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**TOPIC: EFFICACY OF SECURITY AND CONFIDENCE BUILDING
MEASURES BETWEEN INDIA AND PAKISTAN**

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IV SEMESTER

DECEMBER 1996

EFFICACY OF SECURITY AND CONFIDENCE BUILDING

MEASURES IN INDIA AND PAKISTAN

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INTRODUCTION

India and Pakistan have lived as hostile neighbours for the past 49 years. The two countries have gone to war thrice during this period and have numerous unresolved disputes, are economically and politically unstable and lack a viable security order. The government of both countries find it difficult to arrive at some kind of understanding because of suspicion and mistrust that exist among their people. Unresolved conflicts and institutionalisation of negative feelings against each other also seem to justify the threat of yet another war¹.

However the end of cold war and the collapse of the former Soviet Union have made both parties re-examine their options. The continuing conflicts creates some reluctance for foreigners to invest in either country. Both countries, among the poorest in the world are spending billions of rupees from their very scarce resources on defence at the expense of their areas of human development. This region is lagging behind the rest of the world in terms of regional co-operation partly because of Indo-Pak conflict. The bitter and continuing conflict between India and Pakistan tarnishes their standing in the world which sees them as constantly interfering in each others affairs, accusing the other of violations of human rights and damaging their images in general. With the advent of nuclear weapons, any war fought now will have devastating effects on the population and territory of the sub-continent. Therefore it is necessary to take rational steps not only to maintain the state of uneasy peace between the two but to avoid war totally. Confidence building measures (CBM's) have been put forward as one option to attain this.

History shows that measures of this kind have existed in some form or the other after independence, but they have been of a low profile. Pakistan and India succeeded in resolving some of their most complicated disputes like the distribution of rivers water by signing the "Indus Water Treaty" in 1960. The fact that armies on both sides returned to peace time positions after 1971 and war prisoners of war were well treated shows that there may still be hope².

However, proper steps have not been taken in the direction of CBM's. India and Pakistan have given priority to military CMS's while undermining the significance of Non-Military. CBM's and each side wants to have peace essentially on its own terms. The only way out from the existing tension and impasse lies in adopting realistic and pragmatic CBM's implemented in the true sense.

The aim of this paper is to discuss, examine and analyse the efficacy of security and confidence building measures in India and Pakistan. I have discussed the factors that effect the positive outcomes of CBM's and have also made recommendation which could lead to the buildings of healthy environment between the two countries. In the end, I have discussed the prospects of future development and how these could be handled so that the deep-rooted mistrust and suspicious between the two countries does not play a dominant role in further deteriorating the situation.

CONCEPTUAL FRAMEWORK:

Confidence Building measures (CBM's) are defined in both military and Non-Military terms.

Micheal Krepon defines CBM's "As any step that decreases the tension"³

For Richard E. Darileck

"The objectives vary in degree, from preserving peace at one extreme to terminating a war that might breakout at the opposite end of spectrum. At a minimum, this would imply on the ability to control the escalation of the crises so as to preclude any unintended affects. A further objective might be to avoid the outbreak of war by creating firebreaks that attempts ^{to} guarantee at least a pause before hostility begins"⁴

Theoretically, CBM's provide a mechanism not only for war-avoidance and conflict management but also help to promote economic, political, social, cultural and other types of co-operation between hostile states and groups⁵.

CBM's are divided into two main categories i.e., Military CBM's and Non-Military CBM's. Measures related to military affairs like de-escalation of tension, war-avoidance etc. fall under the category of security and confidence building measures CBM's. Non-Military CBM's involve non-security steps taken for normalisation particularly in political, economic and social-cultural fields⁶. The reasons that CBM's seem attractive are:

- a) They are flexible instruments that allow national leaders to adapt to the changing security environment.
- b) In a chaotic political environment, they are easier to negotiate and implement than formal arms control measures.
- c) CBM's can be utilised as strengthening measures for multilateral accords already negotiated.
- d) There're multiple purposes they serve such as:
 - (i) Inregions of high tension, provide cooling off period to allow for more intense diplomatic efforts or more opportunity lines.

- (ii) In regions where political trendlines are positive, more substantive measure can be added to provide a cushion against negative developments.
- (iii) In regions where much co-operation already exists, CBM's can serve to institutionalise developments⁷.

Military CBM's fall into three main categories:

a) Transparency Measures:

These measures provide for sharing of information on the size, shape and movement of armed forces and reduce the chances of surprise attack.

b) Communication Measures:

Under these measures the most effective arrangement the "hot line" is designed to lower the risk of accidental war.

c) Constraint Measures:

These measures include the regulation of various military activities and to limit peace-time manoeuvres that could be viewed as threatening by an adversary⁸.

What we now identify as CBM's probably owe their origins, at least in part to the European military practice of inviting observers from various states to military exercises, which dates back to the years prior to worldwar I, if not much earlier. Similar measures emerged later in the context of the Versailles Treaty's attempt to control a defeated Germany. Among other things, this treaty provided for demilitarization of the Rhineland and on site inspection announced six days in advance⁹.

