of direct air and shipping links, tourism, exchange hydrological data in flood season on common rivers as agreed, cooperation in agriculture, dairy, food processing, health and other sectors.

They agreed on the need to broaden and deepen defence exchanges between the two countries, which will help enhance and deepen the mutual understanding and trust between the two armed forces. They confirmed that the exchange of visits by their Defence Ministers and of military officials at various levels should be strengthened.

The two sides exchanged views on the India-China boundary question and expounded their respective positions. They reiterated their readiness to seek a fair, reasonable and mutually acceptable solution through consultations on an equal footing. The two sides agreed that pending an ultimate solution, they should work together to maintain peace and tranquility in the border areas, and reiterated their commitment to continue implementation of the agreements signed for this purpose, including the clarification of the Line of Actual Control.

The two sides agreed to each appoint a Special Representative to explore from the political perspective of the overall bilateral relationship the framework of a boundary settlement.

The Indian side recognizes that the Tibet Autonomous Region is part of the territory of the People's Republic of China and reiterates that it does not allow Tibetans to engage in anti-China political activities in India. The Chinese side expresses its appreciation for the Indian position and reiterates that it is firmly opposed to any attempt and action aimed at splitting China and bringing about "independence of Tibet".

The Indian side recalled that India was among the first countries to recognize that there is one China and its one China policy remains unaltered. The Chinese side expressed its appreciation of the Indian position.

India and China recognized the primacy of maintaining international peace. This is a prerequisite for the socio-economic development of all developing countries, including India and China. The world is marked by diversity. Every country has the right to choose its own political system and path to development. As two major developing countries, India and China acknowledged the importance of their respective roles in the shaping of a new international political and economic order. The international community must help the developing countries to eliminate poverty and narrow the gap between the North and the South through dialogue and cooperation so as to achieve common prosperity.

The two sides acknowledged the vital importance of the role of the United Nations in world peace, stability and development. They are determined to continue their efforts in strengthening the UN system. They reaffirmed their readiness to work together to promote reform of the UN. In reform of the UN Security Council, priority should be given to enhancing representation of the developing countries.

Both sides stood for continued multilateral arms control and disarmament process, undiminished and equal security for all at progressively lower levels of armament and for multilateral negotiations aimed at nuclear disarmament and elimination of nuclear weapons. They are firmly opposed to introduction of weapons in outer space, use or threat of force against space-based objects and support cooperation in development of space technology for peaceful purposes.

The two sides recognised the threat posed by terrorism to them and to global peace and security. They resolutely condemned terrorism in any form. The struggle between the international community and global terrorism is a comprehensive and sustained one, with the ultimate objective of eradication of terrorism in all regions. This requires strengthening the global legal framework against terrorism. Both sides shall also promote cooperation on counter-terrorism through their bilateral dialogue mechanism.

India and China face special and similar challenges in their efforts to protect the environment while simultaneously forging ahead with rapid social and economic development of their countries. In this context, the two sides agreed to work together in a practical manner to cooperate on preserving the environment and ensuring sustainable development and to coordinate positions on climate change, biodiversity and other issues in relevant multilateral fora.

The two sides supported multilateral cooperation in Asia, believing that such cooperation promotes mutually beneficial exchanges, economic growth as well as greater cohesion among Asian countries. The two sides viewed positively each other's participation in regional and sub-regional multilateral cooperation processes in Asia.

The two sides stated that the improvement and development of India-China relations is not targeted at any third country and does not affect either country's existing friendly relations and cooperation with other countries.

The two sides agreed that the official visit of the Prime Minister of India to the People's Republic of China has been a success, has contributed to enhancing mutual understanding and trust between the Governments, leaders and peoples of the two countries, and marks a new step forward in strengthening the all-round cooperation between India and China in the new century.

Prime Minister Vajpayee invited Premier Wen Jiabao to visit India at a mutually convenient time and conveyed to President Hu Jintao an invitation from President Abdul Kalam to visit India. The Chinese side accepted the invitations with appreciation. The dates of the visits will be settled through diplomatic channels. On behalf of the Government and the people of India, H.E Prime Minister Atal Bihari Vajpayee thanked the Government and the people of China for the warm welcome received by him and his delegation.

Signed in Beijing on 23 June 2003 in the Hindi, Chinese and English languages.

(Atal Bihari Vajpayee)
Prime Minister of India
(Wen Jiabao)
Prime Minister of the People's Republic of China ■

<<http://meaindia.nic.in/declarestatement/2003/06/23jd01.htm>>

PRESS RELEASE: AFGHAN FOREIGN MINISTER TALKS TO HIS PAKISTANI COUNTERPART

Afghan Foreign Minister H.E. Dr. A. Abdullah talked to Pakistani Foreign Minister H.E. Khurshid Mehmood Kasuri Wednesday focusing on recent developments between the two countries and hoping to resolve any issues of contention between the sides.

In a 20-minute long telephone conversation, Dr. Abdullah expressed the Afghan Government's regret for the illegal trespassing of protestors into the Embassy of the Islamic Republic of Pakistan on Tuesday, which resulted in material damage to that mission's offices in Kabul. The Afghan Foreign Minister, who is on an official visit to Italy, also expressed regrets that the Afghan security unit near the Embassy was unable to contain the crowd of protestors, who managed to enter the diplomatic compound.

The Afghan Foreign Minister reiterated statements made by H.E. President Hamid Karzai on Tuesday that the government will investigate the incident and bring the trespassers to justice. It has also been decided that compensation would be given for the damages incurred at the Embassy.

Both Foreign Ministers also discussed issues of mutual concern that have preoccupied both Kabul and Islamabad in recent days. The ministers expressed their desire to overcome current issues as quickly as possible and to resume the normal state of affairs between the two countries.

The two sides agreed that public statements should take domestic concerns and sensitivities into account. The Afghan minister recalled that the principles reflected in the Kabul Declaration on Good Neighbourly Relations, signed last year by Afghanistan and its neighbours, form a solid foundation for normalized expansion of relations.

The two sides renewed their commitment to continue the common international fight against terrorism with the assistance of the international community, through cooperation and improved coordination, without infringing on each other's territorial or sovereign rights. Afghanistan condemns all forms of terrorism - sectarian or Taliban-inspired- and the killing of innocent civilians, whether in Pakistan, Afghanistan or any other country. Terrorism is a common threat to both nations and to regional stability and global peace.

Both sides agreed to continue the process of consultation and dialogue through the recently established tripartite commission – comprised of Afghanistan, Pakistan and the United States – to address issues of concern among them.

Office of the Spokesperson
Ministry of Foreign Affairs
Kabul, July 9, 2003 ■

<<http://www.afghanistan-mfa.net/pressrelease/PRPKJuly92003.html>>

Document No. 3

PRESS RELEASE: AFGHANISTAN-PAKISTAN-US TRIPARTITE COMMISSION MEETS IN KABUL

Tripartite Commission, composed of senior diplomatic and military representatives of the United States, Afghanistan and Pakistan held its second meeting at the Ministry of Foreign Affairs today in Kabul to discuss mutual concerns, including activities in the border region.

American, Afghan and Pakistani officials assessed recent progress in combating al-Qa'ida and Taliban remnants, and shared information and analysis of the security situation. The commission reviewed the recent developments along the Pakistan-Afghanistan border and decided to set up a sub committee consisting of representatives from all three participating countries. The sub committee will carry out ground verifications within a week to address each other's concerns and submit its findings as soon as possible to the Tripartite Commission.

The Afghan delegation was led by National Security Advisor, Dr. Zalmi Rassoul, assisted by the Deputy Minister of the Interior General Hilalludin Hilal and General Sher Mohammad Karimi of the Ministry of Defense. The Pakistani delegation was led by the Director General of Military Operations, Major General Ashfaq Parvez Kayani and assisted by Director General Additional Secretary Rashed Saleem Khan of the Ministry of Foreign Affairs. Major General Franklin Hagenbeck and Ambassador Victor Jackovich led the US delegation, which also included representatives from the US embassies in Kabul and Islamabad.

Office of the Spokesperson
Ministry of Foreign Affairs
Kabul, July 15, 2003 ■

<<http://www.afghanistan-mfa.net/presrelease/PRPKJuly152003.html>>

Document No. 4

JOINT STATEMENT MEETING OF THE U.S.-INDIA DEFENSE POLICY GROUP

**Washington, D.C.
August 6-7, 2003**

The U.S.-India Defense Policy Group (DPG) met 6-7 August 2003 in Washington, DC. U.S. Under Secretary of Defense for Policy Douglas Feith hosted the meeting and Defence Secretary Ajay Prasad led the Indian delegation.

The strategic situation in the world has changed dramatically in recent years. Global terrorism, state sponsors of terrorism, and the proliferation of weapons of mass destruction are the key threats to international peace and security. The United States and India are drawn together in an effort to deal with these new circumstances. As a result, President Bush and Prime Minister Vajpayee have re-defined the U.S.-India relationship. Democracy, common principles, and shared interests are the foundation of our new strategic partnership.

Since the last meeting of the DPG in May 2002, the U.S. and Indian defense establishments have continued to expand cooperation. The past year's accomplishments include:

- combined special forces counterinsurgency exercise in Northeast India;
- combined Air Force exercise in Alaska;
- complex Naval exercises on the East Coast of India;
- delivery of "Firefinder" radars to India;
- senior-level missile defense talks; and
- conclusion of a Master Information Exchange Agreement to facilitate cooperation in research and development of defense technologies.

During this year's DPG, the delegations emphasized the long-range strategic concepts that guide the new approach to the U.S.-India relationship. They agreed that the work of the two countries together during the past year and planned activities for the next year are translating that strategic vision into action.

The delegations discussed the threat posed by the proliferation of weapons and technologies of mass destruction, including the risk that terrorists will acquire such weapons. They also discussed measures to combat proliferation.

The two sides agreed to establish a high-level dialogue on defense technology security issues.

The two sides reaffirmed the shared view that missile defense enhances cooperative security and stability. They decided to hold a missile defense workshop in India in the next six months as a follow-on to an international workshop attended by U.S. and Indian delegations at the June 2003 Multinational Ballistic Missile Defense Conference held in Kyoto, Japan. The Indian delegation also accepted invitations to the July 2004 Multinational Ballistic Missile Defense Conference in Berlin and the 2005 Roving Sands missile defense exercise.

The two sides welcomed the improved prospects for freedom and security in the Middle East. They underlined their commitment to furthering stability and security for the people of Iraq and the contribution that international cooperation could make to that process. They agreed to continue to seek ways for the United States and India to work together to support the people of Iraq. They also welcomed the establishment of Iraq's Governing Council and noted the important role of the UN Special Representative in addressing the needs of the Iraqi people.

They discussed the success of Operation Enduring Freedom and reaffirmed the ongoing commitment of both countries to the future of Afghanistan. They agreed that a permanent end to terrorism is critical to ensuring a future of peace and stability in South Asia.

The United States and India have continued to work together to enhance their capabilities to combat terrorism and increase interoperability. The two delegations highlighted the importance of the ongoing series of Joint and combined exercises in building interoperability between U.S. and Indian armed forces and agreed to continue this interaction. They also agreed to continue to review counter terrorism equipment requirements for India's special operations forces.

The two delegations welcomed the reports on the recent meetings of the Military Cooperation Group (coordinating military exercises and exchanges), Security Cooperation Group (coordinating sales and licensing), and Joint Technical Group

(coordinating research and development). These groups will meet again in the coming months.

In addition to the above-areas, the two delegations approved a range of activities for the coming year, including:

- Specialized training programs and joint exercises to be carried out by the armed services of the two countries, including an air combat training exercise.
- India will host in coordination with the United States a multinational planning exercise to develop standard operating procedures.
- Continued development of a defense supply relationship, including through the Government-to-Government Foreign Military Sales program. A U.S. team will travel to India in September to discuss the details of a possible sale of P-3 maritime patrol aircraft.
- U.S. sale to India of training materials and specialized equipment to support India's peacekeeping training capabilities.
- A Defense Planning Exchange to permit U.S. and Indian defense experts to conduct discussions on defense strategy and planning.

Secretary Prasad also met with U.S. Secretary of Defense Donald Rumsfeld, U.S. Deputy Secretary of State Richard Armitage, and Chairman of the Joint Chiefs of Staff General Richard Myers. These meetings emphasized the importance both sides place on the growing bilateral relationship. ■

<<http://www.meaden.nic.in/speeches/JS-ind-us-def.htm>>

Document No. 5

PAKISTAN-INDIA PARLIAMENTARIANS, JOURNALISTS AND EXPERTS CONFERENCE ON CONFIDENCE-BUILDING AND CONFLICT-RESOLUTION, ISLAMABAD, PAKISTAN

An Indian delegation consisting of parliamentarians, media personnel and experts, met in Islamabad, Pakistan, on August 10 and 11, 2003, under the aegis of the South Asia Free Media Association (SAFMA). After a meeting with the Pakistani delegation, a statement entitled 'Sense of the Pakistan-India Parliamentarians, Journalists and Experts Conference on Confidence-building and Conflict-resolution' was issued. Following is the full text of the statement.

Parliamentarians from most parties of the two parliaments, political leaders, media persons and experts from Pakistan and India met at Islamabad on August 10 and 11, 2003, at the invitation of the South Asia Free Media Association (SAFMA). After deliberating on the urgency of understanding between the two countries, on confidence building measures and conflict resolution efforts, the participants have reached a broad understanding on the following lines:

- While the recent initiatives by the governments of India and Pakistan towards normalisation of relation are welcome, it is necessary to expedite the process of dialogue at the levels of states and people and approach all requisites of confidence-building, conflict management and

conflict resolution through an integrated, uninterrupted, result-oriented and a well structured process.

- Inspired by the realisation among people on both sides of the divide for burying the hatchet and resolving our differences through peaceful means, the participants have agreed to pursue a holistic vision that does not ignore any divisive issue.
- Conscious of the demands of realism and in consideration of the two sides, the participants have taken note of the issues that have fuelled confrontation between India and Pakistan such as Pakistan's keenness for an early settlement of the Kashmir issue and India's concerns about cross-border terrorism.
- They are convinced that while these issues need to be addressed on priority basis, no purpose will be served by ignoring possibilities of cooperation in various fields.
- This would create the goodwill and confidence necessary for the resolution of conflicts and issues that impede progress in other mutually beneficial areas.
- The participants agree on the need for creating maximum space for people of the two countries to recognise and respect each other and strive jointly for guaranteeing a better future for the coming generations.
- All unreasonable restrictions on travel between the two countries must be expeditiously dismantled.
- The participants, in addition to encouraging the two governments to stay on the normalisation course, are convinced that political parties should give priority to mobilising their ranks for peace and good-neighbourly relations and allowing greater space for all society organisations to support this process.
- The participants agreed that the establishment of peace in the sub-continent could not be viewed separately from the aspirations of the people for a genuinely democratic dispensation, gender equality, the right of the under-privileged and the minorities and their empowerment.■

Source: Times of India, 12 August 2003

Document No. 6

JOINT STATEMENT ON U.S.-PAKISTAN DEFENSE CONSULTATIVE GROUP

The U.S. – Pakistan Defense Consultative Group (DCG), met Sept. 15-18 in Washington, D.C. The meeting was co-chaired by U.S. Under Secretary of Defense Douglas J. Feith and Pakistani Defense Secretary retired Lt. Gen. Hamid Nawaz Khan.

The U.S. defense relationship is a critical element of the Global War on Terrorism, and key to the security and stability of South Asia. The DCG continues to serve as a primary forum for exchanging ideas and coordinating policies regarding the war on terrorism and the other defense and security issues affecting the U.S.-Pakistani relationship.

Last week's meetings of the DCG, the 15th in the series and the first in Washington, D.C. in nearly six years, continued a tradition of open, broad-ranging and practical discussions, and further strengthened bonds of mutual friendship and respect between our countries. The DCG met with the U.S. Secretary of Defense Donald Rumsfeld, who discussed U.S.-Pakistani defense cooperation, Afghanistan, and Iraq.

The DCG working groups met for two days to review the progress of defense cooperation between the two countries, and to identify and plan activities for the future.

The Military Cooperative Consultations group agreed to a schedule of military-to-military exercises and training activities for the balance of 2003 and into 2004. This program will broaden and deepen existing bilateral military cooperation, and provide new opportunities to gain greater interoperability and familiarization.

The delegations received an update from the DCG's Counter-Terrorism Working Group established at last year's DCG meeting in Islamabad. That group discussed how the U.S. military could assist Pakistan in improving its capabilities to operate against Taliban and Al Qaeda. The U.S. supports Pakistan's efforts to enhance its capabilities, particularly in the Northwest Frontier Province and federally administered tribal areas, and agrees to address Pakistan's requirements as a priority.

The Security Assistance Working Group discussed issues relating to procurement of U.S. military equipment under the Foreign Military Financing program, including:

- weapons systems and related support;
- repair/upgrade of existing systems;
- licenses for the import of spares; and
- the resolution of other outstanding issues.

The group reviewed defensive systems to improve Pakistan's conventional capabilities, Pakistani equipment priorities, and measures and conditions for a long-term, sustainable defense cooperation relationship. The U.S. confirmed its commitment to resolve security assistance issues expeditiously, and to provide information to Pakistan on the availability of new weapons and systems as soon as possible. Ensuring interoperability of weapons systems, tactics, techniques, and procedures between the two militaries remains a high priority.

The delegations also reviewed the substantial economic and security assistance the U.S. has provided to Pakistan during the past year. This has included funding for support of Pakistani economic, political and educational reform programs, debt relief, over \$224 million dollars in foreign military financing, and \$1 million in international military education and training funds. The delegations conducted initial discussions on the military sales component of the U.S. \$3 billion multi-year assistance program for Pakistan announced by Presidents Bush and Musharraf at Camp David in June 2003. The delegations also discussed Pakistan's interest in increased funding for the annual foreign military finance program.

The delegations received reviews of the Counter-Terrorism Working Group and Security Assistance Working Group proceedings. Assistant Secretary of State for South Asia Christina Rocca, detailed U.S. South Asia policy, and Assistant Secretary of State for Political-Military Affairs Lincoln Bloomfield, reviewed U.S. conventional arms sales policies, as well as the multi-year assistance package offered to Pakistan. The two sides discussed the war on terrorism, particularly operations against Taliban and Al Qaeda forces in the border areas.

The U.S. delegation expressed appreciation for Pakistan's assistance in counter-terrorism operations, and noted its regret at the August friendly-fire incident in which two Pakistani soldiers were killed. The delegations exchanged views on Iraq, and on ways and means to stabilize the situation there.

The Pakistani side provided a wide-ranging briefing on regional security issues, including the challenges Pakistan faces in suppressing terrorist elements, and the continuing security challenges posed by India. The U.S. side made a presentation on the current situation within Afghanistan. The presentations and discussions offered new opportunities for both sides to understand each other's views on regional security and defense issues.

The sides agreed to institute formal security assistance reviews on a semi-annual basis. The U.S. side offered to consider measures to highlight more effectively the Pakistani contributions to the Global War on Terrorism, especially before the U.S. Congress. The U.S. said that it would take Pakistani requests for consideration of additional security assistance under advisement, particularly Pakistan's request to maintain its conventional capabilities, and enhance its counter-terrorism capabilities.

The U.S. affirmed its commitment to expedite security assistance obligations to Pakistan (especially equipment requests and deliveries), and to identify ways to further streamline procedures. The U.S. side agreed to investigate ways to assist Pakistan to dispose of obsolete U.S.-origin equipment in storage in Pakistan.

In sum, the 2003 DCG meetings were substantive, cordial, useful, and remain an important forum for the developing relationship between the U.S. and Pakistan. Priorities were reviewed, requirements established, and steps delineated for addressing important bilateral policy and resource issues. The sides agreed that the DCG continues to contribute to sustaining the momentum in the bilateral relationship. The co-chairs agreed that the DCG will hold its next meeting in Islamabad in the fall of 2004, but would consider re-convening sooner if circumstances warranted. ■

<<http://www.defenselink.mil/releases/2003/nr20030924-0474.html>>

Document No. 7

THE TEXT OF THE SPEECH OF PRESIDENT GENERAL PERVEZ MUSHARRAF

ISLAMABAD, Sept 20 (APP)- Following is the text of speech of President General Pervez Musharraf broadcast on Radio and Television on September 19 (Wednesday).

"My dear countrymen, Asslam-o-Alaikum:

The situation confronting the nation today and the international crisis have impelled me to take the nation into confidence.

First of all, I would like to express heartfelt sympathies to the United States for the thousands of valuable lives lost in the United States due to horrendous acts of terrorism.

We are all the more grieved because in this incident people from about 45 countries from all over the world lost their lives. People of all ages old, children, women and people from all and every religion lost their lives. Many Pakistanis also lost their lives.

These people were capable Pakistanis who had gone to improve their lives. On this loss of lives I express my sympathies with those families. I pray to Allah to rest their souls in peace.

This act of terrorism has raised a wave of deep grief, anger and retaliation in the United States. Their first target from day one is Osama bin Laden's movement Al-Qaida about which they say that it is their first target.

The second target is Taliban and that is because Taliban have given refuge to Osama and his network. This has been their demand for many years. They have been demanding their extradition and presentation before the international court of justice. Taliban have been rejecting this.

The third target is a long war against terrorism at the international level. The thing to ponder is that in these three targets nobody is talking about war against Islam or the people of Afghanistan.

Pakistan is being asked to support this campaign. What is this support? Generally speaking, these are three important things in which America is asking for our help.

First is intelligence and information exchange, second support is the use of our airspace and the third is that they are asking for logistic support from us. I would like to tell you now that they do not have any operational plan right now. Therefore we do not have any details on this count but we know that whatever are the United States' intentions they have the support of the UN Security Council and the General Assembly in the form of a resolution.

This is a resolution for war against terrorism and this is a resolution for punishing those people who support terrorism. Islamic countries have supported this resolution. This is the situation as it prevailed in the outside world.

Now I would like to inform you about the internal situation. Pakistan is facing a very critical situation and I believe that after 1971, this is the most critical period. The decision we take today can have far-reaching and wide-ranging consequences.

The crisis is formidable and unprecedented. If we take wrong decisions in this crisis, it can lead to worst consequences. On the other hand, if we take right decisions, its results will be good.

The negative consequences can endanger Pakistan's integrity and solidarity. Our critical concerns, our important concerns can come under threat. When I say critical concerns, I mean our strategic assets and the cause of Kashmir. If these come under threat it would be a worse situation for us.

On the other hand, we can re-emerge politically as a responsible and dignified nation and all our difficulties can be minimized. I have considered all these factors and held consultations with those who hold different opinions. I met the corps

commanders, National Security Council and the Federal Cabinet. I interacted with the media. I invited the religious scholars and held discussions with them. I met politicians. I also invited intellectuals. I will be meeting with the tribal chiefs and Kashmiri leaders tomorrow. This is the same process of consultation that I held earlier.

I noted that there was difference of opinion but an overwhelming majority favours patience, prudence and wisdom. Some of them, I think about ten percent-favoured sentimental approach.

Let us now take a look at the designs of our neighbouring country. They offered all their military facilities to the United States. They have offered without hesitation, all their facilities, all their bases and full logistic support. They want to enter into any alliance with the United States and get

Pakistan declared a terrorist state. They want to harm our strategic assets and the Kashmir cause. Not only this, recently certain countries met in Dushanbe. India was one of them. Indian representative was there. What do the Indians want? They do not have common borders with Afghanistan anywhere. It is totally isolated from Afghanistan. In my view, it would not be surprising, that the Indians want to ensure that if and when the government in Afghanistan changes, it shall be an anti-Pakistan government. It is very important that while the entire world is talking about this horrible terrorist attack, our neighbouring country instead of talking peace and cooperation, was trying hard to harm

Pakistan and defame Islam. If you watch their television, you will find them dishing out propaganda against Pakistan, day in and day out. I would like to tell India "Lay Off". Pakistan's armed forces and every Pakistani citizen is ready to offer any sacrifice in order to defend Pakistan and secure its strategic assets. Make no mistake and entertain no misunderstanding. At this very moment our Air Force is at high alert; and they are ready for "Do or die" Missions My countrymen! In such a situation, a wrong decision can lead to unbearable losses.

What are our critical concerns and priorities? These are four;

1. First of all is the security of the country and external threat.
2. Second is our economy and its revival.
3. Third are our strategic nuclear and missile assets.
4. And Kashmir cause.

The four are our critical concerns. Any wrong judgement on our part can damage all our interests. While taking a decision, we have to keep in mind all these factors. The decision should reflect supremacy of righteousness and it should be in conformity with Islam. Whatever we are doing, it is according to Islam and it upholds the principle of righteousness. I would like to say that decisions about the national interests should be made with wisdom and rational judgement.

At this moment, it is not the question of bravery or cowardice. We are all very brave. My own response in such situations is usually of daring. But bravery without rational judgement tantamount to stupidity. There is no clash between bravery and sound judgement.

Allah Almighty says in the holy Quran, "The one bestowed with sagacity is the one who get a big favour from Allah". We have to take recourse to sanity. We have to save our nation from damage. We have to build up; our national respect. "Pakistan comes first, everything else comes later". Some scholars and religious leaders are

inclined towards taking emotional decisions. I would like to remind them the events of the first six years of the history of Islam.

The Islamic calendar started from migration. The significance of migration is manifested from the fact that the Holy Prophet (PBUH) went from Makkah to Madina. He (PBUH) migrated to safeguard Islam. What was migration? God forbid, was it an act of cowardice? The Holy Prophet (PBUH) signed the charter of Madinah (Meesaq-e-Madinah) with the Jewish tribes. It was an act of sagacity. This treaty remained effective for six years. Three battles were fought with non-believers of Makkah during this period - the battle of Badr, Uhud and Khandaq. The Muslims emerged victorious in these battles with the non-believers of Makkah because the Jews had signed a treaty with the Muslims.

After six years, the Jews were visibly disturbed with the progress of Islam, which was getting stronger and stronger. They conspired to forge covert relations with the non-believers of Makkah.

Realising the danger, the Holy Prophet (PBUH) signed the treaty of Hudaibiya with the Makkhans who had been imposing wars on Islam. This was a no war pact. I would like to draw your attention to one significant point of this pact. The last portion of the pact was required to be signed by the Holy Prophet (PBUH) as Muhammad Rasool Allah.

The non-believers contested that they did not recognize Muhammad (PBUH) as the Prophet of Allah. They demanded to erase these words from the text of the treaty. The Holy Prophet (PBUH) agreed but Hazrat Umar (R.A) protested against it. He got emotional and asked the Holy Prophet (PBUH) if he was not the messenger of God (God forbid) and whether the Muslims were not on the right path while signing the treaty. The Holy Prophet (PBUH) advised Hazrat Umar (R.A) not to be led by emotions as the dictates of national thinking demanded signing of the treaty at that time. He (PBUH) said, this was advantageous to Islam and as years would pass by you would come to know of its benefits. "This is exactly what happened. Six months later in the battle of Khyber, Muslims, by the grace of Allah, again became victorious. It should be remembered that this became possible because Makkhans could not attack because of the treaty. On 8 Hijra by the grace of Allah glory of Islam spread to Makkah.

What is the lesson for us in this? The lesson is that when there is a crisis situation, the path of wisdom is better than the path of emotions. Therefore, we have to take a strategic decision.

There is no question of weakness of faith or cowardice. For Pakistan, life can be sacrificed and I am sure every Pakistani will give his life for Pakistan. I have fought two wars. I have seen dangers. I faced them and by the grace of Allah never committed a cowardly act.

