

**Security Council**

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Letter dated 5 August 2024 from the Permanent Representative of Pakistan to the United Nations addressed to the President of the Security Council

On the occasion of the fifth anniversary of India's illegal measures of 5 August 2019 to annex Occupied Jammu and Kashmir, I have the honour to transmit a letter dated 5 August 2024 addressed to the President of the Security Council from Senator Mohammad Ishaq Dar, Deputy Prime Minister and Foreign Minister of Pakistan.

It is requested that the enclosed letter be circulated as a document of the Security Council, under the agenda item entitled, "The India-Pakistan question".

(Signed) Munir Akram



Annex to the letter dated 5 August 2024 from the Permanent Representative of Pakistan to the United Nations addressed to the President of the Security Council

1. I am writing to you on the fifth anniversary of India's illegal attempt on 5 August 2019 to annex Occupied Jammu and Kashmir and impose what its leaders have ominously called a "Final Solution" for Kashmir. It is also 76 years since the Security Council decided 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." Unfortunately, the Security Council resolutions have not been implemented for the past seven decades because India has reneged on its commitments to do so and resorted instead to brutal suppression of the fundamental rights of the Kashmiri people, especially their right to self-determination.

2. The developments during the past seven decades, and especially since 5 August 2019, lead to the following six clear conclusions.

3. First, India's illegal occupation of Jammu and Kashmir has led to some of the most egregious violations of human rights of the Kashmiri people. Since 1989, Indian occupation forces have killed over 100,000 Kashmiri men, women and children. Around 20,000 women have been raped by the occupation forces. One prominent case was the massive gang-rape of scores of Kashmiri women and girls in the twin villages of Kunan and Poshpora during the night of 23–24 February 1991. These human rights violations were well documented in the reports issued by the United Nations High Commissioner for Human Rights in 2018 and 2019. Pakistan has also circulated a detailed dossier to the United Nations, with concrete evidence, of over 2,400 crimes committed by named Indian officials in Indian-Occupied Jammu and Kashmir.

4. Since August 2019, India has augmented its occupation army, which now numbers 900,000 troops in the Illegally Occupied Jammu and Kashmir. Over 13,000 young Kashmiri men have been abducted and many of them tortured. Extrajudicial killings, arbitrary arrest of innocent civilians, widespread use of torture, enforced disappearances, rape and sexual violence, denial of freedom of expression and religion, and confiscation of land and natural resources of Kashmiris, have become rampant.

5. Second, India has issued over 4.2 million domicile certificates to non-Kashmiris; seized Kashmir lands and allowed non-Kashmiris to buy real estate and register on electoral rolls. India's attempt to change the demography of Occupied Jammu and Kashmir from a Muslim majority State to a Hindu majority territory violates resolutions 47, 91 and 122 of the Security Council. The campaign to change the demographic and legal status of occupied Jammu and Kashmir also constitutes a flagrant violation of the Fourth Geneva Convention and international humanitarian law and amounts to war crimes.

6. Third, despite its massive repression, India will be unable to suppress the quest of the Kashmiri people for freedom and self-determination. India's illegal actions of 5 August 2019 were accompanied by the additional deployment of 180,000 paramilitary troops; a massive military clampdown in the occupied territory; a communication blackout, including shutdown of internet and telephone services, and an excruciating and extended curfew in occupied Jammu and Kashmir, turning the territory into world's biggest open-air prison. All the pro-freedom Hurriyat leaders, the genuine voice of Kashmiri people, remain incarcerated for over a decade. Several have died in suspicious circumstances in Indian custody. Mr. Yaseen Malik, leader of the All Parties Hurriyat Conference, who was awarded a life

sentence for a fabricated terror financing case, is now facing an Indian demand for the death penalty. Yet, Kashmiri leaders and Kashmiris from all walks of life and across the political spectrum continue to demand their fundamental rights and the reversal of the unilateral and illegal measures announced by India on 5 August 2019.

7. Fourth, the Kashmir dispute poses a clear threat to international peace and security. On 26 February 2019, Indian aircraft bombed Pakistani territory. This could have led to a full-scale war between two nuclear powers were it not for Pakistan's measured military response and restraint. India's armed forces have adopted dangerous doctrines, such as "Cold Start", envisaging a surprise attack against Pakistan. They also envisage fighting a "limited war under the nuclear overhang". The Indian Foreign Minister has made statements laying claim to Pakistan-administered Jammu and Kashmir. The Defence Minister of India has threatened to "take over" this territory by force. The Indian Army Chief has threatened to cross the Line of Control. In the face of these threats, Pakistan has exercised restraint. But, we will respond with all our capabilities in response to Indian aggression.

8. Fifth, India's military assets are deployed mostly against Pakistan. India's ongoing massive arms acquisitions, besides precipitating a regional arms race, may embolden New Delhi to commit another military aggression against Pakistan. India must be persuaded to halt its military build-up and accept Pakistan's proposal for a reciprocal "strategic restraint regime".

9. Lastly, the international community cannot continue to ignore the critical threat to peace and security in South Asia. The Security Council must take cognizance of the situation and promote an effective and peaceful resolution to the Kashmir dispute, in accordance with the resolutions of the Security Council and the wishes of the Kashmiri people. Without the resolution of the Kashmir dispute there will be no durable peace in South Asia.

(Signed) Mohammad Ishaq **Dar**