A recent example of CBM's was exhibited in Cold War Europe in resolution of East-West Conflict (Helsinki Model). The evolution of European CBM's can be roughly divided into these phases. Important "precursors" to Helsinki CBM's included a series of bilateral arrangements between the United States and the Soviet Union, whose primary purpose was to create more reliable communication channels for the exchange of information. The second phase introduced a package of multilateral, mostly voluntary CBM's. The final stage marks a

significant turning point in the development of CBM's. The notification, observation and access provisions represented significant steps towards greater military significance, verifiability and formal political commitments¹⁰.

However, the European experience should not be merely transported to other regions, a pragmatic approach to regional confidence building could begin by considering the roots of conflict and the potential sources of accommodation and then craft a confidence building strategy appropriate to the conflict. At best, the model should be taken as a general guideline and suggest steps to be applied in a particular situation true to its particular security environment.¹¹

In Indo-Pakistan context, a package of tools pairing CBM's with political, economic or environmental CBM's might be more suitable. If military CBM's are implemented in isolation, animosity and mistrust may effectively "short circuit", the confidence building process. Infact success in the adoption of CBM's in the military field is linked to the outcome of CBM's practised in the Non-Military field. Over-emphasis on either military or Non-Military CBM's may be counterproductive and vitiate efforts made for peace and security in a particular area.

HISTORY OF INDO-PAK CBM'S

The history of CBM's in Indo-Pak relations can be divided into three sections i.e., Military (non-nuclear), Military (nuclear) and Non-Military CBM's.

MILITARY CBM's (NON-NUCLEAR)

The former Indian Minister V.P. Singh said on 7th September, 1992:

“Despite the serious problems between India and Pakistan which have not allowed them to develop friendly relations, the two neighbours are being forced by the changing political scenario and compelling economic needs to resolve their differences. Confrontation would lead us nowhere. We cannot offer war because it would only bring destruction and misery for our people”¹².

Both India and Pakistan made statements and proposals with an avowed interest in maintaining peace. The list of proposals included a “No-war Pact” between the regional adversaries (proposed by Jawaharlal Nehru in 1949), and “Joint Defence of the sub-continent” (suggested by Pakistan)¹³. In the “Tashkent Agreement” concluded after 1965 war, India and Pakistan agreed not to use force to settle the Kashmir issue, but it put-off the basic disputes for future negotiation¹⁴. After 1971 war, they established a “Hot-Line” between their Director Generals of Military Operations (DGMO's)¹⁵. In 1972, at Simla they agreed to respect the Line of Control (LOC) in Kashmir resulting from the cease fire and not to alter the situation unilaterally¹⁶. 1972 also saw an offer by the then Prime Minister of Pakistan Z.A. Bhutto to India of a “Mutual Balance of Forces Reduction”. It was rejected by India citing the threat from China¹⁷.

In 1981, General Zia proposed a “No-war Pact” with India. India responded positively and in turn, proposed draft for a “Treaty of Peace, friendship and co-operation”¹⁸. After protracted negotiations, it was agreed in May 1984 to integrate the two drafts.

From 1984 - 1989, the relationship between the two countries were so cordial that it could be called the “Twilight period”¹⁹. The Kashmir issue was for the time being placed on the back burner. At the same time, though there were a number of crises, the Siachen glacier

problem, Sikh up rising in Punjab (India blaming Pakistan for supporting them), and the construction of Wullar Barrage. However, these problems were handled quiet properly.

The relations continued to improve when Benazir Bhitto came into power in 1988. In July 1989, Indian Prime Minister Rajy Ghandi visited Pakistan which was the first ever visit by an Indian head of government to Pakistan.

While there was hope of improvement in Pak-India relations, the situation in Jammu and Kashmir was heading towards denouncement. The crackdown in occupied Kashmir was accompanied by a vigorous campaign portraying the anti-India uprising as Pakistan inspired.

By 1990, there was a great threat of war which prompted the U.S. Government to under-take a major highly visible initiative. Mr. Robert Gates visited Pakistan and India as "Special Presidential Envoy" to diffuse the tension ²⁰.

As both countries have large standing armies which frequently conduct exercises, the need for an effective measure of transparency in regard to these exercises should have been evident given the conflictual nature of their relationship. However, the subject was given more impetus by the events of October, 1986 when India disclosed plans for holding the largest war exercixe in its history, code name "Brass Tacks". It was reported that a total of 50,000 troops belonging to Indian army, navy and airforce will take part in the exercises in the Sindh-Rajastan and Punjab sectors. Pakistan reacted by developing its troops on these borders ²¹. After negotiations, on Feburary 4, 1987, an agreement was finally reached on "De-escalation of tension" through several measures, especially the establishment of "Hot Line" communication Between Chiefs of Army to prevent misperceptions, hasty reactions and unfortunate incidents at a time when larger number of forces have been deployed on the two sides of the border ²².