But at this time one should not bring harm to the country. We cannot make the future of a hundred and forty million people bleak. Even otherwise it is said in Shariah that if there are two difficulties at a time and a selection has to be made it is better to opt for the lesser one. Some of our friends seem to be much worried about Afghanistan.

I must tell them that my government and I are much more worried about Afghanistan and Taliban. I have done everything for Afghanistan and Taliban when the entire world is against them. I have met about twenty to twenty five world leaders

and talked to each of them in favour of the Taliban. I have told them that sanctions should not be imposed on Afghanistan and that we should engage them.

I have been repeating this stance before all leaders but I am sorry to say that none of our friends accepted this. Even in this situation, we are trying our best to cooperate with them. I sent Director General ISI with my personal letter to Mullah Umar. He returned after spending two days there. I have informed Mullah Umar about the gravity of the situation. We are trying our best to come out of this critical situation without any damage to Afghanistan and Taliban.

This is my earnest endeavour and with the blessings of Allah I will continue to seek such a way out. We are telling the Americans too that they should be patient. Whatever their plans, they should be cautious and balanced: We are asking them to come up with whatever evidence they have against Osama bin Laden; What I would like to know is how do we save Afghanistan and Taliban. And how do we ensure that they suffer minimum losses: I am sure that you will favour that we do so and bring some improvement by working with the nations of the world. At this juncture, I am worried about Pakistan only.

I am the Supreme Commander of Pakistan and I give top priority to the defence of Pakistan, Defence of any other country comes later. We want to take decisions in the interest of Pakistan. I know that the majority of the people favour our decisions. I also know that some elements are trying to take unfair advantage of the situation and promote their personal agenda and advance the interests of their parties. They are poised to create dissensions and damage the country.

There is no reason why this minority should be allowed to hold the sane majority as a hostage. I appeal to all Pakistanis to display unity and solidarity and foil the nefarious designs of such elements who intend to harm the interests of the country. At this critical juncture, we have to frustrate the evil designs of our enemies and safeguard national interests. Pakistan is considered a fortress of Islam. God forbid, if this fortress is harmed in any way it would cause damage to the cause of Islam. My dear countrymen have trust in me the way you reposed trust in me before going to Agra. I did not disappoint the nation there.

We have not compromised on national honour and integrity and I shall not disappoint you on this occasion either. This is firm pledge to you. In the end before I take your leave, I would like to end with the prayer of Hazrat Musa (A.S)(Prophet Moses) as given in Sura-e-Taha: "May Allah open my chest, make my task easier, untie my tongue so that they may comprehend my intent".

May Allah be with us in our endeavours.

" PAKISTAN PAINDABAD "■

<<http://www.laclave.net/docs/documentos/pakistan.doc>>

Document No. 8

STATEMENT OF H.E. KHURSHID M. KASURI FOREIGN MINISTER OF PAKISTAN ON “JUSTICE AND THE RULE OF LAW: THE UN ROLE” AT THE MINISTERIAL MEETING OF THE UNITED NATIONS SECURITY COUNCIL

Mr. President,

I. thank the UK, President of the Security Council, for this timely initiative, for organizing today’s Ministerial meeting. The issue of “justice and the rule of law” is important and most relevant to the work of the UN and the Security Council.

2. We also thank the Secretary-General for his important contribution, which highlights the expertise within the UN system, which will stand us in good stead in the future.

Mr. President,

3. The quest for defining and then implementing justice and the rule of law has been central to the march of civilization. It is critical to the realization of social and economic justice, and for the implementation of political, economic, cultural, religious and environmental rights.

4. Establishing the principles of justice and the rule of law is essential for the establishment and maintenance of order at the inter-state and intra-state level. Faithful application of these principles strengthens the system, while failure entails serious and often tragic consequences.

5. The relevance of justice and rule of law for international peace and security is also self-evident. Situations posing a threat to international peace and security must be dealt with by the United Nations, primarily the Security Council, in line with the principles enshrined in the UN Charter. In particular, the use of force should be consistent with the Charter’s principles relating to collective security.

6. The framers of the UN charter placed the pacific settlement of disputes ahead of enforcement measures. In our quest for justice and rule of law at the international level, we must respect the framers’ intent and fully operationalize the mechanisms provided for the peaceful settlement of international disputes.

7. The resolutions and decisions of the Security Council must also be implemented uniformly and without discrimination, and also with equal force irrespective of their falling within Chapter VI or Chapter VII. Selective implementation creates an unjust environment, deepening conflicts and compounding the suffering of the people. It erodes confidence in the system and undermines the UN’s credibility.

8. We must also ensure consistent application of the international human rights and humanitarian law, and all the provisions of the Geneva Conventions. The international tribunals set up by the Security Council are playing an important role. They have shown that, within their scope, no one is above or beyond the reach of international law. We stress that impunity for serious crimes against humanity, including genocide, must come to an end. Responsibility for such violations must go up in the chain of command. Appropriate mechanisms should be created towards this end.

9. The international community has set new standards in dealing with the violators of international humanitarian law in Bosnia. These standards must be applied equally to

other conflict situations, especially where people are under occupation or alien domination.

10. The situation in the occupied Jammu and Kashmir is a case in point, calling for the urgent attention of the international community. Over the past thirteen years, more than 80,000 Kashmiris have been killed and thousands wounded by the Indian security forces. There are innumerable cases of torture, rape and extrajudicial killings. No one has ever been prosecuted in a real manner, despite the fact that such crimes have been extensively documented by international human rights organizations. Justice for the people of occupied Kashmir requires an end to impunity for these crimes, and their closure through the realization of their UNSC mandated right of self-determination.

11. We are all familiar with the dictum: "If you want peace, work for justice." This applies, in great measure, to the situation in Kashmir and Palestine.

Mr. President,

12. The Security Council has in recent years contributed to various aspects of justice and rule of law. This is reflected in the measures and norms instituted for the protection of civilians in armed conflict, DDR (disarmament, demobilization, reintegration) programs within the context of peacekeeping operations, and strengthening of international criminal justice. The Council and the international system must continue to build on these efforts.

Mr. President,

13. Justice and the rule of law play a really crucial role in societies emerging from conflict. In this context, financing of the reconstruction process is a critical area where much more needs to be done. The need for rebuilding national institutions and necessary infrastructure cannot be overstated, such as in Afghanistan and now in Iraq. Generous international assistance and expertise should not only be committed, but also fully delivered to post-conflict societies to create a new legal and constitutional framework, a new security and judicial structure, and in refurbishing law-enforcement capacities. Failure to provide such financial and technical support can unravel efforts for the restoration of peace and security and even cause a relapse of conflict.

14. The desired objectives in conflict and post-conflict situations can be significantly advanced with greater coordination within the UN system, in particular among major organs like the Security Council, ECOSOC, and taking into account ICJ judgments and advisory opinions. Pakistan has already proposed the establishment of ad hoc composite committees to address the complex crises in the African continent in their political, economic and social dimensions. Consideration should also be given to the creation of a separate unit to assist post-conflict states in the re-construction of their judicial systems.

Mr. President,

15. The commitment we make to strengthen and advance the international rule of law will be a lasting legacy for future generations. Today's discussion advances our dialogue on this essential need of the humanity. We have no doubt that the Council would continue to follow this subject with the commitment and seriousness that it deserves.

16. I thank you, Mr. President. ■

New York, 24 September 2003

<<http://www.un.int/pakistan/00home00sc118>>

Document No. 9

TEXT OF MUSHARRAF'S ADDRESS TO U.N. GENERAL ASSEMBLY

NEW YORK: Following is the text of Pakistani President Pervez Musharraf's address on Sept 24 to the U.N. General Assembly:

Mr. President,

I It is with great pleasure that I extend to you our warmest felicitations on your election. I also congratulate your predecessor, H.E. Mr. Jan Kavan, for his effective leadership during the last session of the General Assembly.

2. We support Secretary-General Kofi Annan's efforts to infuse a new sense of mission in the United Nations and maintain the centrality of its role in the promotion of global peace and security. We pay tribute to the memory of Mr. Sergio de Mello and the other UN officials who sacrificed their lives in the service of peace.

Mr. President,

3. When the Berlin Wall collapsed, hopes revived for a new age of cooperation and peace, free of ideological confrontations. Sadly, these hopes were dashed:

- by the ethnic cleansing in Bosnia, and then in Kosovo;
- by the failure to end the occupation of Palestine, leading to the revived Intifada against Israeli occupation;
- by the brutal suppression of the Kashmiris demand for self-determination and freedom from Indian occupation;
- by the unending war in Afghanistan and the international neglect which created a climate in which extremism and terrorism could breed;
- by the series of international financial crises and the rise of poverty as a consequence of unequal economic globalization.

4. The terrible terrorist atrocity of 9/11 jolted the foundations of the international system. The response has weakened Al-Qaida. But, it has not eliminated its associates. Terrorists have struck repeatedly around the world - in Indonesia, Tunisia, Morocco, Saudi Arabia, Russia, Kenya - and in Pakistan.

5. The tragedy of 9/11 transformed security policies and changed geopolitical calculations. Pakistan took a strategic decision, based on the principles of humanity and our national interest, to support the war on terrorism. Our intentions should be in no doubt. Our actions speak louder than words. Our capabilities were limited but have been progressively improved. We are acting against Al-Qaida and its associates effectively. We have also acted against other organizations or groups involved in any form of terrorism. Pakistan will remain in the forefront of the war on terrorism.

6. The war against terrorism must be fought comprehensively, on a global front, with vision and understanding. It should not erode the moral values of our societies.

It must not be hijacked by those who seek to use it as an excuse to suppress other peoples. It must not be allowed to engender a clash of civilizations - a clash between Islam and the West.

7. It is unfortunate that great religions - which should be a source of hope, tolerance and peace - are seen as being pitted against each other. Many Muslims believe their eternal Faith is being demonized. They see Muslim peoples being cruelly suppressed for demanding freedom and equality or targeted for discrimination and worse.

8. On the other hand, the West perceives the Islamic world as volatile and hostile, bent upon striking at Western values. Muslims are often seen as fanatics, extremists and terrorists.

9. In this volatile milieu, the recent war in Iraq has evoked negative reactions in most Arab and Islamic countries.

10. This moment in history calls for reflection, introspection and action. The thesis of a clash of civilizations is a travesty. We must bridge the gulf of misunderstanding between Islam and the West. We must be the catalysts of change, not the prophets of doom.

11. Islam is a faith of peace, harmony and justice. Islam is democracy in action. It upholds human rights, social equality, non-discrimination, freedom of speech. The protection of minorities is an article of faith in Islam. It does not discriminate on the basis of colour, caste, creed or religion. Our Faith is dynamic, promoting constant renewal and adaptation, through the process of Ijtihad (or interpretation through consultations), Islam's vision is not trapped in any one period of history; it is modern and futuristic. Islam must not be confused with the narrow vision of a few extremists.

Mr. President,

12. I believe the way forward is to adopt a two-pronged strategy - a double pincer - to build harmony, promote moderation, oppose extremism, and ensure justice. I call this strategy "Enlightened Moderation".

13. On the one hand, Muslim nations must assume their responsibility for internal reform and renewal. They are at the crossroads. They must eschew extremism and confrontation. They must embrace the march of human civilisation. They must address the deficits in their social and economic development. They must seek science and technology, higher education and human resource development.

14. The international community, specially the advanced countries of the West, must deliver the other pincer in the strategy of "Enlightened Moderation". They can do so:

- by helping to resolve the political disputes and situations where Muslim peoples are being suppressed, such as in Palestine and Kashmir;
- by rejecting attempts to equate terrorism with Islam; and
- by assisting the Muslim world in poverty alleviation and socio-economic development.

15. The United Nations has a crucial role to play in the conception and execution of the strategy of "Enlightened Moderation".

Mr. President,

16. In this context, it is clear that a consensus must be quickly evolved at the United Nations on ways to restore Iraq's stability, security and sovereignty. Iraq cannot be allowed to remain an open wound. This will impact on the region and could inject a

new dimension to the campaign against terrorism and extremism. The consensus evolved must enable the Iraqi people, through an inclusive political process, to determine the sequence of steps leading to a fully representative Iraqi government and an end to occupation. The Iraqi people should assume control of their resources and political destiny as soon as possible. They must receive the full support of the international community, including Iraq's neighbours and the Arab and Islamic countries, in building security and reconstructing their country. Pakistan would be prepared to help in a collective UN-sanctioned Arab and Islamic effort to help the Iraqi people, if they wish us to do so.

17. Endeavours to stabilise Iraq will be enhanced by progress in promoting peace with justice in the Middle East. Hopes for a just and comprehensive peace were aroused earlier this year by the "Quartet's Road-Map". These hopes have been progressively dimmed. But, failure is not an option. The fate of the Palestinian people is the principal factor in determining public and political perceptions in the entire Islamic world. It is only progress towards a just peace that can marginalise the extremists. Therefore, we must revive faithful implementation of the road map and realise the vision of two States, Palestine and Israel, living side by side in peace within recognized boundaries.

Mr. President,

18. We must ensure the successful implementation of the Bonn process in Afghanistan. The international stabilization force (ISAF) should be expanded and enlarged to ensure security and control over all parts of Afghanistan by President Karzai's government. Pakistan will continue to contribute to interdicting and arresting Al-Qaeda and associated terrorists. We will further intensify our economic cooperation with Afghanistan. It is essential that Afghanistan's territory is not used by third countries for interference or terrorism against Afghanistan's neighbours.

Mr. President,

19. Jammu and Kashmir has been rightly described as the most dangerous dispute in the world. A just solution of this dispute holds the key to peace and security in South Asia.

20. I am glad that India has stepped back from its dangerous and failed experiment in "coercive diplomacy" last year. Despite some improvement in atmospherics, India continues to suppress the legitimate struggle of the Kashmiri people to exercise their right to self-determination in accordance with the UN Security Council resolutions. It refuses Pakistan's offers of dialogue to address and resolve the Kashmir dispute.

21. India cites "cross-border" terrorism to refuse a dialogue. It knows fully well that the Kashmiri struggle is indigenous. India seeks to exploit the international anti-terrorist sentiment after 9/11, to delegitimize the Kashmiri freedom struggle. On the contrary, it is India which violates international law by refusing to implement Security Council resolutions and perpetrating gross and consistent violations of human rights in Kashmir.

Mr. President,

22. Once again, from this august rostrum, I invite India to join Pakistan in a sustained dialogue to resolve the Kashmir dispute. I am convinced that, with goodwill, we can find a just solution, which is acceptable to India, to Pakistan and, above all, to the Kashmiri people.

23. I also invite India, jointly with Pakistan, to observe a complete ceasefire along the Line of Control in Kashmir.

24. Pakistan would also be prepared to encourage a general cessation of violence within Kashmir, involving reciprocal obligations and restraints on Indian forces and the Kashmir freedom movement.

25. And, if India is genuinely concerned about cross-LOC infiltration, we ask that it agree to a viable mechanism to monitor this on both sides. The UNMOGIP could be enlarged for this purpose.

Mr. President,

26. Apart from addressing Kashmir, sustainable security in South Asia requires India and Pakistan to institute measures to ensure mutual nuclear restraint and a conventional arms balance. Unfortunately, India is embarked on a massive build-up of its conventional and non-conventional military capabilities - advanced offensive aircraft, ballistic and cruise missiles, ABM systems, nuclear submarines and an aircraft carrier. This will destabilise South Asia and erode strategic deterrence. Those powers, which desire peace, stability and security in South Asia - and oppose the proliferation of Weapons of Mass Destruction - must review their decisions to offer such major strategic weapons systems to India. They must contribute to maintaining arms restraint and a military balance in South Asia.

Mr. President,

27. The crises and conflicts of the last decade have enhanced, not diminished, the relevance of the United Nations. The United Nations remains the central forum for dialogue and diplomacy. It must be strengthened. The Security Council must be made more representative by increasing the number of non-permanent members. New permanent members will only expand inequality. States, which occupy and suppress other peoples, and defy the resolutions of the Security Council, have no credentials to aspire for permanent membership.

Mr. President,

28. We are on the cusp of a new Millennium. It is a decisive moment in history. We must decide whether to flow with the currents that threaten confrontation and the collapse of our civilization, or muster the collective will to chart the course of history towards a peaceful and cooperative global society. The leaders assembled here bear an enormous responsibility:

- to rescue our world from war and violence, poverty and pestilence;
- to redress inequity and impoverishment which breeds despair and destruction;
- to collectively construct a new global architecture of peace and prosperity for all peoples and nations.

I thank you, Mr. President.

Indo-Asian News Service

South Asia Monitor News and views from the region (21 November 2003) ■

<<http://www.southasiamonitor.org/diplomacy/2003/sep/26dip3.html>>

Document No. 10

STATEMENT BY THE MINISTRY OF EXTERNAL AFFAIRS SPOKESPERSON ON PAKISTAN'S RESPONSE TO CONFIDENCE- BUILDING MEASURES ANNOUNCED BY INDIA

On October 30, 2003, the Ministry of External Affairs spokesperson released a statement in New Delhi on Pakistan's response to the confidence-building measures announced by India on October 22, 2003

Statement by Official Spokesperson

30/10/2003

1. We welcome the fact that Pakistan has responded positively to at least some of the proposals announced by our External Affairs Minister on October 22. We are disappointed that they have attached impractical, extraneous or delaying conditions to the others.
2. Based on the positive responses, there would be immediate implementation of the proposals to allow senior citizens to cross at Wagah on foot. We would also initiate further steps for working out modalities for links between our Coast Guards and Pakistan's Maritime Security Agency. We also look forward to bilateral sporting encounters. We will work on the modalities of Pakistan's proposal for release of apprehended fishermen within a month, although we would have preferred to work out an arrangement for their non-arrest.
3. We hope that Pakistan will come to the talks on civil aviation on December 1-2, with an open mind and with the intention of finalising arrangements for their successful resumption.
4. We would look forward to holding of technical level talks for resumption of Samjhauta Express, in the middle of December, as proposed by Pakistan, after the successful conclusion of the talks in early December for resumption of civil aviation.
5. We welcome Pakistan's offer of medical treatment to 40 Indian children. Such offers and their implementation will no doubt enhance interaction and contribute, in some measure, to increasing understanding and empathy.
6. We are disappointed that Pakistan has, in effect, not agreed to our proposals for running extra buses on the Delhi-Lahore route, and establishing links between Mumbai and Karachi, Khokrapar and Munabao, and Srinagar and Muzaffarabad. Such links would have facilitated widening of people to people contacts and cooperation. They could have easily been put into effect through technical level discussions. Holding up such simple steps, and making them part of the Composite Dialogue process, in effect means delaying them. Since these measures are aimed at expanding interaction, widening areas of cooperation and building up trust, we will continue to hope that Pakistan will agree to their implementation. Our offer for a bus link between Srinagar and Muzaffarabad was motivated by humanitarian considerations. It is unfortunate that Pakistan has instead opted to politicise and disrupt this by attaching conditions that they knew would not be acceptable. In fact, even now people from these regions travel without the requirement of the kind of documents that Pakistan spoke about.

7. We have noted Pakistan's proposal for a bus link between Lahore and Amritsar. We can assess the requirement for this after progress on Delhi-Lahore bus, civil aviation and Samjhauta Express.
8. We are ready for a calibrated increase in size of Missions, as the requirement grows with the re-establishment of links, and setting up of new ones. However, there is no need to wait for this for holding of visa camps, which would ease the situation for the normal traveler who otherwise has to come all the way to Delhi or Islamabad to get visas. We would urge Pakistan to reconsider this.
9. As far as Pakistan's offer of 100 scholarships is concerned, we believe that the process of building trust and cooperation between India and Pakistan, and establishing lasting peace, would be facilitated if offers are not targeted on any particular region of India. India has never adopted, for instance, a selective approach for Balochistan, Sind or NWFP, or for any particular community. Our offers have been available to any Pakistani. If Pakistan were to make such non-discriminatory and general offers of cooperation, then it would no doubt contribute to taking the process further.
10. We are amused at Pakistan's profession of concern at the plight of disabled and negatively affected people in the state of Jammu & Kashmir. If Pakistan's concerns are really sincere, it should take immediate steps to end infiltration, dismantle the infrastructure of support to terrorism, and offer compensation to those affected by the terrorism it has sponsored. Its references to alleged repression on J&K are obviously only a ploy for its failed attempt to camouflage its sponsorship and support for terrorism.
11. I would also like to reiterate that Jammu & Kashmir is not a disputed territory. The only issue that remains to be resolved for a final settlement of J&K, is the question of Pakistan's illegal occupation of a portion of the State.
12. Despite the limited positive responses from Pakistan, it is clear that our Prime Minister's initiative has gathered momentum. India would sincerely continue with the process, building on the successes achieved and the support generated, so that lasting peace is established between the two countries. We also remain committed to a dialogue process based on the premise that sustained dialogue requires an end to cross border infiltration and terrorism. If Pakistan perceives, as it has claimed, that Composite Dialogue is in mutual interest, it must immediately put an end to its sponsorship of cross border terrorism. ■

Source: Ministry of External Affairs, New Delhi

<http://www.satp.org/satporgtp/countries/india/document/papers/CBM_indonpak.htm>

Document No. 11

STATEMENT BY AMBASSADOR MUNIR AKRAM ON AGENDA ITEM 91(A): INTERNATIONAL TRADE AND DEVELOPMENT IN THE SECOND COMMITTEE OF THE GENERAL ASSEMBLY (NOVEMBER 03, 2003)

Mr. Chairman: The Pakistan delegation would like to convey our sincere appreciation to the Secretary General for the excellent report on international trade and

development. We also wish to thank the Secretary General of the UN Conference on Trade and Development Mr. Rubens Ricupero for his contribution to the deliberation through the reports of the Trade and Development Board.

2. We associate with the statement made by Morocco on behalf of the G-77 and China.

Mr. Chairman,

3. This debate is taking place in the shadow of the failure at Cancun to reach a consensus on the continuation and conclusion of the Doha Round of Trade Negotiations.

4. Many theories have been advanced to explain the Cancun failure. There are conspiracy theories, mismanagement theories and systemic theories. There are elements of truth in each of these theories. Beyond the specifics, the fact is that there is growing divergence between the WTO ‘culture’ – belief in the magic of the market place and in reciprocal liberalization – and the reality of unequal globalization – with the growing pauperization and marginalization of poorer developing countries, which cannot compete in the unequal game of international trade. The first sign of the erosion of the Washington Consensus was witnessed in the “battle of Seattle”. Since then the opposition of civil and some ‘uncivil’ society to the WTO and to unrestrained globalization has been manifested at every major economic Conference. So far, no new international consensus has emerged on international trade, finance and development.

5. The Doha Ministerial adopted an unbalanced agenda for negotiations, once again focused on liberalization in areas of primary interest to the developed countries. Nevertheless, with an eye on a skeptical world public, the launch of a “Doha Development Round” was proclaimed – although the Doha Ministerial Declaration never mentions these words.

6. The subsequent negotiations in Geneva confirmed that the reference to a Development Round was mostly lip service. The developing countries’ priorities were virtually swept aside. For instance, the deadlines for resolution of implementation issues and Special and Differential treatment were missed repeatedly. Both issues have been excluded from the Doha Round’s ‘Single Undertaking’. Proposals on agriculture were modest; they ignored the ‘development box’ measures proposed by poorer developing countries. A balanced Chairman’s proposal on tariffs was sought to be diluted. The demand for negotiating new (Singapore) issues remained insistent.

7. The draft Ministerial Declaration circulated in Geneva before Cancun confirmed the neglect of the objectives and views of the developing countries. Their unhappiness was no secret. It was in reaction to the regression by the ‘majors’ on agriculture that the Group of 21 was constituted.

8. At Cancun, six coordinators – appointed, as usual, without adequate consultations – held meetings to evolve agreement in various areas. The focus remained on agriculture, where, due to the efforts of the G-21 led by Brazil, progress was made towards a compromise outcome. However, the revised Ministerial Declaration circulated on 13 September evoked a highly negative response from the vast majority of developing countries. They felt the text was worse than expected. Apart from reflecting the progress in agriculture, the text remained static in all other areas – despite the strong views expressed by developing countries on the Singapore issues, S&D, implementation and other issues. On the African proposal on cotton, the new

text was a major reversal altogether omitting the essential aim of removing or reducing cotton subsidies.

9. Scores of developing countries took the floor to voice their unhappiness with the text generally and on specific points of special concern to them. In the Green Room meeting next morning, the Singapore issues – rather than the concerns of the developing countries – were taken up first. Although, the EU offered, at the last moment, to take two of the Singapore issues “off the table”, the majority of the developing countries, unsurprisingly, could not buy into this unless they were assured of a response to their specific problems. They rejected negotiations on all four Singapore issues. The meeting closed without a substantive outcome.

10. Not surprisingly, again, the blame for the Cancun collapse is being put on the developing countries – the G-21 and the G-90. Developing countries have also been warned that they will be the biggest losers if the Doha Round is not revived. The positions of the ‘major trading partners’ have hardened. The EU offer to drop 2 of the Singapore issues may be “off the table”. The US has said it will focus on FTAs. In Geneva, negotiations have been frozen. The APEC Summit has called for resumption on the basis of the 13 September “Derbez” text. Will this succeed? Should we keep doing the same thing over and over and expect different results?

11. It is time for an honest appraisal and adjustment of the Agenda and approach of the Doha negotiations. The most important requirement is to assure the developing countries that the Doha Round will be genuinely a “Development Round.”

12. Four steps may be helpful in building confidence among the developing countries and enabling a positive re-launch of the Doha Round.

13. **First**, the specific identification of the objectives, which will serve to make Doha a ‘Development Round’. In this context, the analysis prepared by UNCTAD of the “benefits” for developing countries of various trade objectives under negotiation in the Doha Round can serve as a useful guide in setting the specific objectives of the Doha Development Round. Of course, some development objectives are readily identifiable:

- (i) genuine resolution of the outstanding implementation issues;
- (ii) a commitment to eliminate tariff peaks and tariff escalation against developing country exports;
- (iii) operationalization of S&D provisions in existing WTO agreements and the full reflection of S&D in new agreements including non-reciprocity for low-income countries in new liberalization commitments;
- (iv) priority for the Movement of Natural Persons, (Mode 4) in services liberalization;
- (v) a reflection of the development dimension in the TRIPS and TRIMS agreements;
- (vi) a development-oriented discipline on anti-dumping actions;
- (vii) promotion of specific development commitments in the areas of trade and debt and finance and trade and transfer of technology.

14. Second, the consideration of a “down payment” for the developing countries to build confidence in the Doha Round negotiations. This could include:

- **One**, a moratorium on anti-dumping and other safeguard actions against the low-income developing countries particularly against their textile exports after complete phase-out of quotas in 2005;

- **Two**, a positive response to the cotton initiative of African and other countries;
 - **Three**, a moratorium for 5-10 years on dispute settlement actions against low-income developing countries under the TRIPS and TRIMS agreements;
15. **Third**, a visible commitment to capacity building in the developing countries to enhance their ability to expand exports and trade as a means of promoting development. Such a commitment could be manifested by the establishment of a capacity-building fund of at least \$100 million to be executed jointly by the WTO, UNCTAD, UNDP and the World Bank.
16. **Fourth**, an agreement to evolve a more transparent and democratic decision-making process in the WTO. For example, Chairpersons of WTO bodies should be selected more openly in full consultation with the developing countries. Draft decisions should emanate from WTO members, not Chairpersons, and should be openly negotiated without recourse to 'green room' procedures. The WTO Secretariat should effectively promote the development-oriented objectives of trade negotiations. It should seek inputs for its analysis and recommendations from UNCTAD and other organizations. Also, the composition of the WTO Secretariat, where developing countries are very inadequately represented, must be changed. Without this, the WTO 'culture' is unlikely to improve.

