

**Security Council**

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Letter dated 1 February 2021 from the Permanent Representative of Pakistan to the United Nations addressed to the President of the Security Council

Upon the instructions of my Government, I have the honour to transmit a letter dated 1 February 2021 from the Minister for Foreign Affairs of Pakistan, Makhdoom Shah Mahmood Qureshi, drawing the attention of the Security Council to the recent developments in Indian illegally occupied Jammu and Kashmir (see annex).

I would like to request you to kindly circulate the present letter and its annex as a document of the Security Council in connection with the item entitled “The India-Pakistan question”.

(Signed) Munir Akram
Ambassador and Permanent Representative



Annex to the letter dated 1 February 2021 from the Permanent Representative of Pakistan to the United Nations addressed to the President of the Security Council

The present letter is in continuation of my previous letters of 1, 6, 13 and 26 August, 16 September, 31 October and 12 December 2019, and 9 March, 10 April, 21 May, 1 August, 18 September and 20 November 2020.

Through these letters, I have regularly kept the Security Council informed of the grave situation in Indian illegally occupied Jammu and Kashmir, including India's gross and systematic violations of human rights, India's illegal campaign to colonize the occupied territory by bringing in settlers from outside and its belligerent and hostile actions against Pakistan, which pose a clear and present threat to international peace and security.

It has been over 500 days now since India imposed an inhuman military siege and communications lockdown in Indian illegally occupied Jammu and Kashmir on 5 August 2019 to subvert the implementation of the Security Council resolutions which stipulate the holding of a plebiscite supervised by the United Nations to enable the people of Jammu and Kashmir to decide their own political destiny.

Such unilateral measures are null and void as stipulated in Security Council resolutions [91 \(1951\)](#) and [122 \(1957\)](#).

Similarly, India's attempt to change the demography of the occupied territory, from a Muslim majority to a Hindu majority territory, by permitting settlers from India to usurp the land of the Kashmiris, is a violation of international law, including the Fourth Geneva Convention and also *ultra vires* of the above-mentioned resolutions of the Security Council.

In its latest attempt to give effect to these illegal actions, the Government of India amended the Jammu and Kashmir Local Government Act of 1989 on 16 October 2020 to establish so-called "district development councils" in illegally occupied Jammu and Kashmir. This was followed by farcical "elections" for the local councils from 28 November to 19 December 2020, in which the Rashtriya Swayamsevak Sangh-Bharatiya Janata Party "*kar sevaks*" (volunteers), supported by nearly 25,000 additional Indian troops, unleashed a campaign of fear and intimidation to hold these so-called "elections" and falsely portray "normalcy" in illegally occupied Jammu and Kashmir.

This so-called "political process/elections" in illegally occupied Jammu and Kashmir is another flagrant violation of the Security Council resolutions, which clearly provide that such illegal actions cannot be a substitute for the exercise of the right to self-determination by the people of Jammu and Kashmir through the holding of a plebiscite supervised by the United Nations.

India has deployed an occupation army of 900,000 soldiers in illegally occupied Jammu and Kashmir. They are committing atrocities and State terrorism with impunity in the occupied territory. Innocent Kashmiris, including women and children, are being killed and injured in "fake encounters" and staged "cordon-and-search" operations. Several thousand have been arbitrarily detained. Entire villages have been destroyed in pursuance of a policy of collective punishment. Hundreds of Kashmiri political leaders, including those from the Hurriyat Conference, remain incarcerated in jails in Kashmir and all across India. Thousands of young boys have been kidnapped and disappeared, and hundreds of protestors, including young children, have been blinded by "pellet guns". The reports of the United Nations High Commissioner for Human Rights have extensively documented the gross and

systematic violations of human rights committed with impunity by Indian security forces in illegally occupied Jammu and Kashmir.

The revelation of the extrajudicial killings in Shopian on 18 July 2020 of three young Kashmiris in a staged gun battle, in which weapons were placed on their bodies to portray them as “terrorists”, is only the tip of the iceberg of India’s systematic campaign of extrajudicial killings.