The emphasis on military CBM's has increased further in subsequent years. The impetus was provided when the Kashmir issue resurfaced and increased the possibility of the conflict escalating to a nuclear level. Washington intensified its efforts to promote the idea of

CBM's in this region. These efforts resulted in a series of agreements between India and Pakistan. On 6th April, 1991, the two states agreed not to violate each others airspace, to provide advance notification of air exercises and to follow agreed procedures for military flights within five to 10 km. of border. Another agreement concluded on the same day provides for advanced notification of certain exercises in specific areas.²³ However, it is believed that the two sides do not always believe the nature of troop movements notified by the other side. Nor do they see the information as removing the possibility of misreading the intentions of the other state. Instead, such information prompts the other side to mobilise its troops as well.²⁴

The "Joint Declaration on Complete Prohibition of Chemical Weapons" was signed between India and Pakistan on 19th August, 1992.²⁵ This agreement is significant since it eliminates an entire class of weapons from potential use and it may be even more significant if it serves as a first step in re-orienting the bilateral relationship.²⁶

If one takes a look at the agreement in force between India and Pakistan, they are mostly of the nature of conflict avoidance, of preventing war from taking place. Even they are not followed in the true spirit, because of the mistrust and suspicion prevalent between the two states since the very beginning.

MILITARY CBM's (NUCLEAR)

There was no significant interaction between India and Pakistan in the nuclear field until the 1974 Indian nuclear test. Pakistan entered the nuclear field much later and its program is still much smaller and limited compared with that of India.²⁷

India's nuclear explosion of 1974 not only dramatically altered the International nuclear climate but also strengthened domestic public opinion in Pakistan clamouring for a matching response to India's challenge.²⁸

It was after 1974 that Pakistan reportedly sought security guarantees from the US and Soviet Union and also introduced for the first time a resolution in the UN General Assembly for the declaration of South Asia as a "Nuclear Weapon Free Zone" (NWFZ).²⁹ Since then, Pakistan

had repeated this proposal at regular intervals. India remained opposed to the proposal on the basis that it should not come from the UN but from the countries of the region.³⁰ Since then, Pakistan has from time to time advanced a number of proposals, all seeking to banish nuclear weapons from South Asia. Some of the proposals are:

- (a) Simultaneous accession to NPT by India and Pakistan
- (b) Simultaneous acceptance of IAEA safeguards.
- (c) Mutual inspection of each other's nuclear facilities.
- (d) Joint declaration renouncing the acquisition or development of nuclear weapons.
- (e) Regional Test Ban Treaty to ban all tests.
- (f) The June 1991 proposal to convene a conference on Nuclear non-proliferation in South Asia, attended by Russia, China and US.³¹

All these proposals seek to advance the goal of NWFZ in South Asia, an objective repeatedly spurned by India on the grounds that "proliferation is a global rather than regional threat", which has started losing significance by China's offer of "no first use of nuclear weapons" and by a number of CBM's signed between the two.³²

In 1987, India rejected Prime Minister Junejo's proposal for a "Regional Test Ban Treaty", citing the threat from China.³³ Responding to this objection, Pakistan proposed a "Five Power conference" in June, 1991, which also included China, Russia and USA.³⁴ It was a comprehensive proposal that took into account the entire spectrum of nuclear threats to India and met the requirement of Pakistan's South Asian NWFZ proposal. The Indian government responded negatively and considered the proposal nothing but a propaganda exercise. As a result, Pakistan proposed new arms control formula in April, 1994, which included extra regional powers such as Germany and Japan.³⁵ India has not shown any positive response to this offer either. India, which has always put forward the global argument on nuclear issues, was paradoxically unwilling to consider this proposal in the global context.³⁶ Most of the CBM's initiated since the mid-1980's by India, can be listed as follows:³⁷

- (a) India and Pakistan, irrespective of the outside world, to sign their own comprehensive test ban treaty which would include a cut off treaty for fissile material as well as a treaty for No First Use (NFU) of nuclear weapons against each other.
- (b) Both countries to open up their nuclear facilities (Brazil and Argentina) to nuclear scientists and experts (including non-governmental ones) for nuclear inspection and to verify nuclear material holdings.
- (c) Non attack on each other's nuclear installations by exchanging authentic information and comprehensive lists (1985).
- (d) Bilateral agreement not to attack each other's population centers and economic targets.
- (e) Not to test-fly missiles for 2-3 years and also start working towards a flight test ban treaty.
- (f) Stop nuclear and military collaboration with all external powers, including surveillances, third party support, joint exercises or deployment.
- (g) Broaden the above process by including China and establishing a non-discriminatory NWFZ in South Asia.