Mr. Chairman,

17. We hope that consideration will be given in the on-going bilateral consultations, and especially at the 12 December WTO Governing Council meeting, to endorsing such steps to build the confidence of the developing countries and civil society in the Doha Round.

18. However, there are several other issues outside the Doha Agenda, which need to be urgently addressed if multilateral trade is to be transformed into a potent instrument for equitable global development. These include:

One, the continuing volatility and secular decline of commodity prices. The old UNCTAD idea of commodity funds and buffer stocks needs to be re-visited.

Two, poverty alleviation through trade. Clearly, directed measures are required to utilize trade to achieve the Millennium Development Goals. Work on this should be conducted jointly by the Bretton Woods institutions, UNCTAD and UNDP.

Three, the review and adjustment of current policies on debt and finance from the perspective of their impact on trade expansion and development in the developing countries. Again, the Bretton Woods institutions and UNCTAD could greatly contribute to analysis and policy recommendations in this area.

Four, a review of restraints of transfer of technology, which impede developing countries' capacity in international trade and their development goals. UNCTAD has already done considerable work in this area, which can be built upon.

Mr. Chairman,

19. The fulfillment of the expectations of the developing countries for a fair international trading system is long overdue. When the Bretton Woods institutions were created, the proposal of Lord Keynes for a special mechanism to regulate commodity prices was ignored; it has cost the developing countries dearly. The "International Trade Organization", also agreed at Bretton Woods, was not created. Textiles and Agriculture – the two sectors of primary interest to developing countries – were excluded for 40 years from GATT disciplines. And trade liberalization has

taken place – especially in the Uruguay Round – in areas where the rich are strong but not in areas where the poor are strong. The fight for fair – and open – trade is going to be long and arduous. It is a battle worth fighting and winning, because it holds the key to universal economic and social development and global prosperity.

I thank you. ■

<http://www.un.int/pakistan/00home090803>

Document No. 12

CHINA-PAKISTAN JOINT DECLARATION

On November 4, 2003, Chinese President Hu Jintao and Pakistani President Pervez Musharraf signed a joint declaration on the directions of bilateral cooperation. Following is the full text of the declaration:

JOINT DECLARATION BETWEEN THE PEOPLE'S REPUBLIC OF CHINA AND THE ISLAMIC REPUBLIC OF PAKISTAN ON DIRECTIONS OF BILATERAL COOPERATION

The People's Republic of China and the Islamic Republic of Pakistan (hereinafter referred to as the "two parties") have similar historical experience and common aspirations for peace, progress in the region and the world. The two parties have developed an exemplary state-to-state relationship on the basis of the Five Principles of Peaceful Coexistence. Since the establishment of diplomatic relations between the two parties on 21 May 1951, China-Pakistan good-neighborly and friendly relations, fostered by the successive generations of leaders of both countries, have been growing from strength to strength and bilateral cooperation remain fruitful. The two parties have already established a future-oriented all-round cooperative partnership.

The good-neighborly and friendly relations between the two parties have been an important and indispensable factor for peace and stability in Asia and have contributed to greater international understanding and amity. The two countries have developed wide-ranging mutually beneficial cooperation with the aim of promoting socio-economic development and ensuring prosperity and better future for their peoples.

The two parties stress that the relationship between China and Pakistan is based on mutual respect of each other's sovereignty, independence, culture and traditions, mutual trust and mutual support. Such a relationship, with its profound popular basis, great vitality and tremendous potential of growth, should remain dynamic forever and be passed on to the future generations. The further consolidation and strengthening of the existing good-neighborly and friendly relations not only serves the fundamental interests of the two countries and the two peoples, but also contributes to regional peace, stability and prosperity.

The two parties have firm belief in the centrality of the United Nations in the promotion of world peace and development and will continue to cooperate in this regard. Both countries share common values in the conduct of their international relations and stand for peaceful settlement of international disputes and upholding of the purposes and principles of the UN Charter.

The two parties have maintained close cooperation in the multilateral fora. They have supported each other internationally in pursuit of the common objectives of peace and development. Similarly, the two parties have consistently supported peace initiatives in Asia and efforts aimed at developing and strengthening economic cooperation and activity that would benefit the peoples of the continent.

Pakistan supports the BOAO Forum for Asia (BFA) and commends its efforts to promote and enhance economic activity and regional economic cooperation in Asia and with other countries.

At the beginning of the new century, the two parties are committed to develop closer bilateral relations and further deepen and broaden their all-weather friendship and all-round cooperative partnership. In the spirit of this commitment, the two parties hereby state as follows:

1. The two parties agree to maintain frequent exchange of high-level visits and contacts and strengthen the exchange of visits and communication between their government departments, Parliaments, political parties, armed forces, non-governmental organizations and local organizations with a view to enhancing mutual understanding and friendship and promoting an all-round, steady and deepened development of the bilateral relations.

2. The two parties stress the important role of annual diplomatic consultations mechanisms in enhancing bilateral political cooperation and agree to strengthen consultations and exchanges between their Ministries of Foreign Affairs at various levels and in various areas to share views on bilateral relations and regional and international issues of mutual interest, and maintain regular exchanges and coordination on various occasions.

3. The two parties agree to build on the current sound basis of cooperation, make full use of their political and geographical advantages and promote cooperation in the realms of economy, trade, investment, agriculture, technology and tourism in accordance with the principles of equality, mutual benefit, efficiency, mutual complementarities, diversity of forms and common development. To this end, the two parties will

- (1) Continue to strengthen the guidance and coordination on economic and trade cooperation. Both sides will give play to the role of China-Pakistan Joint Committee on Economic, Trade, Scientific and Technological Cooperation (JEC) and explore new approaches and channels for mutually beneficial economic and trade cooperation. To further tap the potential of bilateral economic cooperation, the two parties agree to strengthen the role of China-Pakistan Business Council. The two parties will also improve related laws and regulations, standardize enterprise behavior, and create favorable conditions and offer necessary facilitation for the economic and trade and investment activities of their companies, enterprises and organizations.

- (2) Actively expand bilateral trade and entrust JEC to take appropriate steps in that direction. The two parties agree to encourage and support two-way investment by their enterprises in accordance with the agreements on the promotion and protection of investment between the two governments, domestic laws and their respective international obligations. They agree to expand bilateral trade on the basis of the newly concluded preferential trade arrangement with the ultimate goal of establishing a free trade arrangement. The two parties agree to strengthen cooperation in contract labor services, and take necessary measures to further promote bilateral trade.

(3) Promote and standardize border trade. The two parties will take steps to facilitate existing border trade and further take steps to conclude a new border trade agreement so as to promote their economic development and social stability, especially in the border areas.

(4) Guide and encourage their government departments, scientific research institutes, universities and high-tech enterprises to conduct broad technological cooperation in areas of mutual interest such as telecommunication, water conservancy, electric power, aviation and space technology, computer, automation, metallurgy, IT, medicine and health, petrochemistry, bio-technology and peaceful utilization of nuclear power. The two parties will endeavor to promote transfer of know-how and exchange of information. In this context, the two parties will give full play to the guiding and coordinative role of the intergovernmental Joint Committee on Scientific and Technological Cooperation.

Strengthen cooperation in nonproliferation and export control. The two parties will consider launching, at an appropriate time, the negotiation and conclusion of a bilateral agreement on mutually issuing of ultimate consumer and end use certificate.

(5) Promote mutually beneficial cooperation in agriculture, forestry and fishery and make the best of the rich natural resources and strong complementarities of the two countries to encourage and support enhanced exchanges and cooperation between the relevant enterprises and departments in agricultural technology, processing of agricultural and forest products, manufacturing of agricultural machineries, offshore fishing and aquaculture.

(6) Promote close cooperation in the industrial sector, including sharing of professional expertise and joint production with raw materials and technologies of both sides and development of industrial zones, industrial harbors, export free zones and human resources, give play to the leading role of large enterprises and enhance cooperation among small and medium enterprises. They agree to encourage and facilitate collaboration between the private sectors of the two countries and promote the establishment of joint ventures, particularly in the field of textile manufacturing.

(7) Strengthen exchanges and cooperation in fiscal and financial areas and in macro-economic control.

(8) Strengthen transport cooperation and promote interflow of personnel and commodities through Karakoram Highway.

(9) Hold more investment and trade fairs and commodity fairs in their major commercial cities to enhance mutual understanding between their enterprises. The key chambers of commerce of both countries (the China Council for the Promotion of International Trade and the Federation of All Pakistan Chambers of Commerce and Industry) will establish a regular exchange mechanism.

(10) Expand cooperation in tourism. Pakistan has been designated as a destination for outbound Chinese tourists. The two parties will finalize the concrete measures as early as possible, to increase the number of tourists, expand tourism markets and enhance tourism promotion.

4. The two parties attach great importance to the role of the China-Pakistan Defense and Security Consultation Mechanism in promoting military-to-military exchanges and cooperation. To develop defense cooperation, the two parties should, on the basis of equality and mutual benefit, continue to actively conduct exchanges and cooperation at

all levels and in all fields, including exchange of visits, personnel training, armed forces training, culture and sports. In this regard, the efforts of the Sino-Pakistan Joint Committee on Cooperation in Defense Technology and Industry shall be supported to enhance defense industrial cooperation.

5. The two parties agree to strengthen the exchanges and cooperation in the fields of culture, education, public health, sports, media and religion. Both agree to strengthen mutual understanding and friendship between the two peoples through exchange of students, teachers, delegations, art performance groups, experts and exhibitions. Special importance will be attached to the friendly exchanges and communication between the youth to enhance their awareness of China-Pakistan traditional friendship, and ensure that they will inherit and develop the friendship, mutual trust and cooperation between the two peoples.

Noting the serious threat facing the world environment, the two parties agree to cooperate with each other in this field in a joint effort to prevent water and air pollution, soil erosion and unsustainable deforestation. The two parties agree to cooperate on efficient and economical use of energy and on research and development for sustainable management of natural resources and improvement of the environment.

6. The two parties agree that separatism, extremism and terrorism pose serious threats to regional security and stability. Both sides are resolved to strengthen coordination and cooperation under bilateral and multilateral frameworks. They will actively support and facilitate substantive cooperation between their departments in combating separatism, extremism and terrorism with a view to safeguarding regional peace and stability.

7. The two parties will promote mutual assistance in criminal and legal matters and law enforcement cooperation between the departments concerned and build closer ties in the surrender of fugitive offenders, investigation and taking of evidence, sharing of criminal information, crackdown on organized transnational crimes, economic and other crimes, such as smuggling of drugs, weapons and ammunition, and trafficking in human beings.

8. The Chinese side reaffirms that it respects the independence, sovereignty and territorial integrity of Pakistan, and appreciates and supports the efforts of Pakistan for peaceful resolution of all outstanding issues with neighbors and to safeguard its state sovereignty and independence. The Pakistani side reaffirms that it will continue to consistently adhere to the one-China policy, and recognize the Government of the People's Republic of China as the sole legal government representing the whole of China and Taiwan an inalienable and indivisible part of Chinese territory, and fully support China's cause of peaceful reunification.

9. The two parties are satisfied with their close and efficient cooperation over the years in international and regional affairs. Both sides share the view that the purposes and principles of the UN Charter, the Five Principles of Peaceful Coexistence and other universally recognized norms governing international relations must be respected by all countries and that the central role of the UN in international affairs should be maintained and strengthened, especially through faithful implementation of the resolutions of the Security Council. The two parties agree to continue to strengthen their communication and collaboration in international and regional affairs and commit themselves to enhanced solidarity and cooperation among developing

countries and maintenance of their legitimate rights and interests in the process of globalization, enhancement of regional and global peace and security, and to the establishment of a new international political and economic order that is fair and rational.

Both sides agree that the visit of President Pervez Musharraf to China has been an outstanding success and a new milestone in the further strengthening of mutual understanding, trust and the traditionally close friendly cooperation between the two countries.

On behalf of the Government and the people of Pakistan, President Pervez Musharraf extended cordial invitations to President Hu Jintao and Premier Wen Jiabao to pay visits to Pakistan at their convenience. The invitations have been warmly accepted.

President Pervez Musharraf expressed his appreciation to the Government and the people of the People's Republic of China for their warm and friendly hospitality accorded to him and his delegation.

Done in duplicate at Beijing on 3 November 2003 in the Chinese and English languages, both texts being equally valid.

(Hu Jintao) President of the People's Republic of China

(Pervez Musharraf) President of the Islamic Republic of Pakistan ■

<<http://www.fmprc.gov.cn/eng/wjdt/2649/t40148.htm>>

DOCUMENT NO. 13

U.S. FOREIGN POLICY TOWARDS PAKISTAN

Remarks by Ambassador Nancy J. Powell "Karachi Council on Foreign Relations" Karachi, Pakistan

November 13, 2003

Ladies and Gentlemen:

Thank you very much for that kind introduction, Chief Justice Siddiqi. It is great pleasure and honor for me to speak before such a distinguished audience this evening. Permit me also to recognize Ahsan Zubairi, Secretary General and a founding member of the Karachi Council on Foreign Relations, Economic Affairs, and Law.

I congratulate you all on the recent founding of this organization, which will no doubt quickly become an important forum in which to discuss the important foreign policy issues of the day.

Let me add that it is always a pleasure for me to visit the city of Karachi, whose atmosphere, dynamism, and, yes, traffic, provide some contrast to life in Islamabad. And since Karachi remains the hub of so much of the economic and intellectual life of this nation, it is an appropriate place to share some thoughts with you about the current state of relations between the United States and Pakistan.

I wanted to take an opportunity this evening to review with you U.S. policy towards Pakistan -- both in terms of its substantive priorities, and more specifically, with regard to the ever-expanding partnership between our two nations in numerous

areas. This growing partnership underlines America's long-term commitment to the bilateral relationship, and to Pakistan's continued development.

As I noted in this city almost a year ago, the United States is committed to building a strong, long-term, and comprehensive bilateral relationship with the Islamic Republic of Pakistan. We have just witnessed, in the past few weeks, an unprecedented number of high-level visits between our two nations: President Musharraf, Prime Minister Jamali, Foreign Minister Kasuri, and Education Minister Jalal have all visited the U.S. in the past weeks. From our side, Treasury Secretary Snow, Deputy Secretary of State Armitage, Chief of Naval Operations Admiral Clark, Central Command Commander General Abizaid, and numerous U.S. Senators and Representatives have visited Pakistan for important discussions with your leaders. The number of these visitors and the variety of topics discussed - from bilateral and security ties, to economic, trade, development, and educational reform issues - testify to the breadth and depth of the relationship we are committed to building -- and to sustaining over the long-term.

Foreign policy goals

Permit me to begin by outlining four broad areas that constitute our foreign policy priorities towards Pakistan today:

- working together in the global war on terrorism,
- helping the states of the area to enhance regional stability,
- aiding Pakistan to strengthen economic, social, political, and democratic development, and
- building bridges between our two nations' peoples in order to foster greater mutual understanding between us.

With regard to the global war on terrorism, Pakistan has, since that terrible day in September 2001, become one of the United States' most important partners in fighting this most challenging of wars. We are working closely and cooperatively with the government of Pakistan to neutralize the remnants of al Qaeda and the Taliban that remain in the region.

Our two nations have coordinated among intelligence, law enforcement, finance, and military authorities successfully to apprehend well over 500 suspected al Qaeda and Taliban operatives to date, including Khalid Shaikh Mohammed and Ramzi Bin al-shibh.

Pakistan ranks fourth in the world in the amount of terrorism-related assets frozen. We look forward to continued cooperation by the government of Pakistan in the United Nations and other fora on terrorist finance issues.

The government of Pakistan is also working against extremist groups and has recently increased its border-security patrols, operating now even in the mountainous, historically off-limits tribal areas of the Pakistan-Afghanistan border.

We continue to work with the Government of Pakistan to monitor the effectiveness of actions taken to curb such extremist groups as Lashkar-e-Taiba, Jaish-e-Mohammed, and others. These groups pose a serious threat to Pakistan, to the region, and to the United States. We are particularly concerned that these banned organizations are re-establishing themselves with new names.

The Government of Pakistan has taken many steps to prevent extremist groups from crossing the line of control in Kashmir. We are asking it to continue to enhance these efforts.

The United States will continue to support Pakistan's counter terrorism efforts by providing funding for enhanced border security, including training, equipment, road-building, and logistic support. Investing in Pakistan's capacity to interdict terrorists has begun to pay off. Last month, Pakistan forces killed eight and captured 18 suspected al Qaeda and Taliban, along with foreigners and local tribesmen, on the Afghan border. This was followed a week later by detention of 32 people suspected of collaborating with or harboring Taliban remnants.

Pakistan is bearing its share of the human cost of fighting the war on terror. Approximately two dozen of its soldiers have been killed in such operations. We are mindful that some of the steps taken by the Government of Pakistan have generated controversy and opposition from some quarters here in Pakistan. But, as we have seen so vividly - whether in Karachi, where Pakistani security guards were killed in front of our Consulate, or just a few days ago in Riyadh, where innocent Arab men, women and children were murdered in their compound -- terrorists and extremists threaten all of us - in this part of the world and in the United States.

The second of our major goals vis-à-vis Pakistan and its neighbors is to help enhance regional stability. Simply put: what happens in South Asia matters to the United States, and it matters to the world. The population of this region is vast; and so is the amount of weaponry - including nuclear - that exists. But it is also the region of the world with perhaps the highest level of untapped human and economic potential anywhere - potential that, if fully exploited, could change the international economic and social landscape in fundamental ways.

In order to realize the full potential of Pakistan, India, Afghanistan, and the other countries in South Asia, regional political and military stability must be ensured. This is one of the highest foreign policy priorities for this U.S. Administration. We are spending much time these days on helping to foster better ties between Pakistan and Afghanistan and between Pakistan and India. Both relationships are fraught with historical tensions and mistrust. But I believe that some good progress is being made on both fronts.

With Pakistan and Afghanistan, we are working with both sides to help them to secure border areas that have for decades been porous. Our goal is to aid both in preventing violent or criminal elements from moving across undetected or from finding safe-haven, particularly in remote, inaccessible areas. To this end, we have established a tripartite military commission among Pakistan, Afghanistan, and the U.S.-led coalition forces and civilian leaders to help coordinate military and border security operations along the border, and to improve their effectiveness in achieving our shared goals of halting cross-border terrorist movements. We are also working with the Pakistan Ministry of Interior to expand border security capabilities.

With regard to Pakistan and India, the United States is today in the enviable position of enjoying excellent and cooperative relations with both. We do not view our relations with Pakistan and India as a zero-sum game, and my sense is that Pakistan and India are coming to accept that America's good relations with both countries is in fact a net positive for all three nations. The U.S. hopes India and Pakistan will move forward with the implementation of those confidence-building measures that both

nations have agreed upon during the past month, and to engage in serious discussions on those items - restoration of air links, train travel, and visa issuance - that require further agreement on modalities.

The U.S. believes that expanding the potential for cross-border trade -- whether through bilateral talks in areas such as civil aviation or through regional SAARC initiatives; and increasing contacts and confidence among ordinary citizens -- whether through medical exchanges, easier border crossing, or sports events - are all measures that can help to create the more positive atmosphere that is the sine qua non of tackling the difficult political issues that divide India and Pakistan.

With regard to the issue of Kashmir, there is no doubt that violence there must be reduced; ending violence in Kashmir remains a key goal. For our part, we will continue to look for ways to encourage peace in Kashmir - a lasting solution to this difficult issue can only come through political dialogue and negotiation, not through violence.

Related to the issue of regional stability in the broadest sense is the matter of nuclear and weapons proliferation. We remain confident that Pakistan will continue to comply with existing non-proliferation treaties and regimes to which it has adhered, as well as to other commitments made.

A third priority area in which we are involved is helping Pakistan to strengthen its economic, social, political, and democratic development. We are currently undertaking a multi-billion dollar, multi-faceted assistance program that we hope will ensure the stable and balanced development of Pakistani society. This program, which I will detail in a moment, includes development assistance, balance-of-payment support, debt rescheduling and forgiveness, and agricultural, trade, and investment support. USAID has returned to Pakistan with major assistance programs in such areas as education, health, governance, and micro-finance. The American Business Council based here in Karachi is an important testament to the success American companies have had in Pakistan.

Pakistan's commitment to the further advancement of democracy and human rights is central to its efforts to build a stable, positive future for its people. America wants to see strong Pakistani democratic institutions and practices, including a National Assembly that plays a vigorous and positive role in governance and an independent judiciary that promotes the rule of law. We hope that the case of Javed Hashmi and others in the judicial system will be handled in a fair and transparent and with due regard for fundamental rights, including those of speedy public trial, access to counsel, and family visitation. Democratic institutions are required if Pakistan is to thrive economically and to develop into a stable, moderate Islamic state. Some of our USAID money is directed at this goal of strengthening democracy, good governance, and the rule of law. In fact, USAID just awarded a grant to improve the links between the provincial and national legislatures, civil society organizations, academics, think tanks, and the press.

A fourth area of U.S. interest is our desire, particularly in these troubled times, to increase understanding between the people of the U.S. and Pakistan. There is currently much too much mistrust and lack of understanding between us; for our part, we are intent on working to reduce these gaps. As people coming from different cultures and historical experiences, we may not always agree with each other; but we must continue to strive to listen better, and to attempt to understand the other's point of view.

To this end, we are continuing to expand our cultural and exchange programs, one of the important ways in which we can build bridges among our citizens. Although it is true that we have, for legitimate security reasons, tightened visa and entry procedures to the U.S., and while we are intent on enforcing laws with regard to the length and status of stay, the United States remains open to visitors from all nations - for education, for tourism, and for business.

U.S. Assistance to Pakistan

I would like now to describe in some detail our assistance programs to Pakistan today. They reflect all of the policy goals I have discussed, and are, I believe, a testament to America's commitment to build a strong, deep, and long-term relationship between our two nations.

Since 9/11 and the resumption of an assistance relationship, the United States has provided a multi-billion dollar, multi-faceted assistance package to Pakistan. This has included a cash grant of \$600 million, and forgiveness of \$1 billion in Government of Pakistan debt owed to the U.S. Government. Our strong bilateral economic assistance program includes in addition to these significant outright grants and debt relief, many targeted USAID initiatives, U.S. Department of Agriculture grants and credits, and broad trade and investment support. Our security assistance programs include assistance to help Pakistan secure its border with Afghanistan, counter-narcotics and law enforcement programs, counter-terrorism programs, international military education and training, and foreign military financing. We are also working closely with multilateral institutions, including the IMF, World Bank and Asian Development Bank, to leverage the significant resources needed to reform Pakistan's economy and to alleviate poverty.

For fiscal year 2004, the year beginning on October first of this year, the Bush administration is seeking an appropriation from the Congress of approximately \$400 million dollars. This includes \$200 million in Economic Support Funds that will help ease Pakistan's debt burden, \$75 million in development assistance, child survival, and health funds, \$75 million in foreign military finance to help support Pakistan's military and security preparedness, and \$38 million to enhance the effectiveness of Pakistan's efforts in border security, law enforcement development, and counter-narcotics. We hope that Congress will appropriate these funds shortly.

As you are all well aware, President Bush has made a commitment to President Musharraf to seek a further \$3 billion in aid over the five years beginning in fiscal year 2005, that is, starting in October 2004. While details of this program are currently under discussion between our two governments, it is expected that half this amount - or approximately \$300 million a year - will be for economic and development assistance, while an equal amount will go towards security and military aid. Again, we are hopeful that the Congress will appropriate these funds.

Permit me to highlight a few of the programs we are currently undertaking. Among the most exciting and important are USAID's ever-expanding programs that are focused on four sectors - education, health, governance, and micro-finance.

Through a five-year, \$100 million agreement with the Ministry of Education (signed in August 2002), USAID is helping to improve Pakistan's educational system, with particular emphasis on expanding access for girls; training teachers and administrators to raise the quality of public and private school instruction; improving national youth and adult literacy programs; testing and using distance education

methods; and developing more public-private partnerships to increase community involvement in primary education. The project focuses particularly on Sindh and Balochistan provinces, two regions with very poor social and economic indicators that have received less government and donor attention over the years.

USAID is also implementing a five-year partnership with the British government, the UN, and the Government of Pakistan to expand availability of quality reproductive health services, particularly in rural areas. The U.S. commitment to the health sector overall is for \$115 million over five years.

With regard to fostering more participatory, representative, and accountable governance, USAID is working with Pakistan to strengthen four key institutions: national and provincial legislatures, district governments, civil society organizations, and independent media. Here, our commitment is for \$38 million over three years.

Finally, the U.S. is committing \$53 million over five years to increase access to and availability of micro-credit and micro-finance services, especially in impoverished and underserved rural areas. Soon USAID will offer a scholarship fund to allow deserving but poor Pakistani students to attend the nation's premier business and agriculture universities.

It is, however, important to recall that economic prosperity does not come from direct assistance alone. We also recognize the vital importance that trade and foreign investment play in economic development. For this reason, U. S. Government agencies, including our Export Import Bank and our Overseas Private Investment Corporation, are providing hundreds of millions of dollars in credit facilities, insurance, loans, and loan guarantees in order to support the importation of American products and the extension of credits by American banks to finance projects and companies in Pakistan. Research also plays an important role in promoting prosperity, and our Trade and Development Agency has funded studies on the construction of a desalinization plant in Karachi and the development of a secondary mortgage market to ease housing shortage problems in Pakistan.

We also have a growing array of security assistance programs. In the wake of 9/11, we initiated a \$73 million program to help Pakistan secure its border with Afghanistan against trafficking in weapons, drugs, and other contraband and infiltration by terrorists. The program includes the development of a Ministry of Interior aviation wing with five helicopters and 3 fixed wing surveillance aircraft, delivery of over 1,000 vehicles, communications equipment, and other commodities, and construction of border outposts. Related training and technical assistance also are being provided. We also are expanding programs in the Federal Administered Tribal Areas (FATA) with \$24 million for construction of roads to provide law enforcement access and promote economic development in currently inaccessible areas, and \$1.5 million for construction of outposts, training and other commodities.

We also continue to provide Pakistan with counter-narcotics and law enforcement development assistance. Our counter-narcotics program focuses on sustaining Pakistan's remarkable success in opium crop reduction in the Northwest Frontier Province, which has declined substantially over the past 10 years with the help of alternative crops, aggressive eradication, road building, irrigation, and potable water programs. Our law enforcement assistance program provides an array of training, technical assistance, and some commodities to enhance law enforcement capabilities.

In addition, we are working with Pakistan to enhance its capacities to counter terrorism by providing innovative technologies for use at airports and training and equipment to implement a standardized fingerprint system. We also are helping to train and equip federal and provincial units responsible for counter terrorism investigations and operations.

In terms of military assistance, Foreign Military Financing (FMF) grant money is to be used for the purchase of US military equipment, maintenance, and in some cases, training. A total of \$75 million was included in the FY02 Supplemental Appropriation to support the Pakistan Armed Forces' purchase of aerial transport, surveillance and communications equipment. During FY03, the U.S. Government provided \$49.5 million dollars in FMF grant funding plus an additional \$175 million dollar supplemental grant for a total of \$224.5 million dollars. In August 2003, Pakistan accepted an offer to purchase 6 C-130 cargo aircraft from the United States. That purchase was funded by \$75 million dollars in U.S. FMF grant money.

Importantly, a program providing U.S. military training courses for Pakistani military personnel was resumed in November 2001 following a 10-year hiatus. Courses are usually U.S. military training programs attended by Pakistani students but may also include US training teams coming to Pakistan to provide instruction. Pakistan received \$1 million in training grants in FY02 and a further \$1 million FY03. This has greatly enhanced the professional exchange between our two militaries and our interoperability in international peace-keeping missions.