While India attempts to stifle the Kashmiris through this colonial project, it seeks to silence Pakistan through the threat of aggression. It has incessantly violated the ceasefire along the Line of Control. During 2020, India committed over 3,000 violations of the 2003 ceasefire understanding, primarily targeting civilians on the Pakistani side of the Line of Control and the working boundary, resulting in over 276 civilian casualties.

As reported by my Government, in December 2020, there was an alarming incident involving the targeting of a clearly marked vehicle of the United Nations Military Observer Group in India and Pakistan (UNMOGIP). Such targeting threatens the safety and security of United Nations peacekeepers and impedes the fulfilment of their mandate. Pakistan has repeatedly urged the strengthening of the role of UNMOGIP, including by additional deployments, addressing discrepancies in the reporting of ceasefire violations and removing impediments to the movement and access of United Nations peacekeepers. A reinforced UNMOGIP could better observe and report on the situation along the Line of Control in Jammu and Kashmir.

I have previously apprised the Security Council that we have credible information that India was planning to stage a “false-flag” attack to divert attention from its domestic difficulties and create a justification for aggressive action against Pakistan. Our concerns have been vindicated by the recent exposé in India’s own media, which establishes that India’s military action against Pakistan in February 2019 was designed to aid the electoral prospects of the Bharatiya Janata Party in the Lok Sabha elections. This reinforces our suspicion that the Pulwama attack on 14 February 2019 against Indian occupation forces was a “false flag” operation to justify India’s belligerent action against Pakistan on 26 February 2019. The Rashtriya Swayamsevak Sangh-Bharatiya Janata Party ruling regime faces mounting opposition to its policies driven by extremist “Hindutva” ideology. It may well engineer another conflict with Pakistan to retain its grip on power.

In order to prevent Pakistan’s vocal advocacy of the Kashmiri cause, India perpetrates terrorism and subversion against my country. My Government has provided the Secretary-General and the relevant United Nations machinery with a detailed dossier on India’s active planning, promoting, aiding, abetting, financing and execution of terrorist activities against Pakistan. The document contains irrefutable evidence that terrorist outfits, operating from ungoverned spaces across our western border, are being financed and materially supported to launch terrorist attacks in Pakistan. Over the past year, there have been 795 such attacks against our soldiers, civilians and vulnerable targets.

India’s belligerent posture is accompanied by deceit and deception. EU DisinfoLab, an independent non-profit disinformation watchdog, released a report on 9 December 2020 which reveals in graphic detail a web of over 750 media outlets in 116 countries controlled by an Indian front company to spread fake news and false Indian propaganda to malign Pakistan on issues such as terrorism to justify the oppression of the Kashmiris and promote subversion within Pakistan. During a 15-year smear campaign, dead people were resurrected; fake European Union institutions created and used, including to organize a State-managed visit to illegally occupied Jammu and Kashmir; and more than 10 fake non-governmental

organizations were listed at the Human Rights Council and elsewhere to malign Pakistan.

In the light of these developments, the Government of India should be urged to:

- (a) immediately lift the continuing military siege and rescind the illegal and unilateral actions taken since 5 August 2019 in illegally occupied Jammu and Kashmir;
- (b) remove restrictions on communications, movement and peaceful assembly;
- (c) immediately release incarcerated Kashmiri political leaders and allow them to express the wishes of the Kashmiri people;
- (d) free all arbitrarily and illegally detained Kashmiris;
- (e) freeze and reverse the new domicile rules and property laws designed to change the demographic structure of illegally occupied Jammu and Kashmir;
- (f) remove the draconian laws enabling Indian occupation forces to continue human rights violations with impunity, including extrajudicial killings in fake encounters; and
- (g) allow access to the occupied territory to United Nations observers, international human rights and humanitarian organizations, observers and the international media.

Consistent with its responsibilities under the Charter of the United Nations and relevant Security Council resolutions, the Council must remain seized of the situation in Jammu and Kashmir and play its rightful role in averting threats to international peace and security posed by India.

The Security Council must also exercise its legal and moral authority to secure the implementation of its resolutions on Jammu and Kashmir which guarantee the Kashmiris' inalienable right to self-determination.

(Signed) Makhdoom Shah Mahmood **Qureshi**