*Nuclear
Diplomacy*

India has made a proposal to Pakistan of No First Use (NFU) of nuclear weapons and has also offered to pledge never to attack Pakistani Population and industrial areas.³⁸ Pakistan has rejected this proposal because it would mean acknowledging the possession of nuclear weapons, Pakistan knows that it cannot win a controversial war with India and nuclear weapons serve as an option for defence. Moreover, it does not make sense for India to insist on this agreement with Pakistan because China has affirmed that it would not be the first to use nuclear weapons against any nuclear or non-nuclear country.³⁹

On the question of "Fissile Material cut-off convention", a major aspect of verification problem is how to account for all the existing Indian and Pakistani inventories of fissile material. It is possible to conceal some of the uranium, plutonium and tritium they may be

possessing. There are no adequate technical means to detect cheating. Moreover, the production cut-off may eliminate the possibility of arms race but this definitely leaves the problem of accounting for what already has been produced.⁴⁰

The only redeeming factor in the context is the signing, ratification and implementation of the agreement wherein both countries pledged not to attack each others nuclear installations.⁴¹ Even in this respect, progress can be judged from the fact that it was agreed upon in principle by President Zia and Prime Minister Rajiv Gandhi in 1985, but could not be signed until December 1988. It was ratified in 1991 and its implementation by way of exchanging of lists detailing the location nuclear facilities in each country took place as late as January 1992 and even those were challenged by the other country as incomplete.⁴²

All in all, it seems that Pakistan has been more reasonable and forthcoming in subscribing to the security and confidence building measures. Pakistan's nuclear efforts have a purely South Asian character and have emanated solely as a reaction to India's nuclear activities.⁴³ Confidence Building is unavoidable when two adversaries acquire nuclear capabilities. there is always the danger of accidental nuclear exchange through misperception and miscalculation. CBM's can also lead to mutual force reduction in conventional forces as well as help forestall misperceptions and miscalculations in respect of conventional warfare. It is risky for two nuclear capable powers to be embroiled even in a conventional war.

NON MILITARY CBM's

India and Pakistan have been engaged in confidence building exercises since their independence in 1947. Initially these measures remained predominantly declaratory, general, Non-Military and political in nature. The two sides signed agreements on a variety of issues including commerce and trade, transportation and communication, demarcation of borders and rights of minorities and protection of places of worship.

Significantly, India and Pakistan concluded the 1960 "Indus Water Treaty" aimed at sharing the waters of Indus Basin.⁴⁴ Not only did they agree upon a transitional period after which the division of water resources was to be finalized, but they also set up an "Indo-Pakistan Permanent commission" with the provision of arbitration of disputes.

In 1978, Pakistan which had objected to India building a water storage dam on the Cherub river in Jammu and Kashmir, agreed to allow India to lower the height of the dam and use it for power-generation.⁴⁵

An "Indo-Pakistan Joint Commission" was established in 1982 to strengthen good neighbourly relations and facilitate dialogue on a range of issues including trade, tourism and communication.⁴⁶ Six years later, the two states agreed to end "double taxation" for each other's airline. Other such measures included issuance of double entry transit visas on their respective railways and installation of coaxial cable between Amritsar and Lahore.

In 1985, formation of "South Asian Association of Regional Cooperation" (SAARC) made it possible for leaders to meet regularly and discuss matters of bilateral and regional importance at the highest level, without the pressure of a summit. However, its importance was undermined because of the suspicions of the two about each other. In December 1988, Pakistan and India signed a three year "Cultural Exchange Program" to increase cooperation in education, art, culture and sports, exchange of newspapers and periodicals, participation in each others festivals and to see that there was no misinterpretation of facts about each other's countries in text books.⁴⁷ This agreement achieved only limited success.

In August 1992, Pakistan and India signed an agreement regarding a "Code of Conduct on treatment of each other's diplomats". During the two years following the signing of the agreement, however, both India and Pakistan have continued to harass diplomats from across the border. There have been allegations of physical violence against diplomatic counsellor staff and they have even expelled each other's diplomats.⁴⁸

All in all, no significant break through has been achieved to normalize relations by the governments, although some initiatives from the non-governmental side are being taken. The center for Policy Research in New Delhi has initiated a regional dialogue between intellectuals of the two sides. More significant is the "Neemrana Group" which is an on-going forum of retired civil, military officials and intellectuals of both countries to discuss Indo-Pak relation and possible CBMs.⁴⁹ It was originally started by United States Information Service (USIS) offices in New Delhi and Islamabad. Later, Indian and Pakistani participants took over the forum and it is now called "Trash II Diplomacy". Some of its meetings and conferences held in India and Pakistan to seek normalisation in relations, have been able to dilute the level of hatred and mistrust on both sides.⁵⁰

On 25th April, 1990, "Academics for Peace in South Asia" passed a resolution in New Delhi that states, "the unity of the people of South Asia makes conciliation rather than confrontation the natural inclination of the people of this region regardless of natural boundaries."⁵¹

On 9th September 1991, a seminar sponsored by the participants of "Afro Asian People Solidarity" was held in Lahore. The seminar called for a new regional order for SAARC countries through closed political and economic cooperation.⁵²

On 31st January 1993, a number of Pakistani journalists, intellectuals and politicians called for a peaceful solution of all major conflicts to pave the way for peace and tranquillity.⁵³

It would be unrealistic to expect miracles from people to people dialogue. In adverse relations, the mere holding of such a dialogue is a big achievement however, and proves that there is always a possibility of a break through. Although no substitute for government to government negotiations, it can be useful for generating ideas which could be picked up later by the two governments.