Conclusion

These are some of the important programs currently being implemented by the U.S. to help Pakistan realize its own development goals. The amounts of aid are impressive, and the United States and Pakistan are developing multi-year programs that testify to a mutual renewed commitment to a strong and enduring bilateral relationship.

This is an important time in U.S. relations with Pakistan, and in our relations in this part of the world more generally. As most of you are no doubt aware, President Bush gave an important speech last week in Washington, in which he spoke of the importance of democratic development globally and described U.S. policies as a "forward strategy of freedom." The President added that, as we watch and encourage reforms and development in various parts of the world, we are mindful that modernization is not the same as Westernization. Representative governments in different parts of the world will reflect their own cultures and their own historical experience. "They will not, and should not, look like us," said the President.

President Bush concluded his address by making the following points, which in fact describe our vision for successful societies throughout the world. He said, and I quote:

There are essential principles common to every successful society, in every culture. Successful societies limit the power of the state and the power of the military -- so that governments respond to the will of the people, and not the will of an elite. Successful societies protect freedom with the consistent and impartial rule of law, instead of selectively applying the law to punish political opponents. Successful societies allow room for healthy civic institutions -- for political parties and labor unions and independent newspapers and broadcast media. Successful societies guarantee religious liberty -- the right to serve and honor God without fear of persecution. Successful societies privatize their economies, and secure the rights of

property. They prohibit and punish official corruption, and invest in the health and education of their people. They recognize the rights of women. And instead of directing hatred and resentment against others, successful societies appeal to the hopes of their own people.

These are words and ideas upon which we can all reflect. None of our societies is perfect. We can all improve in many areas. And through an open and frank dialogue, we can learn from, and help each other to realize the goals we share.

It is in this spirit of cooperation and good will that the United States is committed to continuing to strengthen and deepen the ties between our two nations.

Thank you for your attention, and thank you for the privilege of addressing you this evening. ■

<<http://usembassy.state.gov/islamabad/wwwbamb03111301.html>>

Document No. 14

JOINT DECLARATION OF THE REPUBLIC OF INDIA AND THE RUSSIAN FEDERATION ON GLOBAL CHALLENGES AND THREATS TO WORLD SECURITY AND STABILITY

The Republic of India and the Russian Federation, GUIDED by noble purposes and principles of the United Nations Charter, RELYING on the provisions of the United Nations Millennium Declaration of 8 September 2000 concerning shared responsibility of States for managing threats to international peace and security and for promoting principles of human dignity, equality and justice at the global level,

NOTING the United Nations General Assembly Resolution 57/145 entitled "Responding to Global Threats and Challenges" of 16 December 2002,

RECOGNISING globalisation and interdependence in the world as natural processes in evolution of mankind, which offer both opportunities and challenges,

TAKING into account the fact that uneven distribution of benefits and costs of globalisation have resulted in growing disparities among countries of the world,

DETERMINED to cooperate in countering global challenges and threats, which emanate from international terrorism in all its forms and manifestations, transnational organized crime, illicit drug trafficking, money laundering and environmental and developmental challenges,

PROCEEDING from an urgent need to consolidate efforts of the international community and the role of the United Nations in eliminating these global challenges and threats,

CONSCIOUS of their common values and responsibilities as pluralistic democracies,

DESIRING to continue to closely cooperate in contributing to world peace and progress,

CONFIRMING their obligations in accordance with the Treaty of Friendship and Cooperation between the Republic of India and the Russian Federation of 28 January 1993, Moscow Declaration on Protection of Interests of Pluralistic States of 30 June 1994, the Declaration on Strategic Partnership between

the Republic of India and the Russian Federation of 5 October 2000, the Delhi Declaration on Further Consolidation of Strategic Partnership between the Republic of India and the Russian Federation of 4 December 2002, the Moscow Declaration by the Republic of India and the Russian Federation on International Terrorism of 6 November 2001 and the Memorandum of Understanding between the Government of the Republic of India and the Government of the Russian Federation on Cooperation in Combating International Terrorism of 4 December 2002,

HEREBY DECLARE: India and the Russian Federation recognise that the aim of promoting global peace, security and stability through dialogue, consultation and cooperation among countries concerned is essential. As strategic partners, India and the Russian Federation reaffirm their commitment to cooperate bilaterally and at the multilateral level on strategic issues, and to evolve a universal effective system of countering global challenges and threats of the 21st Century. The UN should continue to play a leading role in this regard.

India and the Russian Federation as two large and influential democracies are to play a significant role in this context. Both countries are committed to promoting to the maximum extent, democratic values in international relations. India and the Russian Federation affirm that the future international order based on multi-polarity, should be determined by collective and multilateral processes rather than unilateral ones. Both countries stand for building a unified, just and democratic world order and a comprehensive system of collective security based on respect for rule of law and international norms, reciprocal trust, mutual benefit, equality and cooperation.

India and the Russian Federation stress that the United Nations Organisation has a vital role in tackling major international issues. The United Nations can and should be reformed to reflect the current realities, with a view to preserve and enhance its efficacy and efficiency. India and the Russian Federation proceed from the idea that the reform of the UN should include an early expansion of the UN Security Council. The UN should continue to play an important role in the prevention and peaceful settlement of conflicts in conformity with the UN Charter and international law.

* * *

India and the Russian Federation are convinced that greater interaction and mutual respect among diverse societies and cultures will lead both to enrichment of these cultures as well as to enhanced harmony and security in the world. In this era of globalisation, it is by preserving pluralism that true multipolarity – in its political and economic as also social and cultural dimensions – will be attained. India and the Russian Federation also resolutely affirm that there is no place in today's pluralistic and diverse global village for any type of extremist ideology and intolerance. They will resist with their full might all forms of extremism, including religious extremism, which has proved to be a hot bed of terrorism in their common neighbourhood.

* * *

India and the Russian Federation are united in their fight against the evil of international terrorism. They actively cooperate with each other and with other countries in anti-terrorist activities. Both countries resolutely declare that international

terrorists, whatever be their stated objectives and the causes they espouse, will never succeed in bringing the world to its knees.

India and the Russian Federation believe that most urgent and essential steps in effectively and comprehensively dealing with the threat of international terrorism should be:

- creation of environment for total rejection of terrorism and absolute unacceptability of any of its forms;
- consistent and uncompromising approach to terrorism and giving up "double standards" ;
- preventing the flow of funds for terrorist activities,
- effective implementation of the UNSC Resolution 1373 aimed against those who support, fund, or abet terrorists or provide them shelter or asylum to engage in cross-border terrorism;
- promotion of confidence between members of the antiterrorist coalition by, *inter alia*, due consideration of interests of each one of them and ensuring that the fight against terrorism is strictly based on rules of international law and principles of the UN Charter;
- reinforcing national and international legal instruments for countering terrorism, making the existing antiterrorist Conventions genuinely universal, and earliest completion of negotiations on the draft Conventions in the UN, including the Comprehensive Convention against International Terrorism submitted by India and the International Convention on Suppression of Acts of Nuclear Terrorism submitted by The Russian Federation ;
- steadfast cooperation to prevent terrorists from acquiring weapons of mass destruction, their means of delivery and materials and technology related to their manufacture;
- improvement of mechanisms of legal assistance and extradition in order to ensure the inevitability of punishment for terrorist crimes;
- efforts to promote coexistence of different religions, cultures and civilizations by stressing greater mutual understanding and respect amongst them, especially the idea that terrorism cannot be identified with any particular religion or ethnic group.

* * *

India and the Russian Federation are concerned that trafficking in illegal drugs, psychotropic substances and their precursors is assuming ever more threatening dimensions. Strong and effective measures are required by the international community to handle this threat, especially as narcobusiness serves as a source of financing to international terrorism. Both countries are taking specific practical steps to counter traffic in illegal drugs, psychotropic substances and their precursors, especially in their common neighbourhood.

India and the Russian Federation believe that one of the most urgent challenges today is strengthening multilateral cooperation for countering the global narcothreat. India and the Russian Federation underline the urgency of the need for the development of a comprehensive strategy, under the auspices of the UN, to

effectively counter this problem and reiterate their commitment for close cooperation with the United Nations and other international organizations within the framework of UN Drug Control Programme.

* * *

India and the Russian Federation support the efforts by Transitional Islamic State of Afghanistan to rebuild the nation and express full support to all international efforts aimed at promoting peace, stability, national reconciliation and economic reconstruction. It is important to adhere to the timetable, as envisaged in the Bonn Agreement, in implementation of its provisions leading to the holding of democratic elections next year. India and the Russian Federation strongly believe that Afghanistan should emerge as a peaceful, strong, prosperous, united and independent nation that would be free from external interference and living in peace and harmony with its neighbours.

* * *

India and the Russian Federation are convinced that a concrete and time-bound plan of action under the UN aegis should be adopted for the earliest restoration of Iraq's sovereignty, stabilization of political and humanitarian situation in the country, and ensuring its economic growth, through broad international efforts.

* * *

India and the Russian Federation call for the prevention of the failure of the Road Map drawn to settle the Israeli-Palestinian conflict. The failure of the Road Map may result into the situation in Israel and Palestine, as also in the entire Middle East, spiraling beyond control. This may have adverse consequences not only for the region but also for the whole world.

* * *

India and the Russian Federation support the efforts of the countries concerned and the international community for a peaceful settlement of the nuclear issue on the Korean Peninsula and maintaining its non-nuclear status. They also support all efforts including the continuation of six-party talks, started at Beijing, to bring about mutually acceptable solution, as well as further development of the inter-Korean dialogue and cooperation.

* * *

India and the Russian Federation are convinced that success of the efforts aimed against contemporary global challenges and threats largely depends on adequately addressing social and economic issues, such as elimination of poverty, mass unemployment, illiteracy, and racial, ethnic and religious discrimination. Both countries believe that it is essential to promote steady and sustainable development of

the world economy to ensure prosperity of all countries. One of the ways to achieve this goal, as they see it, is to ensure access of the majority of people around the world to high technology- a driving force of globalization. Wider reach of scientific and technological achievements and benefits will bring more prosperity to a larger number of people, reduce the gap between the developed and the developing world and neutralize some of the impulses which trigger conflicts.

India and the Russian Federation, which are important partners in science and high technology, possess a vast potential for joint development of alternative technologies. They are convinced that multi-polarity in the world of high technology will make an immense contribution to the enhancement of political and economic multi-polarity in the modern world.

* * *

India and the Russian Federation declare that through their longstanding relationship as reliable, predictable and responsible strategic partners, they are dedicated to strive for finding effective and long-term solutions and appropriate responses to the aforementioned new global challenges and threats to humanity, basing their efforts on the UN Charter and principles of international law.

Prime Minister Of President Of
The Republic Of India Russian Federation
The Kremlin, Moscow
12 November 2003 ■

<http://meaindia.nic.in/declarestatement/2003/11/13jd01.htm>

Document No. 15

JOINT DECLARATION OF THE REPUBLIC OF INDIA AND THE RUSSIAN FEDERATION ON GLOBAL CHALLENGES AND THREATS TO WORLD SECURITY AND STABILITY

During Prime Minister Atal Behari Vajpayee's visit to the Russian Federation, a joint declaration was issued on November 13, 2003, on global challenges and threats to international peace and security. Following is the full text of the declaration:

Joint Declaration of the Republic of India and the Russian Federation on Global Challenges and Threats to World Security and Stability 13/11/2003 The Republic of India and the Russian Federation,

GUIDED by noble purposes and principles of the United Nations Charter,

RELYING on the provisions of the United Nations Millennium Declaration of 8 September 2000 concerning shared responsibility of States for managing threats to international peace and security and for promoting principles of human dignity, equality and justice at the global level,

NOTING the United Nations General Assembly Resolution 57/145 entitled "Responding to Global Threats and Challenges" of 16 December 2002,

RECOGNISING globalisation and interdependence in the world as natural processes in evolution of mankind, which offer both opportunities and challenges,

TAKING into account the fact that uneven distribution of benefits and costs of globalisation have resulted in growing disparities among countries of the world,

DETERMINED to cooperate in countering global challenges and threats, which emanate from international terrorism in all its forms and manifestations, transnational organized crime, illicit drug trafficking, money laundering and environmental and developmental challenges,

PROCEEDING from an urgent need to consolidate efforts of the international community and the role of the United Nations in eliminating these global challenges and threats,

CONSCIOUS of their common values and responsibilities as pluralistic democracies,

DESIRING to continue to closely cooperate in contributing to world peace and progress,

CONFIRMING their obligations in accordance with the Treaty of Friendship and Cooperation between the Republic of India and the Russian Federation of 28 January 1993, Moscow Declaration on Protection of Interests of Pluralistic States of 30 June 1994, the Declaration on Strategic Partnership between the Republic of India and the Russian Federation of 5 October 2000, the Delhi Declaration on Further Consolidation of Strategic Partnership between the Republic of India and the Russian Federation of 4 December 2002, the Moscow Declaration by the Republic of India and the Russian Federation on International Terrorism of 6 November 2001 and the Memorandum of Understanding between the Government of the Republic of India and the Government of the Russian Federation on Cooperation in Combating International Terrorism of 4 December 2002,

HEREBY DECLARE:

India and the Russian Federation recognise that the aim of promoting global peace, security and stability through dialogue, consultation and cooperation among countries concerned is essential. As strategic partners, India and the Russian Federation reaffirm their commitment to cooperate bilaterally and at the multilateral level on strategic issues, and to evolve a universal effective system of countering global challenges and threats of the 21st Century. The UN should continue to play a leading role in this regard.

India and the Russian Federation as two large and influential democracies are to play a significant role in this context. Both countries are committed to promoting to the maximum extent, democratic values in international relations. India and the Russian Federation affirm that the future international order based on multi-polarity, should be determined by collective and multilateral processes rather than unilateral ones. Both countries stand for building a unified, just and democratic world order and a comprehensive system of collective security based on respect for rule of law and international norms, reciprocal trust, mutual benefit, equality and cooperation.

India and the Russian Federation stress that the United Nations Organisation has a vital role in tackling major international issues. The United Nations can and should be reformed to reflect the current realities, with a view to preserve and enhance its efficacy and efficiency. India and the Russian Federation proceed from the idea that the reform of the UN should include an early expansion of the UN Security Council.

The UN should continue to play an important role in the prevention and peaceful settlement of conflicts in conformity with the UN Charter and international law.

* * *

India and the Russian Federation are convinced that greater interaction and mutual respect among diverse societies and cultures will lead both to enrichment of these cultures as well as to enhanced harmony and security in the world. In this era of globalisation, it is by preserving pluralism that true multipolarity – in its political and economic as also social and cultural dimensions – will be attained. India and the Russian Federation also resolutely affirm that there is no place in today's pluralistic and diverse global village for any type of extremist ideology and intolerance. They will resist with their full might all forms of extremism, including religious extremism, which has proved to be a hot bed of terrorism in their common neighbourhood.

* * *

India and the Russian Federation are united in their fight against the evil of international terrorism. They actively cooperate with each other and with other countries in anti-terrorist activities. Both countries resolutely declare that international terrorists, whatever be their stated objectives and the causes they espouse, will never succeed in bringing the world to its knees.

India and the Russian Federation believe that most urgent and essential steps in effectively and comprehensively dealing with the threat of international terrorism should be:

- creation of environment for total rejection of terrorism and absolute unacceptability of any of its forms;
- consistent and uncompromising approach to terrorism and giving up "double standards";
- preventing the flow of funds for terrorist activities,
- effective implementation of the UNSC Resolution 1373 aimed against those who support, fund, or abet terrorists or provide them shelter or asylum to engage in cross-border terrorism;
- promotion of confidence between members of the antiterrorist coalition by, *inter alia*, due consideration of interests of each one of them and ensuring that the fight against terrorism is strictly based on rules of international law and principles of the UN Charter;
- reinforcing national and international legal instruments for countering terrorism, making the existing antiterrorist Conventions genuinely universal, and earliest completion of negotiations on the draft Conventions in the UN, including the Comprehensive Convention against International Terrorism submitted by India and the International Convention on Suppression of Acts of Nuclear Terrorism submitted by the Russian Federation ;
- steadfast cooperation to prevent terrorists from acquiring weapons of mass destruction, their means of delivery and materials and technology related to their manufacture;

- improvement of mechanisms of legal assistance and extradition in order to ensure the inevitability of punishment for terrorist crimes;
- efforts to promote coexistence of different religions, cultures and civilizations by stressing greater mutual understanding and respect amongst them, especially the idea that terrorism cannot be identified with any particular religion or ethnic group.

* * *

India and the Russian Federation are concerned that trafficking in illegal drugs, psychotropic substances and their precursors is assuming ever more threatening dimensions. Strong and effective measures are required by the international community to handle this threat, especially as narcobusiness serves as a source of financing to international terrorism. Both countries are taking specific practical steps to counter traffic in illegal drugs, psychotropic substances and their precursors, especially in their common neighbourhood.

India and the Russian Federation believe that one of the most urgent challenges today is strengthening multilateral cooperation for countering the global narco-threat. India and the Russian Federation underline the urgency of the need for the development of a comprehensive strategy, under the auspices of the UN, to effectively counter this problem and reiterate their commitment for close cooperation with the United Nations and other international organizations within the framework of UN Drug Control Programme.

* * *

India and the Russian Federation support the efforts by Transitional Islamic State of Afghanistan to rebuild the nation and express full support to all international efforts aimed at promoting peace, stability, national reconciliation and economic reconstruction. It is important to adhere to the time-table, as envisaged in the Bonn Agreement, in implementation of its provisions leading to the holding of democratic elections next year. India and the Russian Federation strongly believe that Afghanistan should emerge as a peaceful, strong, prosperous, united and independent nation that would be free from external interference and living in peace and harmony with its neighbours.

* * *

India and the Russian Federation are convinced that a concrete and time-bound plan of action under the UN aegis should be adopted for the earliest restoration of Iraq's sovereignty, stabilization of political and humanitarian situation in the country, and ensuring its economic growth, through broad international efforts.

* * *

India and the Russian Federation call for the prevention of the failure of the Road Map drawn to settle the Israeli-Palestinian conflict. The failure of the Road Map may result into the situation in Israel and Palestine, as also in the entire Middle East,

spiraling beyond control. This may have adverse consequences not only for the region but for the whole world.

* * *

India and the Russian Federation support the efforts of the countries concerned and the international community for a peaceful settlement of the nuclear issue on the Korean Peninsula and maintaining its non-nuclear status. They also support all efforts including the continuation of six-party talks, started at Beijing, to bring about mutually acceptable solution, as well as further development of the inter-Korean dialogue and cooperation.

* * *

India and the Russian Federation are convinced that success of the efforts aimed against contemporary global challenges and threats largely depends on adequately addressing social and economic issues, such as elimination of poverty, mass unemployment, illiteracy, and racial, ethnic and religious discrimination. Both countries believe that it is essential to promote steady and sustainable development of the world economy to ensure prosperity of all countries. One of the ways to achieve this goal, as they see it, is to ensure access of the majority of people around the world to high technology- a driving force of globalization. Wider reach of scientific and technological achievements and benefits will bring more prosperity to a larger number of people, reduce the gap between the developed and the developing world and neutralize some of the impulses which trigger conflicts.

India and the Russian Federation, which are important partners in science and high technology, possess a vast potential for joint development of alternative technologies. They are convinced that multi-polarity in the world of high technology will make an immense contribution to the enhancement of political and economic multi-polarity in the modern world.

* * *

India and the Russian Federation declare that through their longstanding relationship as reliable, predictable and responsible strategic partners, they are dedicated to strive for finding effective and long-term solutions and appropriate responses to the aforementioned new global challenges and threats to humanity, basing their efforts on the UN Charter and principles of international law.

PRIME MINISTER OF
THE REPUBLIC OF INDIA
PRESIDENT OF
THE RUSSIAN FEDERATION
The Kremlin, Moscow
12 November 2003 ■

Source: Ministry of External Affairs, Government of India, Delhi
<http://www.satp.org/satporgtp/countries/india/document/papers/india_russia.htm>

Document No. 16

ABUJA COMMUNIQUÉ

Commonwealth Heads of Government met in Abuja, from 5-8 December 2003 at the invitation of President Olusegun Obasanjo of Nigeria, the host Head of Government and Chairman of CHOGM. Of the 51 countries that attended the Meeting, 38 were represented by their Heads of State or Government.

2. The Opening Ceremony of the Meeting included an address by Her Majesty Queen Elizabeth II, Head of the Commonwealth.

3. Heads of Government conveyed their deep appreciation to the Government and people of Nigeria for the warm hospitality extended to them and for the excellent arrangements made for the Meeting. They also congratulated President Obasanjo for his leadership in chairing their Meeting.

4. Heads of Government welcomed the new Heads of Government who attended CHOGM for the first time.

5. Heads of Government received the Report of the Expert Group on Development and Democracy and the Report of the Secretary-General, which complemented the CHOGM Theme: "Development and Democracy: Partnership for Peace and Prosperity".

6. Heads of Government adopted the Aso Rock Declaration on the CHOGM Theme and also issued the Aso Rock Statement on Multilateral Trade, which is attached to the Declaration.

Fundamental Political Values

7. Heads of Government reaffirmed their commitment to the fundamental political values of the Commonwealth as set out in the Singapore and Harare Declarations and subsequent CHOGM Communiqués, and reinforced by the Millbrook Action Programme. They reiterated their commitment to non-racism, international peace and security, democracy, good governance, human rights, rule of law, the independence of the judiciary, freedom of expression, and a political culture that promotes transparency, accountability and economic development..

8. Heads of Government endorsed the recommendations of their Law Ministers on Commonwealth Principles on the accountability of and relationship between the three branches of Government. They acknowledged that judicial independence and delivery of efficient justice services were important for maintaining the balance of power between the Executive, Legislature and Judiciary.

9. Heads of Government expressed their full support for the good offices role of the Secretary-General in conflict prevention and resolution, and post-conflict reconstruction and development. They also expressed their continuing support for the Commonwealth Secretariat's work for strengthening democratic institutions, processes and culture. They acknowledged the value of election observation, provision of technical assistance and training and other activities. They welcomed the Secretariat's collaboration with the Commonwealth Parliamentary Association, the Commonwealth Local Government Forum and other relevant organizations to promote best democratic practice.

Commonwealth Ministerial Action Group on the Harare Declaration (CMAG)

10. Heads of Government received the Report of the Commonwealth Ministerial Action Group on the Harare Declaration (CMAG) covering its deliberations in the period since the Coolum Commonwealth Heads of Government Meeting in 2002 and approved its recommendations in regard to Fiji Islands, Pakistan, Solomon Islands and Zimbabwe.

11. Heads of Government welcomed the commitment of the Government of Fiji Islands to abide by the decision of the Fiji Supreme Court on the constitutionality of the formation of Government and in this context looked forward to the Court's Session scheduled for May 2004. They requested the Secretary-General to continue to monitor the situation in Fiji Islands and provide appropriate technical assistance, as required, in pursuance of his good offices role.

12. Heads of Government welcomed the continuing progress in the development and growth of democratic institutions in Pakistan, as evident by the election of the National Assembly, the Senate and Provincial Assemblies, and the formation of democratic governments at the national and provincial levels. They also welcomed the positive measures taken for women's representation in Parliament, the representation of minorities and the determination to enhance public accountability and to end corruption. They noted that the outstanding issues in the Legal Framework Orders (LFOs) were an obstacle to Pakistan's full return to democracy.

13. Heads of Government hoped that the negotiations between the Government and the political parties on the outstanding issues in the LFOs would be concluded successfully in the spirit of Commonwealth parliamentary practice and process and a comprehensive package would be passed in Parliament in accordance with the Constitution, thus leading to the full restoration of democracy and enabling the lifting of Pakistan's suspension from the Councils of the Commonwealth. They requested the Secretary-General to continue to monitor developments and provide technical assistance, as might be required, to strengthen democratic institutions.

14. Heads of Government endorsed CMAG's decision to remove Solomon Islands from its agenda but continue to receive Reports from the Secretary-General on developments in that country.

15. Heads of Government reconstituted the membership of CMAG for the next biennium as follows: The Bahamas, Canada, India, Lesotho, Malta, Samoa, Sri Lanka and Tanzania. They further agreed that Nigeria would continue to be a member of CMAG in its capacity as the representative of the Chairperson in Office, as its ninth member.

Zimbabwe

16. Heads of Government adopted a CHOGM Statement on Zimbabwe on 7 December 2003, which is attached.*

Belize

17. Heads of Government welcomed the Agreement to establish a Transition Process and Confidence-Building Measures of February 2003, signed by Belize, Guatemala and the Organisation of American States (OAS). They called on all parties involved to honour their commitments under the Agreement, in particular taking the proposals for a just and definitive resolution of the territorial dispute to popular referenda in both countries.

18. Heads of Government reiterated their full support for the sovereignty and territorial integrity of Belize. They commended the Group of Friends of the Process and expressed appreciation for the constructive role played by the OAS in facilitating a peaceful settlement of the dispute. They noted that the proposals for a final settlement contain a provision for the establishment of a development fund to be used for the benefit of both countries and urged member states to contribute to it generously.

19. They mandated the Secretary-General to convene the Ministerial Committee on Belize whenever necessary.

Cyprus

20. Heads of Government welcomed the signing by the Republic of Cyprus of the Accession Treaty to the European Union on 16 April, 2003 and expressed the wish that a solution of the Cyprus problem would be found before 1 May 2004 that would allow a reunited Cyprus to become a member of the European Union.

21. Heads of Government reaffirmed their support for the independence, sovereignty, unity and territorial integrity of Cyprus.

22. They regretted that the latest effort of the United Nations Secretary-General under his mission of Good Offices in Cyprus collapsed at The Hague meeting on 10 March 2003 due to the negative approach taken by the Turkish Cypriot leader.

* Issued as Press Release 03/82 on 7 December 2003.

23. They further regretted that the Turkish Cypriot leader continues to maintain the same negative approach, thus hindering the resumption of negotiations based on the Annan Plan.

24. Recalling and reaffirming previous UN Security Council Resolutions and reaffirming their previous Communiqués on Cyprus, Heads of Government called upon all parties concerned and in particular Turkey and the Turkish Cypriot leadership to co-operate fully with the UN Secretary-General so as to enable the early resumption of substantive negotiations based on the UN Secretary-General's proposals, aimed at the conclusion of a just, lasting and functional settlement consistent with relevant UN Security Council Resolutions.

Guyana

25. Heads of Government reaffirmed their support for the maintenance by Guyana of its territorial integrity and sovereignty and the unimpeded development by Guyana of the natural resources of its entire territory. They noted that the Commonwealth Ministerial Group on Guyana met in September 2003 and recognised the important role of this Group in support of Guyana.

26. Heads of Government expressed satisfaction at the recent meeting between the Foreign Ministers of Guyana and Venezuela with the UN Secretary-General noting that it was a positive indication of the continued commitment by both Guyana and Venezuela to discussions under the aegis of the UN Secretary-General aimed at the peaceful solution of the controversy.

Small Arms and Light Weapons

27. Heads of Government expressed concern at the continued destabilising accumulation and proliferation of small arms, ammunition and light weapons, which had contributed to the intensity and duration of armed conflicts as well as to international terrorism. They noted that many Commonwealth governments were adversely affected by the uncontrolled flow and misuse of these lethal weapons. They expressed concern that the spread of small arms threatens national, regional and global

security and impedes basic social and economic development. They also noted that the challenge posed by the proliferation of small arms involves security, humanitarian, health and development dimensions.

