

# Foreign Minister's letter to the United Nations on the situation in IOK

Placed below is text of the letter addressed by the Foreign Minister to the United Nations Secretary General, Presidents of the United Nations Security Council and United Nations General Assembly on 1 August 2019:

“Excellency,

I wish to bring to your attention three inter-locking developments relating to Indian occupied Jammu and Kashmir (IoK) that entail grave dangers to regional peace and security in South Asia.

First, the growing scale and seriousness of the human rights situation in IoK. The Office of the High Commissioner for Human Rights (OHCHR) has testified to the gravity of human rights abuses in its second report released last month. This latest report documents, extensively and independently, the full range of atrocities- killing of civilians including 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 IoK 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 UN Security Council as disputed.

Second, the pace of Indian firing and shelling across the Line of Control (LoC) is picking up again. Not only 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.

Cross-LoC violations have been accompanied by recent India media reports highlighting leaked communications from the Indian Home Ministry about deployment of additional 10,000 or more paramilitary forces in IoK. The 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 publically denied these media reports or to calm down the situation, lending further credence to these reports.

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

Three, 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 IoK 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 IoK since they can materially affect the plebiscite arrangements to be held under the UN auspices. These Indian moves are also a clear breach of the UN Security Council Resolutions on the Jammu and Kashmir dispute, particularly with regard to realization of the right to self-determination of the Kashmiris. This is an old Indian ploy to which we had drawn your attention through Pakistan's earlier letter dated 27 April 2017.

Excellency,

Notwithstanding such Indian moves, the relevant UN Security Council resolutions provide that "the final disposition of the State of Jammu & 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 light of the developments mentioned above, I wish to draw your attention to United Nations Security Council Resolution 38, which 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 further lead to the deteriorating human rights situation in IoK 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 a) urge India to stall state oppression and stop human rights abuses; b) refrain from unprovoked firing across LoC; and c) halt any actions that could bring about a material change in the situation on ground, in violation of Security Council resolutions on Jammu and Kashmir.

I take this opportunity to reiterate Pakistan's call to establish a UN Fact-Finding Mission to visit IOK to assess the on-ground situation. Pakistan also supports the OHCHR's recommendation for establishment of a Commission of Inquiry to investigate into the gross human rights violations. Commensurate with the gravity of evolving situation in IoK and to prevent its potential ramifications for the region, I would once again urge you to appoint a UN Special Representative on Jammu and Kashmir.

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

Islamabad  
5 August 2019