RECENT INITIATIVES

Despite continuing clashes between militants and security forces and numerous strikes in the Kashmir valley, the results of recent Indian parliamentary elections in May 1996 and conciliatory gestures by Pakistani Prime Minister Bhutto and Indian Prime Minister H. D. Deve Gowda have raised the prospects of the renewal of senior-level dialogue between India and Pakistan. Some of the proposals that seem to indicate that both sides are taking positive steps forward are given below:

AN OFFER FOR NEW “HIGH-LEVEL” TALKS

Indian Prime Minister H. D. Deve Gowda made an offer to Pakistan via a letter in June 1996 for foreign secretary talks in response to a call for a dialogue made by Pakistani Prime Minister Bhutto the same month.⁵⁴ Informally, Pakistan has accepted the offer and it is hoped that talks can soon get under way. Initial Pakistan concerns that Kashmir not to be excluded have been addressed by India, which has indicated that it is willing to discuss a range of issues on Kashmir.

UNILATERAL STEPS

As part of the foreign secretary level talks offer, New Delhi announced a series of unilateral steps. First, it suggested a large number of journalists to be posted in both India and Pakistan. Second, it extended an invitation to a Pakistani parliamentary delegation to visit India. Third, New Delhi proposed increasing the strength of its consular staff at its High Commission in Islamabad for expediting visa procedures.⁵⁵ Pakistan has not yet given any positive response to these proposals.

FACTORS AFFECTING POSITIVE OUTCOME

Mr. Riaz Khokar, Pakistan's High Commissioner in New Delhi said in an interview to the "Statesman",

"If India and Pakistan don't get along, South Asia will always remain what it is, a region that hasn't taken off."⁵⁶

If CBMs are viewed primarily as a means of avoiding war, it could be argued that these measure have contributed to preventing full scale conflict between India and Pakistan during the last few years. On the other hand, if the concept is defined in terms of enabling the two parties to move from a condition of mutual hostility to one of reduced hostility and accomodation, it can be argued that these CBM's have not succeeded. While both sides have pursued declaration policies of preventing crises, there actions perpetuate a series of low level mini-crisis, that are not conducive to real peace. Effectively, India and Pakistan remained trapped in a relationship of mutual hostility.

Mr. Moonis Ahmar has given the following requirements for CBM's to work effectively for India and Pakistan.⁵⁷

- (a) Relations based on equality, non-interference and non-intervention in each other's internal affairs.
- (b) The parties involved in CBM's should encourage dialouge on governmental and non-governmental levels. Here private diplomacy or informal talks among crossections of people in India and Pakistan should be promoted. This is important because as a result of people to people interaction, the level of trust and confidence could be established.
- (c) Negotiations, talks r dialogue, on CBM's should be above the level of mistrust and suspicions.

Moonis Ahmar

- (d) The two countries should begin with small issues or items that can be easily resolved. Such an exercise will help accentuate confidence and enhance goodwill in the sub-continent.
- (e) There should be a consensus in cooperation, especially on common areas of collaboration. Conflicting matters should be kept aside as these could impede the process of normalisation.
- (f) Cessation of propaganda campaign against each other. Reciprocal steps should be taken to de-escalate tension and such steps should be well-publicized so that at the non-governmental level the tactics of anti-governmental, anti-cooperation lobbies could be countered. For eliminating a sense of mistrust, suspicion and hatred against each other, it will be essential to remove all such matter from academic syllabi of the two countries, which indoctrinates the minds of younger generation of India and Pakistan against each other. Nevertheless, serious attempts at all levels should be made to encourage positive thinking for each other, particularly in the educated class.
- (g) Practical demonstration of good-will and harmony from both sides. This is very essential so that the two sides could feel secure from each other and dispel fears of domination and intervention.
- (h) As a big neighbour, India must adopt the policy of magnanimity vis-à-vis small and medium level neighbours. Such a policy may help establish mutual trust and harmony at all levels.

Many of these requirements are lacking in the situation prevalent in South Asia today. As far as non-interference in each other's internal affairs is concerned, both parties claim that the other is not adhering to it. India cites Pakistan given support to the guerrilla movements in Kashmir and Eastern Punjab. Pakistan blames India for creating disturbances in Sindh. India is

also blamed for carrying out hegemonic designs for South Asia. CBM's cannot be carried out in good faith as long as these claims and counter-claims remain.

The second, third, fourth and fifth requirement deal with the need of dialogue. Here again, both sides blame the other for not cooperating. In such an atmosphere, people and other policy makers who are interested in getting together with their counter parts across the border are treated with great suspicion by both the governments. Then even when these non-governmental actors get together, they are biased regarding certain core issues like Kashmir, nuclear proliferation etc. Therefore, these topics should be avoided for the time being. However, both parties should realise that a problem exists and they are the ones who are going to resolve it. Both India and Pakistan should realise that mistrust should be dispelled for developing good relations.

The sixth requirement deals with the cessation of propaganda campaign. Here too, both sides are not forthcoming. The media plays a negative role in this respect and both countries blame each other of mistreatment of ethnic and religious minorities in their states.

