

**Security Council**

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**Letter dated 22 February 2019 from the Chargé d'affaires a.i. of  
the Permanent Mission of Afghanistan to the United Nations  
addressed to the President of the Security Council**

On instructions from my Government, I wish to draw your attention to a long-standing issue of grave concern to the Government and people of Afghanistan. This regards the consistent violations of Afghanistan's territory by the military forces of the Government of Pakistan. The nature of these violations mainly includes persistent shelling of Afghan territory, particularly in the districts and villages of Kunar and Nangarhar Provinces, the violation of Afghan airspace by Pakistani military aircraft and the construction of military posts, barbed wire fencing and barriers inside Afghanistan's territory, most recently in the Spin Boldak district of Kandahar Province. Additionally, similar activities have been taking place on the other side of the Durand Line, without consultations with the Government of Afghanistan.

These acts, which constitute a grave breach of the Charter of the United Nations and international law, including international humanitarian law, have led to the death and maiming of scores of innocent Afghan civilians, including women and children, and the destruction of public and private property in civilian populated areas. Even though these violations date back to 2012 and have persisted over the past several years, the scope and frequency of these unlawful and unjustifiable acts have increased dramatically since 2017.

Our expression of concern and call for an immediate end to such activities have been highlighted in numerous statements delivered by Afghanistan during the open debates of the Security Council on the situation in Afghanistan over the past several years.

This matter was also raised by the Government of Afghanistan with the Office of the Secretary-General and the President of the Security Council last year, in the form of verbal briefings, aides-memoires and incident sheets, which outlined all cases of violations since 1 January 2017. His Excellency, the President of the Islamic Republic of Afghanistan, Mohammad Ashraf Ghani, reinforced these concerns in Kabul with the Special Representative of the Secretary-General for Afghanistan, Tadamichi Yamamoto, on several occasions during the past two years.

During the Security Council mission to Afghanistan, a comprehensive presentation on the background and nature of the said violations was presented on 13 of January 2018 by senior officials of the security agencies of the Government of Afghanistan, including the National Security Adviser, the Ministers of Defence and the Interior and the Director General of the National Directorate for Security. A copy



of the recorded incidents between 2012 and 2017, entitled “Durand Line violations: losses and destruction”, was submitted to members of the Security Council during the meeting in Kabul. The document notes that, during this period, at least 28,849 artillery shells had been fired into Afghanistan by Pakistani military forces, which resulted in at least 82 people being killed and 187 severely wounded, as well as the destruction of private and public properties. That presentation was delivered with the hope that necessary action would be taken to adequately address this matter and to bring about an immediate halt to such provocative and illegal acts.

Based on the most recent Government estimates, the number of violations by Pakistan since 1 January 2018 has now increased to approximately 161. These include the firing of approximately 6,025 mortars and artillery shells and the construction of military posts and barriers in the territory of Afghanistan.

From 2012 to 2018, approximately 281 protest letters from the Afghan Foreign Ministry were transmitted to Pakistan’s Foreign Ministry through the Pakistani Embassy in Kabul and the Afghan Embassy in Islamabad. Moreover, Pakistan’s Head of Mission has been summoned by the Afghan Foreign Ministry nine times since 2015.

The then Prime Minister of Pakistan, Shahid Khaqan Abbasi, visited Kabul on 6 April, during which the leaderships of our two countries agreed on seven key principles with a view to finalizing the Afghanistan-Pakistan Action Plan for Peace and Solidarity, which also includes a commitment to “avoid territorial and aerial violations”.

In September 2018, the Foreign Minister of the new Government of Pakistan, Shah Mahmood Qureshi, visited Kabul to reiterate the Government of Pakistan’s expressed commitment to the effective implementation of the Action Plan. Nevertheless, what we have seen is nothing but actions that translate to the continued violation of the Action Plan.

On 14 October 2018, despite repeated objections from Kabul, Pakistani military forces continued their illegal fencing of territory inside Afghanistan, this time in the Spin Boldak district of southern Kandahar Province. The Chief of Police of Kandahar Province, General Abdul Razeq Achekzai, who was leading security measures to prevent the fencing of territory in Spin Boldak district, was assassinated on 18 November. Based on our information, that attack was also planned and perpetrated by elements based in the territory of Pakistan. Our request of the Pakistani Government to apprehend and hand over the culprits of the attacks has not been heeded.

Continuation of this problem has negatively impacted Afghanistan-Pakistan bilateral relations and undermines progress in the areas of counter-terrorism, the peace process, and regional peace and security.

This issue is being brought to the attention of the Security Council, in the light of the continuation of the violations referred to above and in spite of concerted and frequent efforts by the Government of Afghanistan to address it directly with the Government of Pakistan through bilateral, trilateral and other mechanisms over an extended period of time.

The continuation of the status quo has now led us to raise this issue with the Council once again, this time in the form of an official letter. At this point in time, it is our hope and expectation that the Council will initiate necessary measures to address the matter at hand in an effective manner, in accordance with the mandate entrusted to it by the Charter.

I would be grateful if the present letter could be circulated as a document of the Security Council.

(*Signed*) Nazifullah **Salarzai**  
Deputy Permanent Representative  
Chargé d'affaires a.i.

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