



Security Council

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Letter dated 1 August 2019 from the Chargé d'affaires a.i. of the Permanent Mission of Pakistan to the United Nations addressed to the Secretary-General

Upon instructions of my Government, I have the honour to transmit herewith a letter dated 1 August 2019 from Makhdoom Shah Mahmood Qureshi, Minister for Foreign Affairs of Pakistan, addressed to the Secretary-General (see annex), drawing attention to the three interlocking developments relating to Indian-occupied Jammu and Kashmir that are of grave danger for regional peace and security in South Asia.

I would like to request you to kindly have the present letter and its annex circulated as a document of the Security Council under the item entitled "The India-Pakistan question".

(Signed) Nabeel **Munir**
Ambassador
Deputy Permanent Representative
Chargé d'affaires a.i.



Annex to the letter dated 1 August 2019 from the Chargé d'affaires a.i. of the Permanent Mission of Pakistan to the United Nations addressed to the Secretary-General

Letter dated 1 August 2019 from the Minister for Foreign Affairs of Pakistan addressed to the Secretary-General

I wish to bring to your attention three interlocking developments relating to Indian-occupied Jammu and Kashmir that are of grave danger to regional peace and security in South Asia.

First, there is the growing scale and seriousness of the human rights situation in Indian-occupied Jammu and Kashmir. The Office of the United Nations High Commissioner for Human Rights (OHCHR) has attested to the gravity of human rights abuses in its second report released in July 2019. This report documents, extensively and independently, the full range of atrocities – killing of civilians, including those in custody, blinding of young Kashmiris, including children, through the use of pellet guns, and the use of rape, torture and enforced disappearances as tools of State suppression.

These gross and systematic violations of human rights are being enabled by India through the continued application of its draconian laws in Indian-occupied Jammu and Kashmir and abetted by a culture of impunity rampant among security forces. The United Nations has a responsibility to speak out against these violations, documented by an independent entity such as OHCHR, and occurring in a territory recognized by the Security Council as disputed.

Second, the pace of Indian firing and shelling across the line of control is picking up again. Not only do these Indian actions violate the ceasefire understanding of 2003 between Pakistan and India, they are causing civilian casualties and leading to heavy damages to civilian infrastructure. Left unaddressed, these unprovoked steps have the potential to escalate the situation in the area, with grave implications for peace and security.

Violations across the line of control have been accompanied by recent Indian media reports highlighting leaked communications from the Indian Home Ministry about the deployment of an additional 10,000 or more paramilitary forces in Indian-occupied Jammu and Kashmir. Indian-occupied Kashmir is already the most militarized zone in the world, with over 700,000 troops deployed for several decades.

Reports of additional forces are corroborated by developments on the ground, including landing of special flights carrying these forces at Srinagar airport and additional companies reaching the Indian-occupied Kashmir Valley by road. So far, no senior Indian government official has publicly denied these media reports or calmed down the situation, lending further credence to these reports.

Reports about the Indian railway authority's decision to purchase and store rations for at least a week's consumption to meet any crisis situation indicate that the security situation in Indian-occupied Jammu and Kashmir is likely to deteriorate further. There is, therefore, a pervasive sense of fear and anxiety among the Kashmiris in Indian-occupied Jammu and Kashmir, which continues to grow in the wake of these developments.

Third, the aforementioned developments tend to validate widespread concerns that India is preparing ground to abolish article 35-A of its Constitution as a first step, followed by the revocation of article 370. Article 35-A defines the residents of Indian-

occupied Jammu and Kashmir and limits subjects like property ownership and State citizenship to the current residents of the area.

Pakistan has consistently opposed any steps that seek to alter the demographic structure of Indian-occupied Jammu and Kashmir since they can materially affect the plebiscite arrangements to be held under the auspices of the United Nations. These Indian moves are also a clear breach of Security Council resolutions on the Jammu and Kashmir dispute, particularly with regard to the realization of the right to self-determination of the Kashmiris. This is an old Indian ploy to which we drew your attention through Pakistan's earlier letter dated 27 April 2017.

Notwithstanding such Indian moves, the relevant Security Council resolutions provide that "the final disposition of the State of Jammu and Kashmir will be made in accordance with the will of the people expressed through the democratic method of a free and impartial plebiscite conducted under the auspices of the United Nations".

In the light of the developments mentioned above, I wish to draw your attention to Security Council resolution 38 (1948), in which the Council calls upon Pakistan and India, "to inform the Council immediately of any material change in the situation which occurs or appears to either of them to be about to occur while the matter is under consideration by the Council, and consult with the Council thereon".

Pakistan is of the view that the steps being taken by India, as outlined above, have the real potential to lead to a further deterioration of the human rights situation in Indian-occupied Jammu and Kashmir as well as carry serious implications for peace and security in South Asia.

I, therefore, urge you and the United Nations to immediately take note of the serious situation, and in this regard urge India: (a) to stop State oppression and human rights abuses; (b) refrain from unprovoked firing across the line of control; and (c) halt any actions that could bring about a material change in the situation on the ground, in violation of Security Council resolutions on Jammu and Kashmir.

I take this opportunity to reiterate Pakistan's call to establish a United Nations fact-finding mission to visit Indian-occupied Jammu and Kashmir to assess the situation on the ground. Pakistan also supports the recommendation of OHCHR to establish a commission of inquiry to investigate the gross human rights violations. Commensurate with the gravity of the evolving situation in Indian-occupied Jammu and Kashmir and to prevent its potential ramifications for the region, I would once again urge you to appoint a United Nations special representative on Jammu and Kashmir.

(Signed) Makhdoom Shah Mahmood **Qureshi**