There are no practical demonstrations of goodwill or harmony either. Finally, the two do not agree on the final requirement of India adopting a policy of magnanimity towards its neighbours. India rejects charges of domination, whereas Pakistan believes that India, as the biggest country in the region, should give concessions to its neighbours. Inspire of all efforts, the relations between the two countries have not improved significantly. This is because of the following factors:

Firstly, the major hurdle is the Kashmir issue. Both India and Pakistan asset that their stand on Kashmir issue is right and they cant go for a compromise. The Kashmir dispute has already cost India and Pakistan two major wars; is a major source of irritant in their existing ties and can lead to the outbreak of hostilities between the two neoghbour⁵⁸. Other unresolved conflicts like Siachin issue, Wullar Barrage issue etc. are also contributing to the strained relations.⁵⁹

Secondly, India and Pakistan see the interpretation of any war-avoidance measures differently.⁶⁰ India believes that if one takes care of the smaller problems, the bigger problems will take care of themselves. Pakistan is not interested in peripheral issues, but is interested in result oriented dialogue for solution of major issues.

Thirdly, the media and communication policies between the two countries are not forthcoming. India and Pakistan have not encouraged an orientation towards cooperation. On the other hand, both governments have worked in a manner which often prolongs and reinforces climate of mistrust.⁶¹ The print and electronic media gives much coverage to negative propaganda against the other country.

Finally, both countries lack political will to execute friendly relationship or to make Caucasians as they fear a back lash from certain sections of the society, e.g. religious parties may not enjoy very strong representation in the parliament but they do enjoy access to the people. These religious forces do influence the political leadership of the country, sometimes in a very effective manner.

Proper awareness among the people of India and Pakistan for conflict resolution and removal of mutual suspicion has not yet been created. Extremist elements from both sides have taken advantage of ignorance, unresolved conflicts, hostile propaganda against each other and historical events for sustaining the level of confrontation between India and Pakistan.⁶²

RECOMMENDATIONS

There are many security and confidence building measures that may offer meaningful success in easing tensions and preventing the escalation of future crisis. Some of these could be:

VERIFICATION COMPLIANCE

The problems of non-compliance with the existing measure have led both sides to question the need for the efficacy of additional CBM's. For this reason, regular consultations to discuss problems as they arise and to discuss broader verification and compliance issues in a routine fashion, rather than in a crisis atmosphere should be initiated as soon as possible. Initially, each side's National Technical Means (NTM) capabilities will be used to verify compliance but due to economic and human resources limitations, some type of outside assistance as means of enhancing local capability may be considered.

FREEZING OR REDUCING LEVEL OF FORCES

As immediate reduction of armed forces by any side may not be possible, a freezing of the existing levels can be attempted. Later, there could be a balanced reduction of forces without lowering guard. By maintaining the present ratio, they could opt for the same level of security at less cost without jeopardising any party's feeling of security.

INSTITUTIONALISATION OF HOT LINE

The hot line between DGMO's of India and Pakistan should be modernised through fax or satellite communication and to use that channel effectively for reviewing the border situation, especially in Punjab and Kashmir.

BORDER PATROLS MANNED BY TROOPS FROM BOTH SIDES

In addition to making the area more secure, such a measure would make it more difficult for either country to aid terrorist groups on either side.

REDUCTION IN DEFENCE EXPENDITURE

Both countries should agree to freeze their respective defence budgets at the current levels for next five to ten years, which taking into account the annual inflation rate would actually mean a gradual reduction in real terms.

REGULAR EXCHANGE OF MILITARY PERSONAL

Regular exchange of visits by military officers at all levels may assist the process of developing mutual understanding and even trust. A re-establishment of military to military contacts with the eventual aim routinizing such meetings and even sending junior and mid-level officers on exchange to professional military schools could go to reduce tensions between the militaries.

NOTIFICATION OF MILITARY ACCIDENTS

Procedures for India and Pakistan to notify serious military accidents and to provide additional details as these become available, could help to lessen public speculation that either side had engaged in sabotage against each other.

HALTING THE MISSILE RACE

As a first step to forestall the destabilising potential of both short and intermediate range ballistic missiles, both countries can pledge non-deployment of these missiles. After this, agreements banning the production of these missiles but permitting the production of space launched vehicles could be made.

already deployed

PEACEFUL USES OF NUCLEAR ENERGY

Nuclear scientists of both countries could interact in order to find means for cooperation in peaceful uses of nuclear energy, viz. -agriculture, engineering and medicine.

NON MILITARY CBM'S

India and Pakistan have given priority to military oriented CBM's as an attempt to avoid war. But the two countries have undermined the importance of Non-Military CBM's. There is a need to maintain balance between military and Non-Military CBM's in order to remove mistrust and suspicions. The Non-Military CBM's that could be adopted are as follows:

HOT-LINE FOR POLITICAL LEADERSHIP

Political leaders have a very influential effect on the perception of the masses. Establishment of hot-lines will enable them to exchange views and information with each other and may lead to flexible response.