28. Heads of Government supported the adoption of the United Nations Programme of Action on the Illicit Trade in Small Arms and Light Weapons in all its Aspects that emerged from the 2001 UN Conference on Small Arms. They urged member states to support further implementation of the programme at the international, state and regional levels to curb and prevent their illicit production, trafficking and misuse.

Landmines

29. Heads of Government recalled the progress made in addressing the global landmines problem through the Comprehensive Framework for Mine Action provided by the Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction. They urged all countries that are in a position to do so to accede to the Convention.

International Criminal Court

30. Heads of Government of those member countries that have ratified the Rome Statute establishing the International Criminal Court (ICC) urged other states, which have not yet done so, to accede to the Rome Statute in a timely manner.

Terrorism

31. Heads of Government received the Report of the Commonwealth Committee on Terrorism (CCT) and endorsed its recommendations. They recalled their Statement on Terrorism of 25 October 2001 and reiterated their strong condemnation of all acts of terrorism, with the consequent tragic loss of human life and damage to political, economic and social stability. They emphasised that terrorism can never be justified and continues to constitute a threat to all countries and peoples, irrespective of religion, nationality, tradition or ideology. They agreed that the war against terrorism cannot be won by military force and that comprehensive measures against terrorism require building bridges within and across communities of diverse faiths and cultures as well as addressing economic and social disparities and injustice. They agreed that the Commonwealth is ideally positioned to encourage activities to address these issues.

32. Heads of Government decided to work together as a diverse community of nations to individually and collectively take concerted and resolute action to eradicate terrorism.

33. They called upon member states to increase co-operation and assistance through consultation, information sharing, training and capacity building in counter-terrorism activities and to implement measures to prevent the financing of terrorist acts. They also called upon member states to support the early conclusion of the Comprehensive Convention Against International Terrorism.

34. Heads of Government encouraged all member governments to continue to follow steps outlined in the Commonwealth Plan of Action and to implement the UNSCR 1373. In this context they also commended the work of the Commonwealth Secretariat in assisting member countries. They agreed that the CCT be maintained as a Standing Committee, which could be convened by the Secretary-General or at the request of member governments, as and when required.

35. Heads of Government recognized that travel advisories associated with the threat of terrorism have a negative impact on the economies of a number of member states, including the loss of tourism revenue and the burden of increased costs of

implementing new security measures. Noting that national travel advisories are issued by certain countries for the protection of their citizens, they urged that the information about the perceived threat should be conveyed in advance to the countries concerned and in co-operation with them, measures should be taken to counteract the threat of terrorism. They noted that those countries which issue such advisories indicate that it is not always possible to consult in advance.

World Economic Situation

36. Heads of Government noted that the global economic recovery continues to be fragile and subject to many risks. In view of the fact that one-third of the Commonwealth's nearly 2 billion people live on less than US\$1 per day and nearly two-thirds on under US\$2 per day, they stressed that a concerted effort is required for sustainable broad-based growth in all areas to enable countries to achieve the Millennium Development Goals (MDGs) and cope with the challenges of poverty reduction and investment in human development. They underlined the importance of nationally owned poverty reduction strategies and urged that policy action in developing countries be matched by developed countries providing more effective development assistance.

37. In order to support the necessary monitoring of progress and removing impediments to the achievement of the MDGs, Heads of Government stressed the need for action to implement all the elements of the Monterrey Consensus and the related Commonwealth Action Plan, as well as the need to examine constructively all proposals for securing a further increase in aid commitments. In particular, Heads of Government welcomed further elaboration of the initiative for an International Finance Facility (IFF) and looked forward to the consideration of this or other similar options.

38. Heads of Government called for the timely implementation of the Brussels Programme of Action for the Least Developed Countries (LDCs) for the Decade 2001-2010 adopted at the Third UN Conference on LDCs in May 2001.

Multilateral Trade Issues

39. Heads of Government re-affirmed their commitment to a transparent, rules-based multilateral trading system and called for an immediate resumption of the WTO multilateral trade negotiations. They urged all parties to show the flexibility and political will necessary to achieve positive results in the areas of agriculture, non-agricultural market access, special and differential treatment and all other areas mandated in the Doha Development Agenda. They reiterated the need to build up the capacity of developing, and particularly the least developed, small and vulnerable WTO members to negotiate more effectively and to implement their obligations within the WTO system.

Debt Relief

40. Heads of Government called on international financial institutions to adopt a broader and more flexible approach to debt relief designed to achieve long-term debt sustainability and release resources particularly for health and education.

41. Heads of Government reaffirmed their commitment to a successful HIPC Initiative, and recognised that some HIPCs, particularly conflict-affected countries, face a continued challenge in reaching decision point and require a flexible approach to address their special problems. They called on all non-Paris Club creditors that are not yet participating in this initiative to do so. Heads of Government also called for

topping up to be applied so that HIPC's achieve a sustainable exit from their debt burden at their completion points.

42. Heads of Government stressed that long-term debt sustainability for poor countries requires sound debt management, improved market access, more financing in the form of grants and consideration of new arrangements for concessionary contingency finance.

Investment

43. Heads of Government stressed the importance of developing the capacity to produce internationally competitive goods and services to take advantage of the opportunities generated by globalisation. They recognised the importance of private capital flows in promoting the development of such capacity and expressed disappointment at the difficulties that poor and vulnerable economies were experiencing in attracting such flows, even when they had implemented wide ranging reform programmes. They called for innovative and cost effective ways of utilising official resources to promote private capital flows to pre-emerging markets.

44. In this connection, Heads of Government noted the progress made by the Commonwealth Secretariat in examining the feasibility of proposals to address the special difficulties faced by small, vulnerable economies and LDCs in attracting investment and welcomed the interest expressed by commercial banks, international financial institutions, regional development banks and other development partners in exploring more effective ways to promote domestic and foreign investment in such economies, and in developing a new "Small and Vulnerable Economies Facility", to be launched initially in the Pacific region. They called upon the Secretariat to continue to work towards developing similar cost effective facilities for other regions of the Commonwealth.

Strengthening Financial Systems

45. Heads of Government welcomed the fact that the recent meeting of the OECD Global Forum focused on the issue of a level playing field and stressed that the way forward required a satisfactory resolution of this issue. They emphasised the importance of tax and fiscal sovereignty, transparency and inclusiveness in the dialogue between OECD and international financial centres in non-OECD jurisdictions. They urged the Commonwealth to remain engaged on this issue and requested the Secretariat to support the affected jurisdictions to mobilise assistance to meet international standards, strengthen and deepen their financial sectors and diversify their economies.

Combating Corruption

46. Heads of Government welcomed the recent adoption of the United Nations Convention Against Corruption and requested member states to sign and ratify it. They noted that systemic corruption, extortion and bribery undermine good governance. They called for enhanced mutual co-operation in the repatriation of illegally acquired public funds and assets to the countries of their origin in accordance with the provisions of the Convention.

International Economic Co-operation

47. Heads of Government appreciated the need for constructive dialogue and co-operation to achieve sustainable development. They welcomed the outcomes of the International Conference on Financing for Development and urged implementation and follow up to the outcomes of this conference.

New Partnership for Africa's Development (NEPAD)

48. Heads of Government reaffirmed their strong support for the New Partnership for Africa's Development (NEPAD), which was internationally accepted as a socio-economic and political framework to support the development efforts of countries in Africa. They requested the Secretariat to bring its various programmes in Africa within the NEPAD framework and strengthen its partnership with NEPAD, both in the delivery and implementation of its Action Plan for the benefit of African member countries and specifically to promote the achievement of the Millennium Development Goals.

Sustainable Development

49. Heads of Government welcomed the outcomes of the World Summit on Sustainable Development (WSSD) and pledged to work towards the full and effective implementation of Agenda 21, and the Johannesburg Plan of Implementation.

50. Heads of Government stressed that Climate Change is one of the greatest challenges facing Commonwealth member states and the wider international community. They undertook to continue efforts towards the conclusion of effective international approaches to climate change mitigation and reaffirmed Commonwealth support through technical assistance to address the adaptation concerns of small island and other states that are particularly vulnerable to global warming and sea level rise. They also supported the efforts under the Convention to Combat Desertification and the Johannesburg Plan of Implementation to address climate and drought concerns, particularly in Africa.

HIV/AIDS

51. Heads of Government highlighted the devastating impact of HIV/AIDS and the fundamental importance of confronting it in order to meet the Millennium Development Goals. They noted there were promising signs of a reduction in new cases in some countries and welcomed the political commitment and called for increased financial resources including the Global Fund to combat HIV/AIDS and other funds to combat malaria, tuberculosis and other communicable diseases.

52. Heads of Government acknowledged that many developing countries and particularly LDCs, small and vulnerable economies could not provide universal treatment to victims of HIV/AIDS without further access to concessionary financing. They also acknowledged that this goal will only be achieved if a broad range of partners accelerate and coordinate their efforts, and pledge to play their role in these efforts. They welcomed the recent agreement in the WTO on the manufacturing of life saving generic drugs in the developing countries under certain conditions and circumstances to help ensure the provision and availability of affordable drugs at low cost to poor developing countries.

53. Heads of Government re-emphasised the importance of a broad based and balanced response to HIV/AIDS integrating prevention, care and treatment and impact mitigation. They agreed that progress in fighting the global HIV/AIDS pandemic requires enhanced international effort and coordination.

Small States

54. Heads of Government received the Report of the Ministerial Group on Small States (MGSS) and endorsed its recommendations.

55. Heads of Government reaffirmed the Doha Mandate to integrate special and differential treatment into the international trading system. They emphasised the need

for access to international development finance on concessionary terms to assist the sustainable development programmes of vulnerable and small states. They noted in this regard that there were also other countries that were not small states but whose proportion of world trade was similarly small and with whom small states could seek to find common cause and build partnership.

56. Heads of Government noted further that terrorism and its consequences had placed additional burdens on small states in the form of high costs of security and possible loss of tourism revenue, including the impact on their national budgets in the form of diversion of funds away from the critical areas of development. They cautioned that the current efforts in dealing with terrorism and the significant level of resources, which are being allocated to fight it should not derail their development agenda. Heads of Government therefore called on the international community to assist with appropriate additional resources in the context of supporting the global development agenda.

57. Heads of Government noted that small states were increasingly vulnerable to the spread of HIV/AIDS and other communicable diseases. They called on the international community to provide assistance in these areas.

58. Heads of Government stressed the importance of capacity building and its retention in critical areas such as trade-related technical assistance in small states.

59. Heads of Government noted that global warming and climate change were life threatening to small island states and other low lying areas. They confirmed their full support for the Barbados Plan of Action for the Sustainable Development of Small Island States and looked forward to the contribution of the Commonwealth, the World Bank and other members of the UN system and other regional organisations to the preparations for the Review of Implementation of the Plan of Action to take place at the International Meeting in Mauritius in August 2004. They urged Commonwealth members and other states to prepare for and participate in this Conference.

60. Heads of Government commended the Commonwealth Secretariat for the work done on small states, particularly in implementing the recommendations of the 2000 Commonwealth Secretariat/World Bank Joint Task Force on Small States and the new Agenda for Commonwealth Work on small states, which was endorsed by them at their last meeting in Coolum in 2002. They called on the Secretariat to continue to strengthen small states' representation in the WTO and continue its work on the OECD initiative. They also called on the Secretariat to strengthen Commonwealth's partnerships and collaboration with individual organisations and institutions to advance the small states' agenda.

61. Heads of Government stressed the importance of market access for the traditional products of small and vulnerable states to enhance their export earnings. In this context they noted the concern of South Pacific states on the economic implications of a ban on KAVA imports by some developed countries and urged that this issue be resolved expeditiously.

Role of Business

62. Heads of Government received the Report of the Commonwealth Business Council (CBC) and the Commonwealth Business Forum and noted the recommendations, particularly for establishing Business-Government Partnerships for Removing Practical Obstacles to Wealth and Job Creation – “The Abuja Manifesto”

and for the CBC's Joint Action Plan for Business and Government: Enabling Corporate Citizenship for Sustainable Development.

63. Heads of Government commended the work of the CBC in mobilising investment, removing barriers to trade, promoting good corporate governance, creating a good environment for business and investment, and bridging the digital divide. They particularly welcomed the CBC initiatives for developing an investment index to contribute to significant investment flows to developing countries on a fully commercial and sustainable basis; supporting multilateral trade negotiations on the progressive liberalisation of trade in goods and services in both developed and developing countries; and establishing and developing common standards and codes of ethics for governance and accountability in government, the private sector and civil society.

Commonwealth Functional Co-operation

64. Heads of Government considered the various aspects of Commonwealth functional co-operation and endorsed the Report of the Committee of the Whole. They also acknowledged the valuable work of other Commonwealth Organisations, which report to them through the COW.

65. They requested the Secretary-General to submit a Report to the 2005 CHOGM on the respective roles of the Commonwealth Partnership for Technology Management (CPTM) and the Commonwealth Business Council (CBC), reaffirming the linkages between CPTM, CBC and the Commonwealth.

66. Heads of Government noted that the role of the Commonwealth Fund for Technical Co-operation (CFTC) in providing technical assistance to member countries was crucial in the delivery of Secretariat's programmes. They stressed that any diminution in the CFTC below £20 million could seriously undermine the Fund.

Commonwealth of Learning

67. Heads of Government received with appreciation the Report of the Commonwealth of Learning (COL) and accepted its recommendations, in particular, the proposal of the Commonwealth Conference of Education Ministers for a Commonwealth Virtual University for Small States. They noted COL's request for resources to finance its three-year Strategic Plan.

Commonwealth Foundation

68. Heads of Government received the Report of the Commonwealth Foundation and commended its work in developing civil society's engagement and partnerships with governments in the Commonwealth. They expressed appreciation for the positive contribution of civil society in advocacy and capacity building for democracy and sustainable development in member countries. They noted the Foundation's request to review the level of assessed contributions to finance the increasing programme of activities undertaken by the Foundation.

High Level Review Group Recommendations

69. Heads of Government endorsed the report of the Commonwealth Intergovernmental Committee to Review the Mandates of the Commonwealth Organisations (CIC) and urged member countries to implement its various recommendations. With regard to the Commonwealth Partnership for Technology Management (CPTM), Heads of Governments noted CPTM's successful activities in fulfilment of its mandate and its preferred mode of delivery through advisory country-tasks and smart partnership national and international dialogues in enhancing

development, democracy, and prosperity. They recognized CPTM's initiatives in establishing the Endowment Fund and contributions to this Fund from Commonwealth governments and the private sector to enable it to undertake enhanced activities that benefit the Commonwealth.

Meeting of Commonwealth Tourism Ministers

70. Heads of Government encouraged member countries to attend the Meeting of Commonwealth Tourism Ministers in Malaysia from 18-21 March 2004.

Election of the Secretary-General

71. Heads of Government re-elected Rt. Hon Don McKinnon as the Commonwealth Secretary-General for the second term 2004-2008.

Next Meeting

72. Heads of Government accepted the offer of Malta to host the next CHOGM in 2005. They also agreed that the 2007 CHOGM would be hosted by Uganda. ■

Abuja, 8 December 2003

<<http://www.thecommonwealth.org/docs/chogm/News84.doc>>

Document No. 17

TEXT OF THE 17TH AMENDMENT BILL

ISLAMABAD, Dec 29: Following is the text of the 17th Amendment Bill of the Constitution passed by the lower house of parliament on Monday by two-thirds majority.

Whereas it is expedient further to amend the Constitution of the Islamic Republic of Pakistan for the purposes hereinafter appearing; It is hereby enacted as follows:-

1. Short title and commencement: (1) This Act may be called the Constitution (Seventeenth Amendment) Act, 2003; (2) It shall come into force at once.

2. Amendment of Article 41 of the Constitution: In the Constitution of the Islamic Republic of Pakistan, hereinafter referred to as the Constitution, in Article 41: (1) in clause (7), in paragraph (b), for the full stop at the end, a colon shall be substituted and thereafter the following proviso shall be added, namely: "Provided that paragraph (d) of clause (1) of Article 63 shall become operative on and from the 31st day of December, 2004."; and (2) after clause (7) amended as aforesaid, the following new clauses shall be added, namely: "(8) Without prejudice to the provisions of clause (7), any member or members of a House of Majlis-i-Shoora (Parliament) or of a provincial assembly, individually or jointly, may, not later than thirty days from the commencement of the Constitution (Seventeenth Amendment) Act, 2003, move a resolution for vote of confidence for further affirmation of the president in office by majority of the members present and voting, by division or any other method as prescribed in the rules made by the federal government under clause (9), of the electoral college consisting of members of both Houses of Majlis-i-Shoora (Parliament) and the provincial assemblies, in a special session of each House of Majlis-i-Shoora (Parliament) and of each provincial assembly summoned for the purpose, and the vote of confidence having been passed, the president, notwithstanding anything contained in the Constitution or judgment of any court, shall be deemed to be elected to hold office for a term of five years under the Constitution, and the same shall not be called in question in any court or forum on any ground whatsoever.(9) Notwithstanding anything contained in the Constitution or any other

law for the time being in force, the proceedings for the vote of confidence referred to in clause (8) shall be regulated and conducted by the Chief Election Commissioner in accordance with such procedure and the votes shall be counted in such a manner as may be prescribed by the rules framed by the federal government: Provided that clauses (8) and (9) shall be valid only for the forthcoming vote of confidence for the current term of the president in office". 3. Amendment of Article 58 of the Constitution: In the Constitution, in Article 58, after clause (2), the following new clause shall be added, namely: "(3) The president in case of dissolution of the National Assembly under paragraph (b) of clause (2) shall, within fifteen days of the dissolution, refer the matter to the Supreme Court and the Supreme Court shall decide the reference within thirty days whose decision shall be final". 4. Amendment of Article 112 of the Constitution: In the Constitution, in Article 112, after clause (2), the following new clause shall be added, namely: "(3) The governor in case of dissolution of the provisional assembly under paragraph (b) of clause (2) shall within fifteen days of the dissolution refer the matter to the Supreme Court with the previous approval of the president and the Supreme Court shall decide the reference within thirty days whose decision shall be final." 5. Omission of Article 152 A of the Constitution: In the Constitution, Article 152 A shall be omitted. 6. Substitution of Article 179 of the Constitution: In the Constitution, for Article 179, the following shall be substituted, namely: "179. Retiring Age:- A judge of the Supreme Court shall hold office until he attains the age of sixty five years, unless he sooner resigns or is removed from office in accordance with the Constitution." 7. Substitution of Article 195 of the Constitution: In the Constitution, for Article 195, the following shall be substituted, namely: "195. Retiring Age:- A judge of the High Court shall hold office until he attains the age of sixty-two years, unless he sooner resigns or is removed from office in accordance with the Constitution." 8. Amendment of Article 243 of the Constitution: In the Constitution, in Article 243, in clause (3), for the words "in his discretion" the words "in consultation with the prime minister" shall be substituted. 9. Amendment of Article 268 of the Constitution: In the Constitution, in Article 268, in clause (2), for the full stop at the end, a colon shall be substituted and thereafter the following proviso shall be added, namely: "Provided that the laws mentioned at entries 27 to 30 and entry 35 in the Sixth Schedule shall stand omitted after six years". 10. Substitution of Article 270-AA of the Constitution: In the Constitution, for Article 270 AA, the following shall be substituted, namely: "270-AA-Validation and affirmation of laws etc: (1) The Proclamation of Emergency of the fourteenth day of October, 1999, all President's Orders, Ordinances, Chief Executive's Orders, including the Provisional Constitution Order No. 1 of 1999, the Oath of Office (Judges) Order, 2000 (No. 1 of 2000), Chief Executive's Order No. 12 of 2002, the amendments made in the Constitution through the Legal Framework Order, 2002 (Chief Executive's Order No. 24 of 2002), the Legal Framework (Amendment) Order, 2002 (Chief Executive's Order No. 29 of 2002), the Legal Framework (Second Amendment) Order, 2002 (Chief Executive's Order No. 32 of 2002) and all other laws made between the twelfth day of October, one thousand nine hundred and ninety-nine and the date on which this Article comes into force (both days inclusive), having been duly made or accordingly affirmed, adopted and declared to have been validly made by the competent authority and notwithstanding anything contained in the Constitution shall not be called in question in any court or forum on any ground whatsoever.

(2) All orders made, proceedings taken, appointments made, including secondments and deputations, and acts done by any authority, or by any person, which were made, taken or done, or purported to have been made, taken or done, between the twelfth

day of October, one thousand nine hundred and ninety-nine, and the date on which this Article comes into force (both days inclusive), in exercise of the powers derived from any Proclamation, President's Orders, Ordinances, Chief Executive's Orders, enactments, including amendments in the Constitution, notifications, rules, orders, by-laws or in execution of or in compliance with any orders made or sentences passed by any authority in the exercise or purported exercise of powers as aforesaid, shall, notwithstanding any judgment of any court, be deemed to be and always to have been validly made, taken or done and shall not be called in question in any court or forum on any ground whatsoever.

(3) All Proclamations, President's Orders, Ordinances, Chief Executive's Orders, laws, regulations, enactments, including amendments in the Constitution, notification, rules, orders or by-laws in force immediately before the date on which this Article comes into force shall continue in force, until altered, repealed or amended by the competent authority.

Explanation: in this clause, "competent authority" means:- (a) in respect of President's Orders, Ordinances, Chief Executive's Orders and enactments, including amendments in the Constitution, the appropriate Legislature; and (b) in respect of notifications, rules, orders and by-laws, the authority in which the power to make, alter, repeal or amend the same vests under the law. (4) No suit, prosecution or other legal proceedings, including writ petitions, shall lie in any court or forum against any authority or any persons, for or on account of or in respect of any order made, proceedings taken or act done whether in the exercise or purported exercise of the powers referred to in clause (2) or in execution of or in compliance with orders made or sentences passed in exercise or purported exercise of such powers. (5) For the purposes of clauses (1), (2) and (4), all orders made, proceedings taken, appointments made, including secondments and deputations, acts done or purporting to be made, taken or done by any authority or person shall be deemed to have been made, taken or done in good faith and for the purpose intended to be served thereby".

Statement of Objects and Reasons: This Bill seeks to amend Article 41, 58, 112, 152A, 179, 195, 243, 268 and 270 AA of the Constitution as under: (a) Article 41, is sought to be amended to add a proviso to paragraph (b) of clause (7) and after clause (7) amended as aforesaid, new clauses (8) and (9) have been added. Clause (8) provides for vote of confidence in the president and clause (9) empowers the federal government to make rules for conducting vote of confidence. (b) Article 58 is sought to be amended to the effect that on dissolution of the National Assembly in terms of paragraph (b) of clause (2) of Article 58, the president shall refer the matter to the Supreme Court. (c) Article 112 is also being amended on the lines of amendment proposed in Article 58.(d) Article 152 A is proposed to be omitted. (e) Article 179 is proposed to be substituted. (f) Article 195 is proposed to be substituted.

(g) The amendment in Article 243 substitutes the expression "in his discretion" with the expression "in consultation with the prime minister". (h) The amendment in clause (2) of Article 268 seeks to omit entries 27 to 30 and entry 35 in the Sixth Schedule after
six
years.

(i) Article 270 AA is to be substituted for providing affirmation and continuation of all laws made and actions taken between the twelfth day of October, 1999, and the day on which this Article comes into force. 12. The Bill seeks to achieve the aforesaid objects. ■

APP

Dawn (Islamabad), 30 December 2004

Document No. 18

TEXT OF PRESIDENT'S ADDRESS TO PARLIAMENT

ISLAMABAD: Following is the unofficial text of the address delivered by President General Pervez Musharraf to the joint session of the Parliament on Saturday: "Chairman Senate Mr Muhammadmian Soomro, Speaker National Assembly Chaudhry Amir Hussain, Honourable Members of the Parliament, Assaalam-o-Alaykum!

First of all, I thank Allah Almighty that all pledges made to the nation including the establishment of real democracy have been fulfilled. It is a matter of pride for me that I am addressing today the elected representatives. I am thankful to the elected representatives and the entire nation for the trust they have reposed in me on behalf of the people.

On this occasion, I am thankful to all members of the Senate, the National Assembly and the provincial assemblies for their condemnation of the December 25 suicide attacks on me.

Here, I would like to make a mention of two dreams of Allama Iqbal. His first dream was the establishment of a separate and independent state for the Muslims of South Asia. His second dream was to turn this state into a model real Islamic welfare state for the world.

The first dream of Allama Iqbal was translated into reality by Quaid-e-Azam in the form of establishment of Pakistan. But, regrettably, on the one hand we could not know the real spirit of Islam and on the other hand, our history of more than fifty years and our performance has not been the one that can be presented as a success before the Quaid-e-Azam.

What blessing has not been gifted to our country? What is required for the progress of a country and prosperity of its people? First of all a country should be self-sufficient in meeting its food requirements. Thankfully, we have a fertile land and an irrigation system that makes us self-sufficient in food.

The second requirement is water. Nature has blessed us with six large rivers and countless small watercourses as well. The third factor is self-sufficiency in energy. Thanks to Allah Almighty that we have water, coal, gas and nuclear energy. These can produce inexpensive energy much more than our requirements. Besides, natural resources are a requirement. Thankfully, our country has been blessed with abundant natural resources, most of which are yet to be explored.

In addition to all these factors, we have a hardworking and intelligent manpower. Just think as to how many countries of the world have been endowed with so many blessings. I think such countries can be counted on fingertips.

The question arises as what weakness has held us back from making full use of our resources and abilities for the progress of our country and prosperity of our people? In my view the biggest reason for this has been corruption and nepotism. These two are eating us away like termite.

Due to this reason, the governments in the past failed. No government department or corporation could deliver sufficiently. If national institutions do not function, the government cannot deliver. How can the country progress then? Let's all of us pledge collectively that we shall serve Pakistan and its people honestly and with good intentions so that Pakistan enjoys prosperity and its people may enjoy real well-being. Now, let's review the current scenario facing the country. Today, Pakistan is at crossroads, where, if we take right decisions, we will move forward on the path of progress and if wrong decisions are made, God forbidden, the country will have to face negative consequences.

Today, Pakistan is facing four dangerous perceptions. Firstly, we are being held responsible for giving rise to terrorism in Afghanistan from our tribal areas. Secondly, we are being alleged for terrorism on Line of Control in Kashmir.

Thirdly, we are also being alleged for nuclear proliferation. Fourthly, our society is being perceived as intolerant and pro-extremism.

Apart from these negative perceptions, the Muslim Ummah, of which Pakistan is an important member, is faced with difficulties and chaos and Islam is being misperceived as pro-extremism.

Now the question is how to save the country and the Muslim Ummah of this chaos and difficult situation? And what role Pakistan can play in this regard? We will have to take far reaching and important decisions otherwise the coming generations will pay a very heavy price for our indifference and Allah Almighty will never forgive us.

We have to bring Pakistan out of this negative image and direct the country on to the path of progress and prosperity. Apart from this we will also have to play our role for the welfare of the Muslim Ummah.

First of all, how should we get rid of this negative image? We will have to launch a massive operation against those foreign elements in our border areas, which can be a cause of terrorism in our country and Afghanistan.

The only way to tackle the allegations against us with reference to Kashmir is a peaceful solution of Kashmir and to find its just solution. The progress in this regard has to be carried forward with sincerity towards a solution.

Our nuclear and missile power is for Pakistan's defence and to strengthen it is in our interest. We have to assure the world that we are a responsible nation and will not allow proliferation of nuclear weapons. The curse of extremism, by a handful of persons, is damaging the country internally. It is in two forms. On the one hand there are ultra modern westernised people who wish to end the religious system in the country. The others are those hardliners who interpret Islam in a wrong way and want to impose their views on all.