TRACK-II DIPLOMACY

In recent years, Track-II diplomacy has gained tremendous ground in South Asia as an institutionalised fora, which brings together elites of the two countries to discuss and encourage normalisation process. For a real confidence to be built, the non-governmental interaction must extend to the masses as well.

SIMPLIFY TRAVEL FACILITIES

India and Pakistan need to liberalise and simplify travel formalities for visitors across the border. This does not mean removing visa requirements or eliminating all restrictions. Instead, it means easing formalities and thereby encouraging non-governmental interaction in certain agreed areas of both countries.

ROLE OF EDUCATION AND MEDIA

If the information or sampling made available to the minds of the public and elites is changed and if suggestions are made about looking at a situation differently, the hostile images in the minds of the people will change as well. This would require a more balanced account of history and the present reality at all levels of education. It would also require a considered decision by the media to ensure fair news coverage of both Indian and Pakistani issues.

STUDENTS EXCHANGE PROGRAMME

Student exchange programme should be encouraged at the school level. The participants could be chosen from selected schools to meet in India or Pakistan for a period of two to four weeks. This period could provide them a fertile foundation for a positive outlook.

ENCOURAGE TRADE

Promotion of trade between India and Pakistan would not only benefit their economies but would also result in improving ties. The fear of much larger Indian economy overwhelming the markets of Pakistan could be taken care of by the exchange of equal volume of commodities. If this gives encouraging results, then subsequently, market forces of demand and supply could be allowed to shape the pattern of trade.

COOPERATION BETWEEN WOMEN'S ORGANIZATIONS

Cooperative ventures and interactions between women's organizations can provide another venue for confidence building. It would be beneficial to first start such joint programmes in rural areas given the similarity of problems faced by the women in rural areas in both countries. Such programmes could not only help NGO's to find avenues for rural development but also bring people closer by demonstrating the value of cooperation, thus leading to confidence building between the two countries.

OTHER AREAS OF COOPERATION

There is so much scope for technical cooperation between the two countries. There is so much they can learn from each other in successful policies and projects, new and effective agricultural technology and in credit schemes for small farmers. Other areas of cooperation include environment issue, dissemination of information about AIDS and population control. All this would contribute to weaken the domestic obstacle that prevent India and Pakistan from approaching core-issues in a cooperative manner.

CONCLUSION

There are three possible outcomes with regard to the existing level of tension between the two countries:

1. Maintenance of the statusquo, i.e. the propaganda campaign will continue and each country will persist in charging the other with intervention in their internal affairs. It means sustaining a “no war and no peace situation”.
2. The situation may take an alarming turn for the worse if border tension escalates and existing CBM's in the military fields may collapse. Such an eventuality will lead to the outbreak of another war.
3. It is possible that, as a result of official and non-official diplomatic endeavours, Indo-Pak tension may be diffused and the two countries may decide to settle their outstanding disputes through negotiations.

In conclusion all one can say is that both sides should realise that a problem exists and they should strive to resolve it. The need of the hour is of a bold leadership, which should be willing to resolve the atmosphere of conflict. It is only then that the coming generations will be able to live in a conflict free environment. Without the solution of the Kashmir issue, it would be virtually impossible to erect a durable edifice of constructive tension free relations.

The real route to Confidence Building lies in encouraging people to people interaction. The public of both countries has to be made aware of the need of dialogue in their respective countries. Break through on vital question of nuclear and missile proliferation is also critically important.

The need is to implement CBM's at both military and non-military levels, particularly in economic and political fields. Conclusively, CBM is an institutional process which requires patience, preserverence and persistence. If concrete steps are taken by both sides, the sub-continent may see peace some day. That day may not be in the near future, but atleast the two can take a step today.

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AGREEMENTS AND CONFIDENCE BUILDING MEASURES BETWEEN INDIA AND PAKISTAN AND THEIR STATUS

1948

April 1948 Calcutta Agreement

December 14, 1948 Accord

Description: This Indian-Pakistani accord on post-partition relations had a special emphasis on discouraging propaganda. On 8 April 1950, Jawaharlal Nehru and Liaquat Ali Khan agreed to extend this accord.

Remarks: Given India's alleged support for separatism in Pakistan's Sindh province and Pakistan's alleged support for similar movements in Punjab and Jammu and Kashmir, the accords are now dead. Efforts to control hostile propaganda have often been repeated since this accord, (e.g., Article 4, Tashkent Agreement), but there appears to be no diminution of verbal hostilities or vitriolic reporting by the press of both nations.

1949

Karachi Agreement

Description: This agreement, also known as Inter-Dominion Agreement, established an eight-hundred-mile cease fire line (CFL) and the direction of the CFL after NJ9842, obligated troops to keep a distance of five hundred yards from the CFL, and sought to freeze force levels around the CFL. The agreement also settled the problem of property distribution for evacuees as a result of partition.

Remarks: After the 1965 war, the CFL was re-established

1950

Liaquat-Nehru Agreement (April 8, 1950)

Description: This agreement affirmed that minorities in both countries owed loyalty to the state in which they resided. In other words, the agreement ensured to minorities complete equality of citizenship, irrespective of religion.