The reality is that the majority of the people are moderates who totally reject extremism.

I appeal to you and the people of Pakistan to wage a 'jihad' against extremism, so that Pakistan can be turned into a proper Islamic welfare state in accordance with the spirit of Islam, and the wishes of Quaid-e-Azam and Allama Iqbal.

We all have to ensure this that those individuals or groups who were involved in sectarianism and terrorism are completely eradicated from Pakistan.

I have presented before you a concept of how to cope with the threats and crisis facing Pakistan, but I believe that it all will depend on the strength of Pakistan's defence and economy.

Here I would like to state that Al-hamdolillah our defence is strong. We are a nuclear and a missile power. We, not only have to preserve this capability, but also have to strengthen it. For Pakistan's stability and survival we cannot overlook this important asset.

We are proud of our armed forces, because they have played an important role in country's defence, growth and progress and will continue to do so.

Some elements try to bring a bad name to the army to achieve their nefarious designs. But they do not understand that maligning of national institutions is in fact maligning of the country. Economic progress is the basis of prosperity. With Allah's blessings our economy has strengthened. In the economic field all macro indicators are positive and to further improve these we will have to keep the budget deficit in control. The Balance of Payments Surplus, of less than 4 percent, has to be maintained.

Foreign borrowing has to be further reduced so that the return of the loans also declines.

Exports, foreign exchange reserves, remittances from Pakistanis abroad and revenue have to be further increased. I have this realisation that the benefit of these indicators must reach the common man, so that poverty is reduced. The question is where is the poverty? and how to lessen it? Poverty is in our rural areas and to lessen it we have to improve agriculture, system of irrigation, canals and dams.

We have to undertake projects of new roads, railways and seaports so as to bring about a change in the lives of poor people. To fight poverty in the urban areas and to end unemployment, we have to bring in more investment so as to open new avenues of employment. In the years to come, we have to decrease the cost of electricity so that the people and the industry benefit from it. We have to concentrate on alternate energy sources, such as coal, hydel, natural gas and nuclear energy to lessen cost of electricity and bring prosperity to our country.

Improvement in our human resources is essential for economic development in future. No country can make progress unless its people are healthy and educated. As such, we will have to utilise more of our resources in the sectors of education and health. A country also cannot develop in true spirit unless it affords opportunities on equal footing to women, 50 percent of its population, and focuses its attention on ameliorating their lot.

We will have to provide more opportunities to women in the fields of health, education and participation in the country's political process. Otherwise the future of our coming generations will not improve.

The minorities also constitute an important segment of our country. They are as patriotic as any other Pakistani and they have rendered distinguished services for our country. They should enjoy the same rights in Pakistan as granted to any other citizen. We should deal with them large-heartedly and should take them along.

A durable democratic polity is inevitable for the continuity of progress and stability of Pakistan. The question arises as to why in the past the democratic process failed time and again? The steps taken to establish genuine democracy in the country and to make it durable should be continued.

The transfer of powers to the lower level has made people the master of their own destiny and resolution of their problems at local level has begun. This is an important step forward for their prosperity and progress and the process should be maintained. A system of check and balance has been instituted at the national level with the 17th constitutional amendment, so that Martial Law is not clamped in future and assemblies complete their terms.

The establishment of National Security Council is necessary to further stabilise this system. I am sure that the members of Parliament would exhibit the same sense of responsibility in the matter of National Security Council, which they displayed in connection with 17th constitutional amendment.

Here, I am especially thankful to Pakistan Muslim League, its allied parts and Muttahida Majlis-e-Amal, for resolving the Legal Framework Order issue in a good manner in the wider interest of the country and the nation.

On this occasion, we should seek guidance from the adage of the Quaid-e-Azam: "I assure you that there is nothing more precious in the world than your conscience. When you present yourself before God Almighty, you should be able to say with confidence that whatever duties had been entrusted to you, you had discharged them with full honesty, sincerity and loyalty".

Let's promise the nation, as representatives of the nation, that we will acquit of our responsibilities with honesty and dutifulness so that we could make Pakistan a strong and prosperous country.

All our strategies should be geared towards achieving and promoting national interests and objectives. We should make Pakistan a moderate, developed, enlightened and welfare Islamic state - a county fully in consonance with the visions of Allama Iqbal and guiding principles of the Quaid-e-Azam, a country every Pakistani is proud of. Respected Members:

Today, the whole world, particularly the people of this country, is looking towards you. You should prove with your responsible attitude that you are fit to take up these responsibilities. God Almighty is the custodian of Pakistan and grant prosperity and progress to its people. Ameen.■

APP

<http://www.dailytimes.com.pk/default.asp?page=story_18-1-2004_pg7_32>

Document No. 19

(UNOFFICIAL TRANSLATION)

(PLEASE REFER TO OFFICIAL PASHTU AND DARI TEXTS FOR
ACCURACY)

THE CONSTITUTION OF AFGHANISTAN YEAR 1382

In the Name of God. the Merciful, the Compassionate

Contents

Preamble

Chapter one-----	The State	(21 Articles)
Chapter two-----	The Fundamental Rights and Duties of Citizens	
Chapter three-----	The President	(11 Articles)
Chapter four-----	The Government	(10 Articles)
Chapter five -----	The National Assembly	(29 Articles)
Chapter six-----	The Loya Jirga	(6 Articles)
Chapter seven-----	The Judiciary	(20 Articles)
Chapter eight-----	The Administrative Division	(7 Articles)
Chapter nine-----	The State of Emergency	(6 Articles)
Chapter ten-----	Amendments	(2 Articles)
Chapter eleven -----	The Miscellaneous Provisions	(5 Articles)
Chapter twelve-----	The Transitional Provisions	(4 Articles)

In the name of God, the Merciful, the Compassionate

Preamble

We the people of Afghanistan:

1. While acknowledging the sacrifices and the historic struggles, rightful Jihad and resistance of the Nation, and respecting the high position of the martyrs for the freedom of Afghanistan,
2. Observing the United Nations Charter and respecting the Universal Declaration of Human Rights,
3. Realizing the injustice and shortcoming of the past, and the numerous troubles imposed on our country,
4. While acknowledging the sacrifices and the historic struggles, rightful Jihad and resistance of the Nation, and respecting the high position of the martyrs for the freedom of Afghanistan.
5. Understanding the fact that Afghanistan is a single and united country and belongs to all ethnicity residing in this country,
6. For consolidating, national unity, safeguarding independence, national sovereignty, and territorial integrity of the country,
7. For establishing a government based on people's will and democracy,
8. For creation of a civil society free of oppression, atrocity, discrimination, and violence, based on rule of law, social justice, protection of human rights, and dignity, and ensuring fundamental rights and freedoms of the people,
9. For strengthening of political, social, economic, and defensive institutions of the country,
10. For ensuring a prosperous life, and sound environment for all those residing in this land,
11. And finally for regaining Afghanistan's deserving place in the international community,

Have adopted this constitution in compliance with historical, cultural, and social requirements of the era, through our elected representatives in the Loya Jirga dated / /1382 in the city of Kabul

CHAPTER ONE THE STATE

Article One	Ch. 1, Art. 1
Afghanistan is an Islamic Republic, independent, unitary and indivisible state.	
Article Two	Ch. 1, Art. 2
The religion of Afghanistan is the sacred religion of Islam.	
Followers of other religions are free to perform their religious ceremonies within the limits of the provisions of law.	
Article Three	Ch. 1, Art. 3
In Afghanistan, no law can be contrary to the sacred religion of Islam and the values of this Constitution.	
Article Four	Ch. 1, Art. 4
National sovereignty in Afghanistan belongs to the nation that exercises it directly or through its representatives.	

The nation of Afghanistan consists of all individuals who are the citizen of Afghanistan.

The word Afghan applies to every citizen of Afghanistan.

None of the citizens of the nation shall be deprived of his Afghan citizenship.

Affairs related to the citizenship and asylum are regulated by law.

Article Five Ch. 1, Art. 5

Implementation of the provisions of this constitution and other laws, defending independence, national sovereignty, territorial integrity, and ensuring the security and defense capability of the country, are the basic duties of the state.

Article Six Ch. 1, Art. 6

The state is obliged to create a prosperous and progressive society based on social justice, protection of human dignity, protection of human rights, realization of democracy, and to ensure national unity and equality among all ethnic groups and tribes and to provide for balanced development in all areas of the country.

Article Seven Ch. 1, Art. 7

The state shall abide by the UN charter, international treaties, international conventions that Afghanistan has signed, and the Universal Declaration of Human Rights.

The state prevents all types of terrorist activities , production and smuggling of narcotics.

Article Eight Ch. 1, Art. 8

The state regulates the foreign policy of the country on the basis of preserving the independence, national interests, territorial integrity, non-aggression, good neighborliness, mutual respect, and equal rights.

Article Nine Ch. 1, Art. 9

Mines, underground resources are properties of the state.

Protection, use, management, and mode of utilization of the public properties shall be regulated by law.

Article Ten Ch. 1, Art. 10

The State encourages and protects private capital investments and enterprises based on the market economy and guarantee their protection in accordance with the provisions of law.

Article Eleven Ch. 1, Art. 11

Affairs related to the domestic and external trade shall be regulated by law in accordance with the needs of the national economy and public interests.

Article Twelve Ch. 1, Art 12

De Afghanistan Bank is the central and independent bank of the state.

Issuance of currency, and formulation and implementation of monetary policy of the country are the mandates of the central bank in accordance with law.

Structure and operation of this bank shall be regulated by law.

Article Thirteen Ch. 1, Art. 13

The state shall formulate and implement effective programs for development of industries, growth of production, increasing of public living standards, and support to craftsmanship.

Article Fourteen Ch. 1, Art. 14

The state shall design and implement within its financial resources effective programs for development of agriculture and animal husbandry, improving the economic, social and living conditions of farmers, herders, settlement and living conditions of nomads.

The state adopts necessary measures for housing and distribution of public estates to deserving citizens in accordance within its financial resources and the law.

Article Fifteen

Ch. 1, Art. 15

The archeological artifacts are the state property.

The state is obliged to adopt necessary measures for safeguarding archeological artifacts, proper exploitation of natural resources, and improvement of ecological conditions.

Article Sixteen

Ch. 1, Art. 16

From among the languages of Pashto, Dari, Uzbeki, Turkmani, Baluchi, Pashaei, Nuristani, and other languages spoken in the country, Pashto and Dari are the official languages of the state.

The state adopts and implements effective plans for strengthening, and developing all languages of Afghanistan.

Publications and radio and television broadcasting are free in all other languages spoken in the country.

Article Seventeen

Ch. 1, Art. 17

The state shall adopt necessary measures for promotion of education in all levels, development of religious education, organizing and improving the conditions of mosques, *madrasas* and religious centers.

Article Eighteen

Ch. 1, Art. 18

The calendar of the country shall be based on the pilgrimage of the Prophet (rauH).

The basis of work for state offices is the solar calendar.

Friday is a public holiday.

Other holidays shall be regulated by law.

Article Nineteen

Ch. 1, Art. 19

The Afghan flag is made up of three equal parts, with black, red and green colors juxtaposed from left to right perpendicularly.

The width of every colored piece is equal to half of its length. The national insignia is located in the center of the flag.

The national insignia of the state of Afghanistan is composed of *Mehrab* and pulpit in white color.

Two flags are located on its two sides. In the upper-middle part of the insignia the sacred phrase of "There is no God but Allah and Mohammad is his prophet, and Allah is Great" is placed, along with a rising sun. The word "Afghanistan" and year 1298 (solar calendar) is located in the lower part of the insignia. The insignia is encircled with two branches of wheat.

The law shall regulate the use of national flag and emblem.

Article Twenty

Ch. 1, Art. 20

The National Anthem of Afghanistan shall be in Pashtu.

Article Twenty-One

Ch. 1, Art. 21

The capital of Afghanistan is the city of Kabul.

CHAPTER TWO

FUNDAMENTAL RIGHTS AND DUTIES OF CITIZENS

- Article Twenty-two Ch. 2, Art. 1
Any kind of discrimination and privilege between the citizens of Afghanistan are prohibited.
The citizens of Afghanistan have equal rights and duties before the law
- Article Twenty-Three Ch. 2, Art. 2
Life is a gift of God and a natural right of human beings. No one shall be deprived of this right except by the provision of law.
- Article Twenty-Four Ch. 2, Art. 3
Liberty is the natural right of human beings. This right has no limits unless affecting the rights of others or public interests, which are regulated by law.
Liberty and dignity of human beings are inviolable.
The state has the duty to respect and protect the liberty and dignity of human beings.
- Article Twenty-Five Ch. 2, Art. 4
Innocence is the original state.
An accused is considered innocent until convicted by a final decision of an authorized court.
- Article Twenty-Six Ch. 2, Art. 5
Crime is a personal action.
The prosecution, arrest, and detention of an accused and the execution of penalty can not affect another person.
- Article Twenty-Seven Ch. 2, Art. 6
No act is considered a crime, unless determined by a law adopted prior to the date the offense is committed.
No person can be pursued, arrested or detained but in accordance with provisions of law.
No person can be punished but in accordance with the decision of an authorized court and in conformity with the law adopted before the date of offense.
- Article Twenty-Eight Ch. 2, Art. 7
No citizen of Afghanistan accused of a crime can be extradited to a foreign state unless according mutual agreement and international conventions that Afghanistan has joined.
No Afghan would be sentenced to deprivation of citizenship or to exile inside the country or abroad.
- Article Twenty-Nine Ch. 2, Art. 8
Torture of human beings is prohibited.
No person, even with the intention of discovering the truth, can resort to torture or order the torture of another person who may be under prosecution, arrest, or imprisoned, or convicted to punishment.
Punishment contrary to human integrity is prohibited.
- Article Thirty Ch. 2, Art. 9
Any statement, testimony, or confession obtained from an accused or of another person by means of compulsion, are invalid.

Confession to a crime is: a voluntary confession before an authorized court by an accused in a sound state of mind.

Article Thirty-One

Ch. 2, Art. 10

Every person upon arrest can seek an advocate to defend his rights or to defend his case for which he is accused under the law.

The accused upon arrest has the right to be informed of the attributed accusation and to be summoned to the court within the limits determined by law.

In criminal cases, the state shall appoint an advocate for a destitute.

The duties and authorities of advocates shall be regulated by law.

Article Thirty- Two

Ch. 2, Art. 11

Being in debt does not limit a person's freedom or deprive him of his liberties.

The mode and means of recovering a debt shall be regulated by law.

Article Thirty-Three

Ch. 2, Art. 12

The citizens of Afghanistan have the right to elect and be elected.

Law regulates the conditions and means to exercise this right.

Article Thirty-Four

Ch. 2, Art. 13

Freedom of expression is inviolable.

Every Afghan has the right to express his thought through speech, writing, or illustration or other means, by observing the provisions stated in this Constitution

Every Afghan has the right to print or publish topics without prior submission to the state authorities in accordance with the law.

Directives related to printing house, radio, television, press, and other mass media, will be regulated by the law.

Article Thirty-Five

Ch. 2, Art. 14

The citizens of Afghanistan have the right to form social organizations for the purpose of securing material or spiritual aims in accordance with the provisions of the law.

The citizens of Afghanistan have the right to form political parties in accordance with the provisions of the law, provided that:

1. The program and charter of the party are not contrary to the principles of sacred religion of Islam, and the provisions and values of this Constitution.
2. The organizational structure, and financial sources of the party are made public.
3. The party does not have military or paramilitary aims and structures.
4. Should have no affiliation to a foreign political party or sources.

Formation and functioning of a party based on ethnicity, language, religion and region is not permissible.

A party set up in accordance with provisions of the law shall not be dissolved without lawful reasons and the decision of an authorized court.

Article Thirty-Six

Ch. 2, Art. 15

The citizens of Afghanistan have the right to un-armed demonstrations, for legitimate peaceful purposes.

Article Thirty-Seven

Ch. 2, Art. 16

Confidentiality and freedom of correspondence and communication whether in the form of letters or through telephone, telegraph and other means, are immune from invasion.

The state does not have the right to inspect personal correspondence and communication unless authorized by the provisions of law.

Article Thirty-Eight

Ch. 2, Art. 17

A person's residence is immune from invasion.

Other than the situations and methods indicated in the law, no one, including the state, are allowed to enter or inspect a private residence without prior permission of the resident or holding a court order.

In case of an evident crime, an official in-charge of the situation can enter or conduct a house search prior to the permission of the court.

The official involved in the situation is required to obtain a subsequent court order for the house search within the period indicated by law.

Article Thirty-Nine

Ch. 2, Article 18

Every Afghan has the right to travel or settle in any part of the country except in the regions forbidden by law.

Every Afghan has the right to travel abroad and return home in accordance with the provisions of law.

The state shall protect the rights of the citizens of Afghanistan abroad.

Article Forty

Ch. 2, Art. 19

Property is immune from invasion.

No person shall be forbidden from acquiring and making use of a property except within the limits of law.

No body's property shall be confiscated without the provisions of law and the order of an authorized court.

Acquisition of a person's property, in return for a prior and just compensation within the bounds of law, is permitted only for securing public interests in accordance with the provisions of law.

Inspection and disclosure of a private property are carried out only in accordance "with the provisions of law.

Article Forty-one

Ch. 2, Art. 20

Foreign individuals do not have the right to own immovable property in Afghanistan.

Lease of immovable property for the purpose of investment is permissible in accord with law.

The sale of estates to diplomatic missions of foreign countries and to those international agencies, of which Afghanistan is a member, is permissible in accordance with the provisions of law.

Article Forty-Two

Ch. 2, Art. 21

Every Afghan is obligated to pay taxes and duties to the government in accordance with the provisions of law.

No taxes and duties are enforced without provisions of law.

The rate of taxes and duties and the method of payment are determined by law on the basis of observing social justice.

This provision is also applied to foreign individuals and agencies.

Every kind of tax, duties, and incomes collected, shall be delivered to the State account.

Article Forty-Three

Ch. 2, Art. 22

Education is the right of all citizens of Afghanistan, which shall be provided up to secondary level, free of charge by the state.

The state is obliged to devise and implement effective programs for a balanced expansion of education all over Afghanistan, and to provide compulsory intermediate level education.

The state is also required to provide the opportunity to teach native languages in the areas where they are spoken.

Article Forty-Four

Ch. 2, Art. 23

The state shall devise and implement effective programs for balancing and promoting of education for women, improving of education of nomads and elimination of illiteracy in the country.

Article Forty-Five

The state shall devise and implement a unified educational curriculum based on the provisions of the sacred religion of Islam, national culture, and in accordance with academic principles, and develops the curriculum of religious subjects on the basis of the Islamic sects existing in Afghanistan.

Article Forty-Six

Ch. 2, Art. 24

Establishing and operating of higher, general and vocational education are the duties of the state.

The citizens of Afghanistan also can establish higher, general, and vocational private educational institutions and literacy courses with the permission of the state.

The state can also permit foreign persons to set up higher, general and vocational educational private institutes in accordance with the law.

The conditions for admission to state higher education institutions and other related matters to be regulated by the law.

Article Forty-Seven

Ch. 2, Art. 25

The state shall devise effective programs for the promotion of science, culture, literature and the arts.

The state guarantees the rights of authors, inventors, and discoverers, and encourages and supports scientific researches in all areas, and publicizes the effective use of their results in accordance with the law.

Article Forty-Eight

Ch 2, Art. 26

Work is the right of every Afghan.

Working hours, paid holidays, right of employment and employee, and other related affairs are regulated by law.

Choice of occupation and craft is free within the limits of law.

Article Forty-Nine

Ch. 2, Art. 27

Forced labor is forbidden.

Forced labor, in times of war, calamity, and other situations threatening lives and public welfare are exceptions to this rule.

Children shall not be subjected to the force labor.

Article fifty

Ch. 2, Art. 28

The state is obliged to adopt necessary measures for creation of a strong and sound administration and realization of reforms in the administration system of the country.

Government offices are bound to carry their work with full neutrality and in compliance with the provisions of law.

The citizens of Afghanistan have the right of access to the information from the government offices in accordance with the provisions of law.

This rights has no limits, unless violation of the others.

The citizens of Afghanistan are employed for state services on the basis of qualification without any kind of discrimination and in accordance with law.

Article Fifty-one

Ch. 2, Art. 29

Any person suffering undue harm by government action is entitled to compensation, which he can claim by appealing to court.

With the exception of situation stated in the law, the state cannot claim its right without the order of an authorized court.

Article Fifty-two

Ch. 2, Art. 30

The state is obliged to provide the means of preventive health care and medical treatment, and proper health facilities to all citizens of Afghanistan in accordance with.

The state encourages and protects the establishment and expansion of private medical services and health centers in accordance with law.

The state in order to promote physical education and improve national and local sports adopts necessary measures.

Article Fifty- Three

Ch. 2, Art. 31

The state takes necessary measures for regulating medical services and financial support to descendants of martyred, lost or disabled and handicapped individuals in accordance with Law.

The state guarantees the rights of pensioners and renders necessary assistance to needy elders, women without caretakers, and needy orphans in accordance with the law.

Article Fifty- Four

Ch. 2, Art. 32

Family is a fundamental unit of society and is supported by the state.

The state adopts necessary measures to ensure physical and psychological well being of family, especially of child and mother, upbringing of children and the elimination of traditions contrary to the principles of sacred religion of Islam.

Article Fifty-Five

Ch. 2, Art. 33

The defense of the country is the responsibility of all citizens of Afghanistan.

The conditions for military services are regulated by law.

Article Fifty-Six

Ch. 2, Art. 34

Observing the provisions of the Constitution, obeying the laws, adhering to public law and order are the duties of all people of Afghanistan.

Ignorance about the provisions of law is not considered an excuse.

Article Fifty-Seven

Ch. 2, Art. 35

The state guarantees the rights and liberties of the foreign citizens residing in Afghanistan in accordance with the law.

These people are obliged to observe the laws of the state of Afghanistan in accordance with the International Law.

Article Fifty-Eight.

Ch. 2, Art. 36

The State, for the purpose of monitoring, observation of human rights in Afghanistan their protection, shall establish the Independent Human Rights Commission of Afghanistan.

Everyone in case of violation of his fundamental rights can launch complaint to this Commission.

The commission can refer the cases of violation of the fundamental rights of **the persons** to the legal authorities, and assist them defending their rights.

Structure, and mode of function of this Commission will be regulated by law.

Article Fifty-Nine

Ch. 2, Art. 37

No one can misuse the rights and freedoms under this Constitution against independence, territorial integrity, national unity, sovereignty and national unity.

CHAPTER THREE THE PRESIDENT

Article Sixty

Ch. 3, Art. 1

The President is the head of the state of the Islamic Republic of Afghanistan, and conducts his authorities in executive, legislative, and judiciary branches in accordance with the provisions of this Constitution.

The President is responsible to the nation.

The President shall have one Vice President.

The President on his candidacy shall declare the name of the Vice President to the nation.

The Vice President in the absence, resignation, and or death of the President, acts in accordance with the provisions of this constitution.

Article Sixty-One

Ch. 3, Art. 2

The President is elected by receiving more than 50% of the votes cast through free, general, secret, and direct voting.

The presidential term is expired at the first of (Jawza) of the fifth years after the elections.

Elections for the new president are held within thirty, to sixty days before the end of the presidential term.

If none of the candidates succeeds to receive more than 50% of the votes in the first round, a run-off election shall be held within two weeks.

In this round, only two candidates with the highest number of votes will participate.

In the run-off, the candidate who gets the majority of the votes shall be elected as the President.

In case of death of one of the candidates before the first or second round, or prior to the announcement of the results of elections, new elections shall be held in accordance with the provisions of law.

The elections for the post of president shall be held under the supervision of the Independent Commission supervising of the Elections.

This commission shall be established to supervise all kinds of elections and referendums in the country, in accordance with the provisions of law.

Article Sixty-Two

Ch. 3, Art. 3

Presidential candidates should possess the following qualifications:

1. Should be citizen of Afghanistan, Muslim and born of Afghan parents, and should not have citizenship of another country.
2. On the day of becoming a candidate, his age should not be less than forty years.
3. Should not have been convicted of crimes against humanity, criminal act, or deprivation of the civil rights by a court.

No one can be elected as president for more than two terms.

The provision of this article is applied to the Vice President as well.

Article Sixty-three

Ch. 3, Art. 4

The President-elect, prior to resumption of his/her duties, performs the following oath of allegiance in the presence of members of the National Assembly and the chief justice:

"In the name Allah, the Merciful, the Compassionate In the name Allah Almighty, in the presence of you representatives of the nation of Afghanistan, I swear to obey and safeguard the provisions of the sacred religion of Islam, to observe the Constitution and other laws of Afghanistan and supervise their implementation; to safeguard the independence, national sovereignty, and the territorial integrity of Afghanistan and the fundamental rights and interests of the people of Afghanistan, and with the assistance of God and the support of the nation, to make great and sincere efforts for the happiness and progress of the people of Afghanistan."

Article Sixty-Four

Ch. 3, Art. 5

The power and duties of the President are as follows:

- 1- Supervising the implementation of the Constitution.
- 2- Determining the fundamental policies of the state.
- 3- Being the Command-in-Chief of the armed forces of Afghanistan.
- 4- Declaration of war and ceasefire with the approval of the National Assembly.
- 5- Taking the required decision during defending of territorial integrity and protecting of the independence.
- 6- Sending contingents of the armed forces to foreign countries with the approval of the National Assembly.
- 7- Convening Loya Jirga except in a situation stated in Article Sixty-eight f this Constitution.
- 8- Declaring the state of emergency and ending it with the approval of the National Assembly.
- 9- Inaugurating the National Assembly and the Loya Jirga.
- 10- Accepting resignation of the Vice President.
- 11- Appointing of Ministers and the Attorney General with the approval of the Wolesi Jirga, and acceptance of their dismissal and resignation.
- 12- Appointing the head and members of the Supreme Court with the approval of the Wolesi Jirga.
- 13- Appointment, retirement and acceptance of resignation and dismissal of judges, officers of the armed forces, police, national security, and high-ranking officials in accordance with the law.
- 14- Appointment of heads of diplomatic missions of Afghanistan in foreign countries and international organizations.
- 15- Accepting the credentials of diplomatic missions in Afghanistan.
- 16- Signing of laws and legislative decrees.
- 17- Issuing credential letter for the conclusion of bi-lateral and international treaties in accordance with the provisions of law.
- 18- Reducing and pardoning penalties in accordance with law.
- 19- Issuing medals, and honorary titles in accordance with the provision of law.
- 20- Appointment of the Governor of De Afghanistan Central Bank with the approval of the Wolesi Jirga.
- 21- The establishment of commissions for the improvement of the administrative condition of the country, in accordance with law.

22- Exercising other authorities in accordance with the provisions of this Constitution.

Article Sixty-Five

Ch. 3, Art. 6

The President can call for a referendum on important national, political, social or economic issues.

Call for referendum shall not be contrary to the provisions of this constitution or for the amendment of it.

Article Sixty-Six

Ch. 3, Art. 7

The President takes into consideration the supreme interests of the people of Afghanistan while enforcing the powers stated in this Constitution.

The President cannot sell or bestow state properties without the provisions of the law.

The President cannot act based on linguistic, ethnic, religious, political, and regional considerations during his term in office.

Article Sixty-Seven

Ch. 3, Art. 8

In case of resignation, impeachment ,or death of the President, or of a serious illness that could hinder the performance of duties, the Vice President undertakes his duties and authorities.

The President declares his resignation personally to the National Assembly.

The serious illness shall be proved by an authorized medical committee appointed by the Supreme Court.

In this case, election for the new President shall be held within the period of three months in accordance with the article 61 of this constitution.