Remarks: "The agreement demonstrated to many Indians the folly of partition, since Pakistan no longer claimed the allegiance of the entire Muslim population of the subcontinent."¹

¹ Makeig, 278.

Nehru-Noon Border Accord

Description: This accord made minor territorial adjustments along the East Pakistan border.

Remarks: The accord was never fully implemented.

West Pakistan-India Border Ground Rules

Description: This agreement established ground rules that would operate on the West Pakistan-India border, and settled some outstanding border disputes in the Punjab sector.

Indus River Waters Agreement

Description: A long standing irritant in India-Pakistan relations was the utilization of eastern and western rivers. This agreement, brokered by the World Bank and signed on 19 September 1960 at Rawalpindi by the Prime Minister of India and the President of Pakistan, helped to resolve a severe resource distribution problem caused by the partition of India and Pakistan. The artificial division of water resources had left Pakistan at the mercy of India, which controlled the headwaters of several tributaries to the Indus.

Under the terms of the agreement, the two countries agreed to cooperate in the management and sharing of the rivers in the Indus basin. Further, they agreed on regular data exchanges, routine consultations, the arbitration of any disagreements, and assurances not to interfere with, or in any way change, the agreed distribution of water resources. The World Bank and a Western aid consortium headed by the United States provided the resources to construct a series of irrigation works within Pakistan, thereby ensuring Pakistani control over its own water supply.²

² The World Bank plan was based on an article by Lilienthal in *Colliers*, 4 August 1951. See, also A.A. Michael. *The Indus River: A Study of the Effects of Partition* (New Haven: Yale University Press, 1967).

1965

Rann of Kutch Cease-Fire Agreement

Description: The Kutch episode in April-May 1965 was the result of a dispute over the adjustment of the border. As a result, a "mini war" was fought between India and Pakistan.³

Remarks: An important aspect of the conflict lies in the fact that both countries agreed to a cease fire and arbitration after the mediation of the British Government.⁴ The agreement has local application only and did not address deeper divisive attitudes. Most consider the Rann of Kutch fighting a prelude to the 1965 Indo-Pak war.

1966

Tashkent Agreement

Description: The Tashkent Agreement, brokered by the Soviet Union under Premier Kosygin and signed in January 1966, formally concluded the August to September 1965 War.

Despite Pakistani insistence, no clear-cut solution or even mechanism for the future resolution of the Kashmir problem was created at Tashkent. India did agree, however, to withdraw from the two strategic passes that it had captured, Haji Pir (Hazipir) and Tithwal. Both sides formally agreed to respect the cease-fire Line (CFL) and to withdraw their troops to the positions that they had held prior to 5 August 1965. The agreement also stipulated that "relations between India and Pakistan shall be based on the principle of non-interference in the internal affairs of the other." The two sides reaffirmed their commitment to the United Nations Charter and to settle their disputes through peaceful means.

Remarks: In short, the 1949 CFL was reaffirmed, diplomatic relations were restored, and both parties agreed to conduct further talks, but implementation of the agreement has been limited. Problems arose over varying interpretations. Both sides interpreted Articles I, II, and IX in their own way. For example, some interpreted Article I as a no-war pact.

³ It may be interesting to see how this conflict was defused. For example, in 1965, Pakistani Air Marshal Asghar Khan's telephone call to his Indian counterpart, Arjun Singh, resulted in a gentleman's agreement not to employ their air forces in the desert skirmishes that were raging in the Rann of Kutch. See Makeig, 274.

⁴ S.S. Bindra, *Indo-Pak Relations: Tashkent to Simla Agreement* (New Delhi: Deep & Deep Publications, 1981), p. 36.

The agreement has also seen limited implementation because it was viewed by both sides as an "imposed" settlement since it was brokered by the Soviet Union.

Prior Notification of Border Exercises

Description: This agreement was the result of a follow-up meeting in Rawalpindi after the Tashkent Agreement. The military delegations also discussed a mutual reduction of forces in Kashmir, but talks stalled when political authorities in both nations balked at tampering with the military stalemate without a Kashmir solution.

968

Rann of Kutch Tribunal Accord

Description: The Rann of Kutch on the Gujarat-Sindh border was the scene of early hostilities before the 1965 war. (India and Pakistan had long disagreed over the demarcation of the border in the area). The dispute was resolved by a three member commission, termed the Indo-Pakistan Western Boundary Case Tribunal, meeting in Geneva. The 1968 arbitration awarded Pakistan three hundred square miles of the thirty-five hundred square mile area under dispute.

The Tribunal's Award also demarcated the boundary on the Sir Creek, which later became a bone of contention between India and Pakistan.

Remarks: The accord was never fully implemented.

971

Dedicated Communications link (DCL)

Description: Established a "hotline" between the Pakistani and Indian Director Generals of Military Operations (DGMOs) in 1971

Remarks: The hotline was seldom used apparently because first use might have been considered a sign of weakness. Following the 1987 Brass Tacks crisis, the necessity for the hotline was reaffirmed, but there is little evidence that it has become an effective conduit for communications during crisis or tension.