During the time when the Vice President fills in as the interim President, he cannot perform the following:

1. Amendment of the constitution
2. Dismissal of ministers. 3. Call for a referendum.

During this period the Vice President can nominate himself as a candidate for the post of President in accordance with the provisions of this constitution.

In the absence of the President, the duties of the Vice President shall be determined by the President.

Article Sixty-Eight

Ch. 3, Art. 10

In case of resignation and or death of the Vice President, another person shall replace him by the proposal of the President and approval of the Wolesi Jirga.

In case of simultaneously death of the President and Vice President, his duties shall be implemented by the Chair of the Meshrano Jirga and in the absence of the chair of the Meshrano Jirga, Chair of the Wolesi Jirga, and in the absence of the Chair of the Wolesi Jirga, the Foreign Minister shall take the duties of the President in accordance with the article 67 of this constitution.

Article Sixty-Nine

Ch. 3, Art 11

Accusations of crime against humanity, national treason or crime can be leveled against the President by one third of the members of the Wolesi Jirga.

If two third of the Wolesi Jirga votes for charges to be brought forth, the Wolesi jirga shall convene a Loya Jirga within one month.

If the Loya Jirga approve the accusation by a two-thirds majority of votes the President is then dismissed, and the case is referred to a special court.

The special court is composed of three members of the Wolesi Jirga, and three members of the Supreme Court appointed by the Loya Jirga and the Chair of the Meshrano Jirga.

The lawsuit is conducted by a person appointed by the Loya Jirga.

In this situation, the provisions of Article 67 of this Constitution are applied.

Article Seventy

Ch. 3, Art. 12

The salary and expenditures of the President are regulated by law.

After expiration of his term, the President is entitled to financial benefits of the presidency for the rest of his life in accordance with the law except in the case of dismissal.

CHAPTER FOUR THE GOVERNMENT

Article Seventy one

Ch. 4, Art. 1

The government consists of the ministers who work under the Chairmanship of the President.

Ministers are appointed by the President and shall be introduced for approval to the National Assembly.

Article Seventy-two

Ch. 4, Art. 2

The person who is appointed as the Minister, should have the following qualifications:

- 1- Should be the citizen of Afghanistan.
- 2- Should have higher education, work experience and, good reputation.
- 3- His age should not be less than thirty-five.
- 4- Should not have been convicted of crimes against humanity, criminal act, or deprivation of the civil rights by a court.

Article Seventy-three

Ch. 4, Art. 3

The Ministers can be appointed from within and without the National Assembly.

If a member of the National Assembly is appointed as a minister, he loses his membership in the National Assembly, and is replaced by another person in accordance with the provisions of law.

Article Seventy-four

Ch. 4, Art. 4

Prior to taking office, the minister perform the following oath in the presence of the President:

In the name of Allah, the merciful and compassionate:

" I swear in the name of God Almighty to support the provisions of the sacred religion of Islam, follow the Constitution and other laws of Afghanistan, protect the rights of citizens, and safeguard the independence, territorial integrity and national unity of Afghanistan, and consider God Almighty present in performing all my responsibilities, and honestly perform the duties assigned to me."

Article Seventy-five

Ch. 4, Art. 5

The government has the following duties.

1. Execute the provision of this Constitution, other laws, and final orders of the courts.

2. Protect the independence, defend the territorial integrity, and safeguard the interests and dignity of Afghanistan in the international community.
3. Maintenance of public law and order and elimination of administrative corruption.
4. Prepare the budget, regulate financial affairs, and protect public wealth.
5. Devise and implement programs for social, cultural, economic, and technological progress.
6. Report to the National Assembly at the end of the fiscal year about the tasks accomplished and about the main plans for the new fiscal year.
7. Perform other duties as recognized by this Constitution and other laws to be duties of the government

Article Seventy-six

Ch. 4, Art. 6

In order to implement the main policies of the country, and regulation of its duties, the government shall devise and approve regulations.

These regulations should not be contradictory to the text and spirit of any law.

Article Seventy- seven

Ch. 4, Art. 7

As heads of administrative units and members of the government, the ministers perform their duties within the limits determined by this Constitution and other laws.

The Ministers are responsible to the President and the Wolesi Jirga for their particular duties.

Article Seventy-eight

Ch. 4, Art. 8

If a Minister is accused of crime against humanity, national treason or criminal act of a crime, the case shall be referred to a special court in accordance with the article 134 of this constitution.

Article Seventy-nine

Ch. 4, Art. 9

In cases of recess of the Wolesi Jirga, the government can adopt legislation in an emergency situation on matters other than those related to budget and financial affairs.

The legislative decrees become laws after they are signed by the President.

The legislative decrees should be submitted to the National Assembly in the course of thirty days beginning from the first session of the National Assembly.

In case of rejection by the National Assembly, the legislations become void.

Article Eighty

Ch. 4, Art. 10

The Minister during the course of their work cannot use their posts for linguistic, regional, ethnic, religion and partisan purposes.

CHAPTER FIVE THE NATIONAL ASSEMBLY

Article Eighty one

Ch. 5, Art. 1

The National Assembly of the Islamic Republic of Afghanistan as the highest legislative organ is the manifestation of the will of its people and represents the whole nation.

Every member of the National Assembly takes into judgment the general welfare and supreme interests of all people of Afghanistan at the time of casting their vote.

Article Eighty-two

Ch. 5, Art. 2

The National Assembly consists of two houses: Wolesi Jirga (the House of People) and Meshrano Jirga. (House of Elders).

No one can become member of both houses simultaneously.

Article Eighty-three

Ch. 5, Art. 3

Members of the Wolesi Jirga are elected by the people through free, general, secret, and direct elections.

Their mandate ends on the 1st of Saratan of the fifth year after the elections, and the new assembly starts its work.

The election of the members of the Wolesi Jirga shall be held within 30 to 60 days before the expiry of the term of the Wolesi Jirga.

The number of members of the Wolesi Jirga, proportionate to the population of each region, shall be between two hundred and twenty, and two hundred and fifty.

Electoral constituency and other related issues shall be determined by election laws. In the election law measures should be adopted for so the election system shall provide general and just representation for all the people of the country, and at least one female delegate should be elected from each province.

Article Eighty-four

Ch. 5, Art. 4

Members of the Meshrano Jirga are elected and appointed as follows:

- 1- From among the members of each provincial council, the respective council elects one person for a period of four years.
- 2- From among the district councils of each province, the respective councils elect one person for a period of three years.
- 3- The President from among experts and experienced personalities appoints the remaining one-third of the members for a period of five years.

The president appoints 50% of these people from among women.

A person, who is appointed as a member of the Meshrano Jirga, shall relinquish his membership in the respective council, and another person replaces him in accordance with the law.

Article Eighty-five

Ch. 5, Art. 5

A person who is nominated or appointed as a member of the National Assembly should have the following qualifications in addition to those considered by voters.

1. Should be the citizen of Afghanistan, or has obtained the citizenship of the state of Afghanistan at least ten years before becoming a candidate.
2. Should not have been convicted by a court for committing a crime against humanity, a crime, or sentenced of deprivation of his civil rights.
3. Members of Wolesi Jirga should be Twenty Five years old at the date of candidacy, and members of the Meshrano Jirga should be Thirty Five years old at the date of candidacy or appointment.

Article Eighty-six

Ch. 5, Art. 6

Credentials of members of the National Assembly are reviewed by independent commission for supervision of the elections in accordance with law.

Article Eighty-seven

Ch. 5. Art. 7

In the beginning of the legislative period, each one of the two houses elects one of its members as the Chairperson, and two people as the first and second Vice Chairperson, and two people as the secretary and assistant secretary for a period of one year.

These individuals constitute the administrative board in their respective houses.

The duties of the administrative boards are determined in the regulations pertaining to the internal duties of each house.

Article Eighty-eight

Ch. 5. Art. 8

Each house of the National Assembly sets up commissions to study the topics under discussion in accordance with its internal regulations.

Article Eighty-nine

Ch. 5, Art. 9

The Wolesi Jirga has the authority to set up a special commission if one-third of its members put forward a proposal to inquire about and study government actions.

The composition and procedure of this commission is specified in the internal regulations of Wolesi Jirga.

Article Ninety

Ch. 5. Art. 10

The National Assembly has the following authorities:

- 1- Ratification, modification, or abrogation of laws and or legislative decrees.
- 2- Approval of plans for economic, social, cultural, and technological development.
- 3- Approval of state budget, permission for obtaining, and granting loans.
- 4- Creation, modification of administrative units.
- 5- Ratification of international treaties and agreements, or abrogation of the membership of Afghanistan to them.
- 6- Other authorities specified in this Constitution.

Article Ninety-one

Ch. 5, Art. 11

Wolesi Jirga has the following special authorities:

1. Deciding on interpellation of each of the ministers in accordance with the provisions of article 92 of this constitution.
2. Taking the final decision about the state's development programs and state budget, in case of a disagreement between the Wolesi Jirga and the Meshrano Jirga.
3. Approval of the appointments according to the provisions of this constitution.

Article Ninety- two

Ch. 5, Art. 12

Wolesi Jirga, based on a proposal by one-tenth of all members, can interpellate each of the Ministers.

If the responses given are not satisfactory, Wolesi Jirga shall consider the issue of vote of no confidence.

Vote of no confidence on a Minister should be explicit, direct, and on the basis of well founded reasons.

This vote should be approved by a majority of all members of the Wolesi Jirga.

Article Ninety-three Ch. 5. Art. 13

Any commission of both Houses of the National Assembly can question each of the Ministers about specific topics.

questioned can provide verbal or written response.

Article Ninety-four Ch. 5. Art. 14

Law is what both Houses of the National Assembly approve and the President endorses unless this Constitution states otherwise.

In case the President does not agree to what the National Assembly approves, he can send the document back with justifiable reasons to the Wolesi Jirga within fifteen days of its submission.

With the passage of this period or in case the Wolesi Jirga approves a particular case again with a majority of two-thirds votes, the bill is considered endorsed and enforced.

Article Ninety-five Ch. 5. Art. 15

Proposal for the promulgation of a law can be initiated by the government, or members of the National Assembly, and in the domain of regulating the judicial affairs through the Supreme Court by the government.

Article Ninety-six Ch. 5 Art. 16

Proposal for budget and financial affairs are initiated only by the government.

Article Ninety-seven Ch. 5, Art. 17

Proposals for promulgation of law initiated by the government are submitted first to the Wolesi Jirga.

If a proposal for the promulgation of law includes imposition of new taxes or reduction in state incomes, it is included in the working agenda on condition that an alternative source is also envisioned.

The Wolesi Jirga approves or rejects the proposal of the promulgation of law including budget and financial affairs and the proposal of taking or giving loan after discussion as a whole.

The Wolesi Jirga cannot delay the proposal more than one month.

The proposed draft of law is submitted to the Meshrano Jirga, after its approval by the Wolesi Jirga.

The Meshrano Jirga decides on the draft within a period of fifteen days

The National Assembly shall give priority to the promulgation of laws, treaties, and development plans of the government that require argent consideration and decision as per the request of the government.

If a proposal for promulgation of law is initiated by ten members of one of the two Houses and then approved by one fifth members of the respective houses, it can be admitted to the agenda of the respective houses.

Article Ninety-eight Ch. 5, Art. 18

The state budget and development plan of the government is submitted through the Meshrano Jirga along with an advisory comments to the Wolesi Jirga.

The decision of the Wolesi Jirga, irrespective of the consent of the Meshrano Jirga, is enforceable after it is signed by the President.

If for some reasons the budget is not approved before the beginning of the new fiscal year, the budget of the year before is applied until the approval of the new budget.

The government is obligated to give to the Wolesi Jirga the budget of the new fiscal year and a brief account of the current year's budget within the forth quarter of the fiscal year.

The definite account of the previous fiscal year shall be submitted by the government to the Wolesi Jirga within six months of the new year, in accordance with the provisions of law

Wolesi Jirga cannot delay the approval of the budget for more than one month or permission to give or take loan for more than a 15 days.

If during this period Wolesi Jirga does not take any decision with regards to taking or giving loan, the proposal will be considered as approved.

Article Ninety-nine

Ch. 5, Art. 19

If, during a session of the National Assembly, the annual budget or a **developmental plan** or an issue related to public security, territorial integrity, and the country's independence is under discussion, the session of the assembly cannot end before the approval of the matter.

Article One hundred

Ch. 5, Art. 20

In case the decision of one house is rejected by another house, a combined committee composed of equal members of each house is formed to resolve the disagreement.

The decision of the committee is enforced after its approval by the President.

In case the combined committee cannot solve the disagreement, the defeated resolution is considered void. And, if the resolution is approved by the Wolesi Jirga, it can be approved in the next session of the Wolesi Jirga by the majority of its members. This approval is assumed as enforceable, after it is signed by the President, without submission to the Meshrano Jirga.

In case the disagreement between the two houses is over legislations involving financial affairs, and the combined committee is not able to resolve it, the Wolesi Jirga can approve the draft by the majority vote of its members.

This draft is assumed as enforceable without submission to the Meshrano Jirga after it is signed by the President.

Article One hundred-one

Ch. 5, Art. 21

No member of the National Assembly is legally prosecuted due to expressing his views while performing his duty.

Article One hundred-two

Ch. 5, Art. 22

When a member of the National Assembly is accused of a crime, the law enforcement authority informs the house, of which the accused is member, about the case, and the accused member can be prosecuted.

In case of an evident crime, the law enforcement authority can legally pursue and arrest the accused without the permission of the house, which the accused is a member of.

In both cases, when legal prosecution requires detention of the accused, law enforcement authorities are obligated to inform the respective house, about the case immediately.

If the accusation takes place when the assembly is in recess, the permission of arrest is obtained from the administrative board of the respective house and the decision of this board is presented to the first session of the aforementioned house for a decision.

Article One Hundred three

Ch. 5, Art. 23

The ministers can participate in the sessions of each one of the two houses of the National Assembly.

Each house of the National Assembly can demand the participation of Ministers to take part in its session.

Article One Hundred and four Ch. 5, Art. 24

Both houses of the National Assembly hold their sessions separately at the same time.

Under the following circumstances, both houses can hold joint sessions:

1. When the legislative session, or the annual session is inaugurated by the President.

2. When it is deemed necessary by the President.

In this case the head of the Wolesi Jirga, chairs the joint session of the National Assembly.

Article One Hundred and five Ch. 5, Art. 25

The sessions of the National Assembly are open unless the Chairman of the assembly, or at least ten members of the National Assembly request their secrecy and the assembly accepts this request.

No one shall enter the building of the National Assembly by force.

Article One Hundred and six Ch. 5, Art. 26

The quorum of the sessions of each house of the National Assembly for voting is complete with the presence of the majority of the members, and its decisions are taken with the majority of the members present, unless this Constitution states otherwise.

Article One Hundred and seven Ch. 5, Art. 27

The National Assembly convenes two ordinary sessions each year.

The term of the National Assembly in each year is nine months.

When necessary, the assembly can extend this period.

Extraordinary sessions of the assembly during recess can take place by the order of the President.

Article One Hundred and eight Ch. 5, Art. 28

In cases of death, resignation and dismissal of a member of the Wolesi Jirga, and/or disability or handicap, which prevents performance of duties permanently, election in the related constituency is held for a new representative for the rest of the legislative period, in accordance with the law.

In the above-mentioned situations, a new member of the Meshrano Jirga shall be appointed in accordance with Article 87 of this Constitution.

Matters involving the presence or absence of members of the National Assembly are regulated according to internal rules.

Article One Hundred and nine Ch. 5, Art. 29

Proposals for amendments of the electoral law cannot be included in the working agenda of the assembly during the last year of the legislative period.

CHAPTER SIX

LOYA JIRGA

Article One Hundred and ten Ch. 6, Art. 1

Loya Jirga is the highest manifestation of the people of Afghanistan.

Loya Jirga consists of the following:

- 1- Members of the National Assembly.
- 2- Chairpersons of the provincial, and district councils.
- The ministers, Chief Justice and members of the Supreme Court, can participate in the sessions of the Loya Jirga without the right to vote.
- Article One Hundred and eleven Ch. 6. Art. 2
- Loya Jirga is convened in the following situations:
- 1- To take decision on the issues related to independence, national sovereignty, territorial integrity, and supreme interests of the country.
- 2- To amend the provisions of this Constitution.
- 3- To prosecute the President in accordance with the provisions of Article 69 of this Constitution.
- Article One Hundred and twelve Ch. 6. Art. 3
- The Loya Jirga in its first session elects from among its members a chairperson, a deputy chair, and a secretary and an assistant secretary.
- Article One Hundred and thirteen Ch. 6. Art. 4
- The quorum of the Loya Jirga for voting is completed by the majority of members.
- The decisions of the Loya Jirga are taken by a majority of the present members except in cases as explicitly stated in this Constitution.
- Article One Hundred and fourteen Ch. 6. Art.56
- Discussions of the Loya Jirga are open except when one -fourth of its members demand their secrecy, and the Loya Jirga accepts this demand.
- Article One Hundred and fifteen Ch. 6. Art. 7
- During the session of a Loya Jirga, the provision of Articles 101 and 102 of this Constitution are applied on its members.

CHAPTER SEVEN THE JUDICIARY

- Article One Hundred and sixteen Ch. 7. Art. 1
- The judicial branch is an independent organ of the state of the Islamic Republic of Afghanistan.
- The judicial branch consists of the Supreme Court (Stera Mahkama), High Courts, Appeal Courts. Structure of authorities of which are determined by law.
- The Supreme Court as the highest judicial organ, heads the judiciary organ of the Islamic Republic of Afghanistan.
- Article One Hundred and seventeen Ch. 7. Art. 2
- The Supreme Court is composed of nine members who are appointed by the President for a period of ten years with the approval of the Wolesi Jirga with observance of the provisions of last paragraph of the Article 50 and article 118 of this Constitution.
- The appointment of the members for the second term is not permissible.
- The President appoints one of its members as the Head of the Supreme Court.
- Members in no way can be dismissed from their service until the end of their term, except circumstances stated in Article 127 of this Constitution.
- Article One Hundred and eighteen Ch. 7. Art. 3
- A member of the Supreme Court should have the following qualifications:

- 1- The age of the Head of the Supreme Court and its members should not be lower than forty at the time of appointment.
- 2- Should be citizen of Afghanistan.
- 3- Should have higher education in law or in Islamic jurisprudence, and should have enough expertise and experience in the judicial system of Afghanistan.
- 4- Should enjoy high ethics and reputation of good deeds.
- 5- Should not have been convicted of crimes against humanity, crimes, and sentenced of deprivation of his civil rights by a court.
- 6- Should not be a member of any political party during the term of official duty.

Article One Hundred and nineteen

Ch. 7. Art. 4

Members of the Supreme Court take the following oath in the presence of the President before occupying the post:

"In the name Allah, the Merciful and the Compassionate I swear in the name of God Almighty to support justice and righteousness in accord with the provisions of the sacred religion of Islam and the provisions of this Constitution and other laws of Afghanistan, and to execute the duty of being a judge with utmost honesty, righteousness and nonpartisanship."

Article One Hundred and twenty

Ch. 7. Art. 5

The authority of the judicial organ is to attend to all lawsuits in which real individuals or incorporeal including the state stand before it as plaintiff or defendant and in its presence is expressed in accord with provisions of the law.

Article One Hundred and twenty one

Ch. 7. Art. 6

The Supreme Court on only by request of the Government and or the Courts can review the laws, legislative decrees, international treaties, and international conventions, for their compliance with the Constitution.

The Supreme Court shall have the authority of the interpretation of the Constitution, laws, and legislative decrees.

Article One Hundred and twenty two

Ch. 7. Art. 7

No law, under any circumstance, can transfer a case from the jurisdiction of the judicial branch to another organ as has been determined in this Constitution.

This provision does not apply to establishing special Courts stated in Articles 69 and 78 and 127 of this Constitution and military courts.

The structure and authority of these courts are regulated by law.

Article One Hundred twenty three

Ch. 7. Art. 8

With observance of the provisions of this Constitution, the rules related to the structure, authority, and performances of the courts, and the duties of judges are regulated by law.

Article One Hundred and twenty four

Ch. 7. Art. 9

Other officials and administrative personnel of the judicial branch are subject to the provisions of the laws related to the officials and other administrative personnel of the state, but their appointment, dismissal, promotion, pension, rewards and punishments are regulated by the Supreme Court in accordance with the law.

Article One Hundred and twenty five

Ch. 7, Art. 10

The budget of the judicial branch is arranged in consultation with the government by the Supreme Court and presented to the National Assembly by the government as part of the state budget.

Implementation of the budget of the judicial branch is the authority of the Supreme Court.

Article One Hundred and twenty six Ch. 7. Art. 11

Members of the Supreme Court enjoy official financial benefits for the rest of their lives provided they do not occupy state and political positions.

Article One Hundred and twenty seven Ch. 7. Art. 12

When more than one - third of the members of the Wolesi Jirga demand the trial of the Chief Justice, or a member of the Supreme Court due to a crime committed during the performance of duty, and the Wolesi Jirga approves of this demand by a majority of twothirds votes, the accused is dismissed from his post and the case is referred to a special court.

The setting up of the court and the procedures of trial are regulated by law.

Article One Hundred and twenty eight Ch. 7. Art. 13

In the courts of Afghanistan, trials are open and everyone is entitled to attend trials within the bounds of law.

The court, in situations which are stated in the law or in situations in which the secrecy of the trial is deemed necessary, can conduct the trial behind closed doors, but the announcement of the court decision should be open in all instances.

Article One Hundred and twenty nine Ch. 7. Art. 14

The court is obliged to state the reasons for the decision it issues.

All specific decisions of the courts are enforceable, except for capital punishment, which is conditional upon approval of the President.

Article One Hundred and thirty Ch. 7. Art. 15

While processing the cases, the courts apply the provisions of this Constitution and other laws.

When there is no provision in the Constitution or other laws regarding ruling on an issue, the courts' decisions shall be within the limits of this Constitution in accord with the Hanafi jurisprudence and in a way to serve justice in the best possible manner.

Article One Hundred and thirty one Ch. 7. Art. 16

Courts will apply Shia school of law in cases dealing with personal matters involving the followers of Shia Sect in accordance with the provisions of law.

In other cases if no clarification by this constitution and other laws exist and both sides of the case are followers of the Shia Sect, courts will resolve the matter according to laws of this Sect.

Article One Hundred and thirty two Ch. 7. Art. 17

Judges are appointed with the recommendation of the Supreme Court and approval of the President.

The appointment, transfer, promotion, punishment, and proposals to retire judges are within the authority of the Supreme Court in accordance with the law.

The Supreme Court shall establish the General Administration Office of the Judicial Power for the purpose of better arrangement of the administration and judicial affairs and insuring the required improvements.

Article One Hundred and thirty three Ch. 7. Art. 18

When a judge is accused of having committed a crime, the Supreme Court shall inquire about the case involving the judge in accordance with the law.

After listening to his defense, when the Supreme Court regards the accusation to be valid, it shall present a proposal about the judge's dismissal to the President.

After the Presidential approval, the accused judge is dismissed from duty, and punished in accordance with the provisions of the law.

Article One Hundred and thirty four

Ch. 7. Art. 19

Discovery of crimes is the duty of the police and investigation and prosecution are conducted by the Attorney's Office in accordance with the provisions of the law.

The Attorney's Office is part the Executive branch, and is independent in its performances.

The structure, authority, and activities of the Attorney's Office are regulated by law.

Discovery and investigation of crimes related to the armed forces are regulated by a special law.

Article One Hundred and thirty five

Ch. 7. Art. 20

If parties involved in a case do not know the language in which the trial is conducted, they have the right to understand the material and documents related to the case through art interpreter and the right to speak in their mother language in the court.

CHAPTER EIGHT THE ADMINISTRATION

Article One Hundred and thirty six

Ch. 8. Art. 1

The Administration of Islamic Republic of Afghanistan shall be based on central and local administrative units in accordance with the law.

The central administration is divided into a number of administrative units, each of which shall be headed by a minister.

The local administrative unit is a province.

The number, area, parts, and structures of the provinces and the related administrations are regulated by law on the basis of population, social and economic conditions, and geographic location.

Article One Hundred and thirty seven

Ch. 8. Art. 2

The government, while preserving the principle of centralism, shall delegate certain authorities to local administration units for the purpose of expediting and promoting economic, social, and cultural affairs, and increasing the participation of people in the development of the nation.

Article One Hundred and thirty eight

Ch. 8. Art. 3

In every province a provincial council is to be formed.

Members of the provincial council are elected in proportion to the population by free, direct, secret ballot, and general elections by the residents of the province for a period of four years in accordance with the law.

The provincial council elects one of its members as Chairman.

Article One Hundred and thirty nine

Ch. 8. Art. 4

The provincial council takes part in securing the developmental targets of the state and improving its affairs in a way stated in the law, and gives advice on important issues falling within the domain of the province.

Provincial councils perform their duties in cooperation with the **provincial administration**.

Article One Hundred and forty

Ch. 8. Art. 5

In order to organize activities involving people and provide them with the opportunity to actively participate in the local administration, councils are set up in districts and villages in accordance with the provisions of the law.

Members of these councils are elected by the local people through, free, general, secret and direct elections for a period of three years.

The participation of nomads in these councils is regulated by law.

Article One Hundred and forty one Ch. 8. Art. 6

Municipalities shall be set up in order to administer city affairs.

The mayor and members of the municipal councils are elected by free, general, secret, and direct elections.

The affairs related to municipalities are regulated by law.

Article One Hundred forty two Ch. 8. Art. 7

For the purpose of the implementation of the provisions, and ensuring the values of this constitution, the state shall establish the required departments.

CHAPTER NINE THE STATE OF EMERGENCY

Article One Hundred and forty three Ch. 9, Art. I

If due to war, threat of war, serious rebellion, natural disasters, or situations similar to these protecting the independence or nation's survival becomes impossible by following the provision of this Constitution, the President in confirmation of National Assembly shall declare a state of emergency in some or all parts of the country.

If the state of emergency continues for more than two months, the agreement of National Assembly is required for its extension.

Article One Hundred and forty four Ch. 9, Art. 2

During the state of emergency, the President, with the consultations of heads of the National Assembly, and Chief Justice can transfer some authorities of the National Assembly to the government.

Article One Hundred and forty five Ch. 9, Art. 3

During the state of emergency, the President with the consent of the heads of the National Assembly and the Supreme Court, can suspend the validity of the following Articles or can place restrictions on them:

1-Paragraph two of Article twenty-seven

2- Article thirty-six.

3- Paragraph two of Article thirty-seven. 4- Paragraph two of Article thirty-eight.

Article One Hundred and forty six Ch. 9, Art. 4

During the state of emergency, the Constitution cannot be amended.

Article One Hundred and forty seven Ch. 9, Art. 5

If the Presidential term of office, and or the legislative period expire during a state of emergency, the new elections shall be postponed, and the presidency, and the legislative period shall be extended for up to four months.

If the state of emergency continues for more than four months, a Loya Jirga shall be called by the President for further decisions.

Following the termination of state of emergency, election would be held within two months

Article One Hundred and forty eight Ch. 9, Art. 6
After the end of the state of emergency, the measures adopted on the basis of Articles 144 and 145 of this Constitution shall be considered invalid immediately.

CHAPTER TEN AMENDMENTS

Article One Hundred and forty nine Ch. 10, Art. 1
The provisions of adherence to the fundamentals of the sacred religion of Islam and the republican regime cannot be amended.
The amendment of the fundamental rights of the people are permitted only in order to make them more effective
Considering new experiences and requirements of the time, other contents of this Constitution can be amended by the proposal of the President or by the majority of the
National Assembly in accordance with the provisions of Article 67, and 146 of this constitution.

Article One Hundred and fifty Ch. 10, Art. 2
In order to implement proposals regarding amending the Constitution, a commission composed of members of the government, National Assembly, and the Supreme Court, would be established by a Presidential decree, and the commission shall prepare a draft of the amendments.
For approval of the amendments, a Loya Jirga shall be convened by the decree of the President in accordance with the provisions of the Chapter on the Loy Jirga.
When the Loya Jirga approves an amendment by a majority of two-thirds of its members, it shall be enforced after endorsement by the President.

CHAPTER ELEVEN THE MISCELLANEOUS PROVISIONS

Article One Hundred and fifty one Ch. 11, Art. 1
The President, Vice President, Ministers, Head and members of the Supreme Court, cannot engage in any profitable business contracts with the government or individuals during their term of office. Contracts for the purpose of fulfilling personal needs are exception to this provision.

Article One Hundred and fifty two Ch. 11, Art. 2
The President, Vice President, ministers, heads and members of the National Assembly, the Supreme Court, and judges, cannot undertake other jobs during their terms of office.

Article One Hundred and **fifty** three Ch. 11, Art. 3
Judges, Attorneys, and Officers of the Armed Forces and Police, and members of the National Security, cannot be members of political parties during their terms of office.

Article One Hundred and fifty four Ch. 11, Art. 4
Property of the President, Vice President, and ministers and members of the Supreme Court before and after their term of office would be registered and monitored by an organ to be set by law.

Article One Hundred and fifty five Ch. 11, Art. 5
 For the ministers, members of the National Assembly, the Supreme Court, and judges, appropriate salaries shall be paid in accordance with the provisions of law.

CHAPTER TWELVE THE TRANSITIONAL PROVISIONS

Article One Hundred fifty six Ch. 12, Art. 1
 The Title of the Father of the Nation and the privileges granted by the Emergency Loya Jirga of 1381 (2002) to His Majesty Mohammad Zahir Former King of Afghanistan are preserved for him during his lifetime, in accordance with the provisions of this constitution.

Article One Hundred and fifty seven Ch. 12. Art. 2
 The period, following the adoption of this Constitution, until the date of inauguration of the National Assembly, is deemed as transitional period.
 During the transitional period, the Islamic Transitional State of Afghanistan would carry the following tasks:

- 1- Issue decrees related to the elections of the President, National Assembly and local councils within six months.
- 2- Issue decrees regarding the structure and authorities of the courts and basic administration structures within one year.
- 3- Establish an Independent Electoral Commission for Supervising Elections.
- 4- Take necessary measures for reform of executive and judicial affairs
- 5- Adopt necessary y measures for preparing the ground for enforcement of the provisions of this Constitution.

Article One Hundred and fifty eight Ch. 12. Art. 3
 The first President elected, takes up his duties after thirty days after the result of his election has been proclaimed, in accordance with this constitution.

Article One Hundred and fifty nine Ch. 12. Art. 4
 Elections of the National Assembly will be held within one year of the Presidential elections. The powers of the National Assembly under this constitution until the establishment of the National Assembly is transferred to the Government and the Supreme Court is formed by the decree of the President.

The Government, and the Supreme Court shall be established within thirty days after the first session of the Wolesi Jirga is taken place.

The President of the Transitional Islamic State of Afghanistan shall continue his duties until the elected President has taken has taken the office.

The executive, and judicial organs of the state in accordance with provisions of paragraph 3 of article 157 of this constitution shall continue their duties, until the formation of the Government and the Supreme Court.

The decrees enforced from the beginning of the interim period, shall be submitted to the first session of the National Assembly. These decrees are enforceable until they are annulled by the National Assembly.

Article One Hundred sixty Ch. 12. Art. 5
 This constitution is enforced upon its approval by the Loya Jirga, and will be signed and announced by the President of the Transitional Islamic State of Afghanistan.

Upon the enforcement of it, laws and decrees contrary to the provisions of this constitution are invalid.■

Text obtained from Pakistan Foreign Office

Document No. 20

2004 STATE OF THE UNION ADDRESS PRESIDENT GEORGE W. BUSH UNITED STATES CAPITOL WASHINGTON, DC JANUARY 20, 2004

Mr. Speaker, Vice President Cheney, members of Congress, distinguished guests, and fellow citizens: America this evening is a nation called to great responsibilities. And we are rising to meet them.

As we gather tonight, hundreds of thousands of American servicemen and women are deployed across the world in the war on terror. By bringing hope to the oppressed, and delivering justice to the violent, they are making America more secure. (Applause.)

Each day, law enforcement personnel and intelligence officers are tracking terrorist threats; analysts are examining airline passenger lists; the men and women of our new Homeland Security Department are patrolling our coasts and borders. And their vigilance is protecting America. (Applause.)

Americans are proving once again to be the hardest working people in the world. The American economy is growing stronger. The tax relief you passed is working. (Applause.)

Tonight, members of Congress can take pride in the great works of compassion and reform that skeptics had thought impossible. You're raising the standards for our public schools, and you are giving our senior citizens prescription drug coverage under Medicare. (Applause.)

We have faced serious challenges together, and now we face a choice: We can go forward with confidence and resolve, or we can turn back to the dangerous illusion that terrorists are not plotting and outlaw regimes are no threat to us. We can press on with economic growth, and reforms in education and Medicare, or we can turn back to old policies and old divisions.

We've not come all this way -- through tragedy, and trial and war -- only to falter and leave our work unfinished. Americans are rising to the tasks of history, and they expect the same from us. In their efforts, their enterprise, and their character, the American people are showing that the state of our union is confident and strong. (Applause.)

Our greatest responsibility is the active defense of the American people. Twenty-eight months have passed since September 11th, 2001 -- over two years without an attack on American soil. And it is tempting to believe that the danger is behind us. That hope is understandable, comforting -- and false. The killing has continued in Bali, Jakarta, Casablanca, Riyadh, Mombasa, Jerusalem, Istanbul, and Baghdad. The terrorists continue to plot against America and the civilized world. And by our will and courage, this danger will be defeated. (Applause.)

Inside the United States, where the war began, we must continue to give our homeland security and law enforcement personnel every tool they need to defend us. And one of those essential tools is the Patriot Act, which allows federal law enforcement to better share information, to track terrorists, to disrupt their cells, and to seize their assets. For years, we have used similar provisions to catch embezzlers and drug traffickers. If these methods are good for hunting criminals, they are even more important for hunting terrorists. (Applause.)

Key provisions of the Patriot Act are set to expire next year. (Applause.) The terrorist threat will not expire on that schedule. (Applause.) Our law enforcement needs this vital legislation to protect our citizens. You need to renew the Patriot Act. (Applause.)

America is on the offensive against the terrorists who started this war. Last March, Khalid Shaikh Mohammed, a mastermind of September the 11th, awoke to find himself in the custody of U.S. and Pakistani authorities. Last August the 11th brought the capture of the terrorist Hambali, who was a key player in the attack in Indonesia that killed over 200 people. We're tracking al Qaeda around the world, and nearly two-thirds of their known leaders have now been captured or killed. Thousands of very skilled and determined military personnel are on the manhunt, going after the remaining killers who hide in cities and caves, and one by one, we will bring these terrorists to justice. (Applause.)

As part of the offensive against terror, we are also confronting the regimes that harbor and support terrorists, and could supply them with nuclear, chemical or biological weapons. The United States and our allies are determined: We refuse to live in the shadow of this ultimate danger. (Applause.)

The first to see our determination were the Taliban, who made Afghanistan the primary training base of al Qaeda killers. As of this month, that country has a new constitution, guaranteeing free elections and full participation by women. Businesses are opening, health care centers are being established, and the boys and girls of Afghanistan are back in school. With the help from the new Afghan army, our coalition is leading aggressive raids against the surviving members of the Taliban and al Qaeda. The men and women of Afghanistan are building a nation that is free and proud and fighting terror -- and America is honored to be their friend. (Applause.)

Since we last met in this chamber, combat forces of the United States, Great Britain, Australia, Poland and other countries enforced the demands of the United Nations, ended the rule of Saddam Hussein, and the people of Iraq are free. (Applause.)

Having broken the Baathist regime, we face a remnant of violent Saddam supporters. Men who ran away from our troops in battle are now dispersed and attack from the shadows. These killers, joined by foreign terrorists, are a serious, continuing danger. Yet we're making progress against them. The once all-powerful ruler of Iraq was found in a hole, and now sits in a prison cell. (Applause.) Of the top 55 officials of the former regime, we have captured or killed 45. Our forces are on the offensive, leading over 1,600 patrols a day and conducting an average of 180 raids a week. We are dealing with these thugs in Iraq, just as surely as we dealt with Saddam Hussein's evil regime. (Applause.)

The work of building a new Iraq is hard, and it is right. And America has always been willing to do what it takes for what is right. Last January, Iraq's only law

was the whim of one brutal man. Today our coalition is working with the Iraqi Governing Council to draft a basic law, with a bill of rights. We're working with Iraqis and the United Nations to prepare for a transition to full Iraqi sovereignty by the end of June.

As democracy takes hold in Iraq, the enemies of freedom will do all in their power to spread violence and fear. They are trying to shake the will of our country and our friends, but the United States of America will never be intimidated by thugs and assassins. (Applause.) The killers will fail, and the Iraqi people will live in freedom. (Applause.)

Month by month, Iraqis are assuming more responsibility for their own security and their own future. And tonight we are honored to welcome one of Iraq's most respected leaders: the current President of the Iraqi Governing Council, Adnan Pachachi.

Sir, America stands with you and the Iraqi people as you build a free and peaceful nation. (Applause.)

Because of American leadership and resolve, the world is changing for the better. Last month, the leader of Libya voluntarily pledged to disclose and dismantle all of his regime's weapons of mass destruction programs, including a uranium enrichment project for nuclear weapons. Colonel Qadhafi correctly judged that his country would be better off and far more secure without weapons of mass murder. (Applause.)

Nine months of intense negotiations involving the United States and Great Britain succeeded with Libya, while 12 years of diplomacy with Iraq did not. And one reason is clear: For diplomacy to be effective, words must be credible, and no one can now doubt the word of America. (Applause.)

Different threats require different strategies. Along with nations in the region, we're insisting that North Korea eliminate its nuclear program. America and the international community are demanding that Iran meet its commitments and not develop nuclear weapons. America is committed to keeping the world's most dangerous weapons out of the hands of the most dangerous regimes. (Applause.)

When I came to this rostrum on September the 20th, 2001, I brought the police shield of a fallen officer, my reminder of lives that ended, and a task that does not end. I gave to you and to all Americans my complete commitment to securing our country and defeating our enemies. And this pledge, given by one, has been kept by many.

You in the Congress have provided the resources for our defense, and cast the difficult votes of war and peace. Our closest allies have been unwavering. America's intelligence personnel and diplomats have been skilled and tireless. And the men and women of the American military -- they have taken the hardest duty. We've seen their skill and their courage in armored charges and midnight raids, and lonely hours on faithful watch. We have seen the joy when they return, and felt the sorrow when one is lost. I've had the honor of meeting our servicemen and women at many posts, from the deck of a carrier in the Pacific to a mess hall in Baghdad.

Many of our troops are listening tonight. And I want you and your families to know: America is proud of you. And my administration, and this Congress, will give you the resources you need to fight and win the war on terror. (Applause.)

I know that some people question if America is really in a war at all. They view terrorism more as a crime, a problem to be solved mainly with law enforcement

and indictments. After the World Trade Center was first attacked in 1993, some of the guilty were indicted and tried and convicted, and sent to prison. But the matter was not settled. The terrorists were still training and plotting in other nations, and drawing up more ambitious plans. After the chaos and carnage of September the 11th, it is not enough to serve our enemies with legal papers. The terrorists and their supporters declared war on the United States, and war is what they got. (Applause.)

Some in this chamber, and in our country, did not support the liberation of Iraq. Objections to war often come from principled motives. But let us be candid about the consequences of leaving Saddam Hussein in power. We're seeking all the facts. Already, the Kay Report identified dozens of weapons of mass destruction-related program activities and significant amounts of equipment that Iraq concealed from the United Nations. Had we failed to act, the dictator's weapons of mass destruction programs would continue to this day. Had we failed to act, Security Council resolutions on Iraq would have been revealed as empty threats, weakening the United Nations and encouraging defiance by dictators around the world. Iraq's torture chambers would still be filled with victims, terrified and innocent. The killing fields of Iraq -- where hundreds of thousands of men and women and children vanished into the sands -- would still be known only to the killers. For all who love freedom and peace, the world without Saddam Hussein's regime is a better and safer place. (Applause.)

Some critics have said our duties in Iraq must be internationalized. This particular criticism is hard to explain to our partners in Britain, Australia, Japan, South Korea, the Philippines, Thailand, Italy, Spain, Poland, Denmark, Hungary, Bulgaria, Ukraine, Romania, the Netherlands -- (applause) -- Norway, El Salvador, and the 17 other countries that have committed troops to Iraq. (Applause.) As we debate at home, we must never ignore the vital contributions of our international partners, or dismiss their sacrifices.

From the beginning, America has sought international support for our operations in Afghanistan and Iraq, and we have gained much support. There is a difference, however, between leading a coalition of many nations, and submitting to the objections of a few. America will never seek a permission slip to defend the security of our country. (Applause.)

We also hear doubts that democracy is a realistic goal for the greater Middle East, where freedom is rare. Yet it is mistaken, and condescending, to assume that whole cultures and great religions are incompatible with liberty and self-government. I believe that God has planted in every human heart the desire to live in freedom. And even when that desire is crushed by tyranny for decades, it will rise again. (Applause.)

As long as the Middle East remains a place of tyranny and despair and anger, it will continue to produce men and movements that threaten the safety of America and our friends. So America is pursuing a forward strategy of freedom in the greater Middle East. We will challenge the enemies of reform, confront the allies of terror, and expect a higher standard from our friend. To cut through the barriers of hateful propaganda, the Voice of America and other broadcast services are expanding their programming in Arabic and Persian -- and soon, a new television service will begin providing reliable news and information across the region. I will send you a proposal to double the budget of the National Endowment for Democracy, and to focus its new work on the development of free elections, and free markets, free press, and free

labor unions in the Middle East. And above all, we will finish the historic work of democracy in Afghanistan and Iraq, so those nations can light the way for others, and help transform a troubled part of the world. (Applause.)

America is a nation with a mission, and that mission comes from our most basic beliefs. We have no desire to dominate, no ambitions of empire. Our aim is a democratic peace -- a peace founded upon the dignity and rights of every man and woman. America acts in this cause with friends and allies at our side, yet we understand our special calling: This great republic will lead the cause of freedom. (Applause.)

In the last three years, adversity has also revealed the fundamental strengths of the American economy. We have come through recession, and terrorist attack, and corporate scandals, and the uncertainties of war. And because you acted to stimulate our economy with tax relief, this economy is strong, and growing stronger. (Applause.)

You have doubled the child tax credit from \$500 to \$1,000, reduced the marriage penalty, begun to phase out the death tax, reduced taxes on capital gains and stock dividends, cut taxes on small businesses, and you have lowered taxes for every American who pays income taxes.

Americans took those dollars and put them to work, driving this economy forward. The pace of economic growth in the third quarter of 2003 was the fastest in nearly 20 years; new home construction, the highest in almost 20 years; home ownership rates, the highest ever. Manufacturing activity is increasing. Inflation is low. Interest rates are low. Exports are growing. Productivity is high, and jobs are on the rise. (Applause.)

These numbers confirm that the American people are using their money far better than government would have -- and you were right to return it. (Applause.)

America's growing economy is also a changing economy. As technology transforms the way almost every job is done, America becomes more productive, and workers need new skills. Much of our job growth will be found in high-skilled fields like health care and biotechnology. So we must respond by helping more Americans gain the skills to find good jobs in our new economy.

All skills begin with the basics of reading and math, which are supposed to be learned in the early grades of our schools. Yet for too long, for too many children, those skills were never mastered. By passing the No Child Left Behind Act, you have made the expectation of literacy the law of our country. We're providing more funding for our schools -- a 36-percent increase since 2001. We're requiring higher standards. We are regularly testing every child on the fundamentals. We are reporting results to parents, and making sure they have better options when schools are not performing. We are making progress toward excellence for every child in America. (Applause.)

But the status quo always has defenders. Some want to undermine the No Child Left Behind Act by weakening standards and accountability. Yet the results we require are really a matter of common sense: We expect third graders to read and do math at the third grade level -- and that's not asking too much. Testing is the only way to identify and help students who are falling behind. This nation will not go back to the days of simply shuffling children along from grade to grade without them learning the basics. I refuse to give up on any child -- and the No Child Left Behind Act is opening the door of opportunity to all of America's children. (Applause.)

At the same time, we must ensure that older students and adults can gain the skills they need to find work now. Many of the fastest growing occupations require strong math and science preparation, and training beyond the high school level. So tonight, I propose a series of measures called Jobs for the 21st Century. This program will provide extra help to middle and high school students who fall behind in reading and math, expand advanced placement programs in low-income schools, invite math and science professionals from the private sector to teach part-time in our high schools. I propose larger Pell grants for students who prepare for college with demanding courses in high school. (Applause.) I propose increasing our support for America's fine community colleges, so they can -- (applause.) I do so, so they can train workers for industries that are creating the most new jobs. By all these actions, we'll help more and more Americans to join in the growing prosperity of our country. Job training is important, and so is job creation.

We must continue to pursue an aggressive, pro-growth economic agenda. (Applause.) Congress has some unfinished business on the issue of taxes. The tax reductions you passed are set to expire. Unless you act -- (applause) -- unless you act -- unless you act, the unfair tax on marriage will go back up. Unless you act, millions of families will be charged \$300 more in federal taxes for every child. Unless you act, small businesses will pay higher taxes. Unless you act, the death tax will eventually come back to life. Unless you act, Americans face a tax increase. What Congress has given, the Congress should not take away. For the sake of job growth, the tax cuts you passed should be permanent. (Applause.)

Our agenda for jobs and growth must help small business owners and employees with relief from needless federal regulation, and protect them from junk and frivolous lawsuits. (Applause.)

Consumers and businesses need reliable supplies of energy to make our economy run -- so I urge you to pass legislation to modernize our electricity system, promote conservation, and make America less dependent on foreign sources of energy. (Applause.) My administration is promoting free and fair trade to open up new markets for America's entrepreneurs and manufacturers and farmers -- to create jobs for American workers. Younger workers should have the opportunity to build a nest egg by saving part of their Social Security taxes in a personal retirement account. (Applause.) We should make the Social Security system a source of ownership for the American people. (Applause.) And we should limit the burden of government on this economy by acting as good stewards of taxpayers' dollars. (Applause.)

In two weeks, I will send you a budget that funds the war, protects the homeland, and meets important domestic needs, while limiting the growth in discretionary spending to less than 4 percent. (Applause.) This will require that Congress focus on priorities, cut wasteful spending, and be wise with the people's money. By doing so, we can cut the deficit in half over the next five years. (Applause.)

Tonight, I also ask you to reform our immigration laws so they reflect our values and benefit our economy. I propose a new temporary worker program to match willing foreign workers with willing employers when no Americans can be found to fill the job. This reform will be good for our economy because employers will find needed workers in an honest and orderly system. A temporary worker program will help protect our homeland, allowing Border Patrol and law enforcement to focus on true threats to our national security.

I oppose amnesty, because it would encourage further illegal immigration, and unfairly reward those who break our laws. My temporary worker program will preserve the citizenship path for those who respect the law, while bringing millions of hardworking men and women out from the shadows of American life. (Applause.)

Our nation's health care system, like our economy, is also in a time of change. Amazing medical technologies are improving and saving lives. This dramatic progress has brought its own challenge, in the rising costs of medical care and health insurance. Members of Congress, we must work together to help control those costs and extend the benefits of modern medicine throughout our country. (Applause.)

Meeting these goals requires bipartisan effort, and two months ago, you showed the way. By strengthening Medicare and adding a prescription drug benefit, you kept a basic commitment to our seniors: You are giving them the modern medicine they deserve. (Applause.)

Starting this year, under the law you passed, seniors can choose to receive a drug discount card, saving them 10 to 25 percent off the retail price of most prescription drugs -- and millions of low-income seniors can get an additional \$600 to buy medicine. Beginning next year, seniors will have new coverage for preventive screenings against diabetes and heart disease, and seniors just entering Medicare can receive wellness exams.

In January of 2006, seniors can get prescription drug coverage under Medicare. For a monthly premium of about \$35, most seniors who do not have that coverage today can expect to see their drug bills cut roughly in half. Under this reform, senior citizens will be able to keep their Medicare just as it is, or they can choose a Medicare plan that fits them best -- just as you, as members of Congress, can choose an insurance plan that meets your needs. And starting this year, millions of Americans will be able to save money tax-free for their medical expenses in a health savings account. (Applause.)

I signed this measure proudly, and any attempt to limit the choices of our seniors, or to take away their prescription drug coverage under Medicare, will meet my veto. (Applause.)

On the critical issue of health care, our goal is to ensure that Americans can choose and afford private health care coverage that best fits their individual needs. To make insurance more affordable, Congress must act to address rapidly rising health care costs. Small businesses should be able to band together and negotiate for lower insurance rates, so they can cover more workers with health insurance. I urge you to pass association health plans. (Applause.) I ask you to give lower-income Americans a refundable tax credit that would allow millions to buy their own basic health insurance. (Applause.)

By computerizing health records, we can avoid dangerous medical mistakes, reduce costs, and improve care. To protect the doctor-patient relationship, and keep good doctors doing good work, we must eliminate wasteful and frivolous medical lawsuits. (Applause.) And tonight I propose that individuals who buy catastrophic health care coverage, as part of our new health savings accounts, be allowed to deduct 100 percent of the premiums from their taxes. (Applause.)

A government-run health care system is the wrong prescription. (Applause.) By keeping costs under control, expanding access, and helping more Americans afford

coverage, we will preserve the system of private medicine that makes America's health care the best in the world. (Applause.)

We are living in a time of great change -- in our world, in our economy, in science and medicine. Yet some things endure -- courage and compassion, reverence and integrity, respect for differences of faith and race. The values we try to live by never change. And they are instilled in us by fundamental institutions, such as families and schools and religious congregations. These institutions, these unseen pillars of civilization, must remain strong in America, and we will defend them. We must stand with our families to help them raise healthy, responsible children. When it comes to helping children make right choices, there is work for all of us to do.

One of the worst decisions our children can make is to gamble their lives and futures on drugs. Our government is helping parents confront this problem with aggressive education, treatment, and law enforcement. Drug use in high school has declined by 11 percent over the last two years. Four hundred thousand fewer young people are using illegal drugs than in the year 2001. (Applause.) In my budget, I proposed new funding to continue our aggressive, community-based strategy to reduce demand for illegal drugs. Drug testing in our schools has proven to be an effective part of this effort. So tonight I proposed an additional \$23 million for schools that want to use drug testing as a tool to save children's lives. The aim here is not to punish children, but to send them this message: We love you, and we don't want to lose you. (Applause.)

To help children make right choices, they need good examples. Athletics play such an important role in our society, but, unfortunately, some in professional sports are not setting much of an example. The use of performance-enhancing drugs like steroids in baseball, football, and other sports is dangerous, and it sends the wrong message -- that there are shortcuts to accomplishment, and that performance is more important than character. So tonight I call on team owners, union representatives, coaches, and players to take the lead, to send the right signal, to get tough, and to get rid of steroids now. (Applause.)

To encourage right choices, we must be willing to confront the dangers young people face -- even when they're difficult to talk about. Each year, about 3 million teenagers contract sexually-transmitted diseases that can harm them, or kill them, or prevent them from ever becoming parents. In my budget, I propose a grassroots campaign to help inform families about these medical risks. We will double federal funding for abstinence programs, so schools can teach this fact of life: Abstinence for young people is the only certain way to avoid sexually-transmitted diseases. (Applause.)

Decisions children now make can affect their health and character for the rest of their lives. All of us -- parents and schools and government -- must work together to counter the negative influence of the culture, and to send the right messages to our children.

A strong America must also value the institution of marriage. I believe we should respect individuals as we take a principled stand for one of the most fundamental, enduring institutions of our civilization. Congress has already taken a stand on this issue by passing the Defense of Marriage Act, signed in 1996 by President Clinton. That statute protects marriage under federal law as a union of a

man and a woman, and declares that one state may not redefine marriage for other states.

Activist judges, however, have begun redefining marriage by court order, without regard for the will of the people and their elected representatives. On an issue of such great consequence, the people's voice must be heard. If judges insist on forcing their arbitrary will upon the people, the only alternative left to the people would be the constitutional process. Our nation must defend the sanctity of marriage. (Applause.)

The outcome of this debate is important -- and so is the way we conduct it. The same moral tradition that defines marriage also teaches that each individual has dignity and value in God's sight. (Applause.)

It's also important to strengthen our communities by unleashing the compassion of America's religious institutions. Religious charities of every creed are doing some of the most vital work in our country -- mentoring children, feeding the hungry, taking the hand of the lonely. Yet government has often denied social service grants and contracts to these groups, just because they have a cross or a Star of David or a crescent on the wall. By executive order, I have opened billions of dollars in grant money to competition that includes faith-based charities. Tonight I ask you to codify this into law, so people of faith can know that the law will never discriminate against them again. (Applause.)

In the past, we've worked together to bring mentors to children of prisoners, and provide treatment for the addicted, and help for the homeless. Tonight I ask you to consider another group of Americans in need of help. This year, some 600,000 inmates will be released from prison back into society. We know from long experience that if they can't find work, or a home, or help, they are much more likely to commit crime and return to prison. So tonight, I propose a four-year, \$300 million prisoner re-entry initiative to expand job training and placement services, to provide transitional housing, and to help newly released prisoners get mentoring, including from faith-based groups. (Applause.) America is the land of second chance, and when the gates of the prison open, the path ahead should lead to a better life. (Applause.)

For all Americans, the last three years have brought tests we did not ask for, and achievements shared by all. By our actions, we have shown what kind of nation we are. In grief, we have found the grace to go on. In challenge, we rediscovered the courage and daring of a free people. In victory, we have shown the noble aims and good heart of America. And having come this far, we sense that we live in a time set apart.

I've been witness to the character of the people of America, who have shown calm in times of danger, compassion for one another, and toughness for the long haul. All of us have been partners in a great enterprise. And even some of the youngest understand that we are living in historic times. Last month a girl in Lincoln, Rhode Island, sent me a letter. It began, "Dear George W. Bush. If there's anything you know, I, Ashley Pearson, age 10, can do to help anyone, please send me a letter and tell me what I can do to save our country." She added this P.S.: "If you can send a letter to the troops, please put, 'Ashley Pearson believes in you.'" (Applause.)

Tonight, Ashley, your message to our troops has just been conveyed. And, yes, you have some duties yourself. Study hard in school, listen to your mom or dad, help someone in need, and when you and your friends see a man or woman in

uniform, say, "thank you." (Applause.) And, Ashley, while you do your part, all of us here in this great chamber will do our best to keep you and the rest of America safe and free. (Applause.)

My fellow citizens, we now move forward, with confidence and faith. Our nation is strong and steadfast. The cause we serve is right, because it is the cause of all mankind. The momentum of freedom in our world is unmistakable -- and it is not carried forward by our power alone. We can trust in that greater power who guides the unfolding of the years. And in all that is to come, we can know that His purposes are just and true.

May God continue to bless America. (Applause.)■

<<http://www.state.gov/r/pa/ei/wh/rem/28276.htm>>