

India – Pakistan CBMs since 1947 A Critical Analysis

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ABSTRACT

India and Pakistan have been locked into adversarial relations since 1947. The major conflict between the two countries is the territorial status of Kashmir including several sidelining issues that further deteriorated the bilateral relations. The two countries have been part of several pacts, peace initiatives to manage and resolve their conflict, however, none of the peace efforts could bring them nearer to final settlement. Regional and international developments also impacted relations between India and Pakistan and both were part of various international alliances in cold war era. In post cold war times, the two countries acquired nuclear weapons in May 1998 and since then Kashmir was declared as nuclear flash point. It is therefore needed to encourage India and Pakistan to seek common grounds for better peace prospects in the region. The paper caters a historical survey as well as analysis on India – Pakistan confidence building measures (CBMs) and also suggests future prospects for peaceful co-existence. It also outlines why few agreements could not save the two countries for preceding acrimony and did not serve the purpose of resolving Kashmir conflict once for all.

Key Words: India, Pakistan, confidence buildings measures, Kashmir.

Introduction

South Asia has a history of interstate and intrastate conflicts, troubled neighbourhood, internecine struggle and movements within the countries, peace deals, confrontational and cooperative environment and, in very recent past, the end of 30 years of guerilla war in Sri Lanka. At inter-state level, the region bears historic animosity between India and Pakistan. The central issue of their bilateral conflicts is Kashmir over which they fought three major wars (1948, 1965, and 1971) and several low intensity military confrontations (most importantly Siachen 1987 and Kargil in 1999) since 1947. Their overt nuclearization in 1998 had declared Kashmir as a nuclear flash point, which is termed by international community as a threat to regional and world peace.

Several measures were taken by India and Pakistan and momentarily built hopes for settlement of their differences, however none brought final resolution. The Composite Dialogue took place between India and Pakistan in 2004 - 08,

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brought higher hopes to the region in the initial phase. The dialogue continued for four years and brought some progress on issues such as resumption of communication links such as air and railways, talks on trade and investment, cultural exchange etc. Hence, with the tragedy at Mumbai on 26 November 2008 and Pakistan's alleged role, composite dialogue was discontinued for some time. The deadlock after Mumbai attack was unlocked with the proposal of Secretary Level talks by India to Pakistan in early 2010. It was also clearly stated by the Indian leadership that the proposal was just a diplomatic move, should not necessarily be termed as "resumption of composite dialogue". Indian Foreign Secretary Nirupama Rao said: "the time was not ripe to resume the suspended "composite dialogue, but "we will keep this channel of communication open" (Haran, 2010). The mistrust between the two South Asian powers has been lingering in the back drop of Mumbai attacks and subsequent internal chaos of Pakistan due to militancy and India's reluctance to resume dialogue further reduced the chances of cooperation or mitigation between India and Pakistan.

Sustaining confidence building process is rather a herculean task than initiating a totally new one. The phenomena of CBMs is largely misunderstood as 'war-time' measures. CBMs are more workable in peace times to bring adversaries closer to establish cooperative security. The sole purpose of conducting CBMs is not only to sign and implement an agreement but to keep communicating till consensus is built and trust is obtained to proceed further. A purposeful set of CBMs entails efforts and initiatives that help parties to open up and continue communication, bringing a good level of trust in the relationship and promising sustainability of the measures in future. In case of India and Pakistan, the main challenge remains for them to re-initiate confidence building process and then transform that into a 'sustainable and target oriented' peace process. The sustainability of such dialogues between India and Pakistan has always been risky due to the role of peace spoilers on both sides. The two countries need to adopt an approach that doesn't encourage disruption or discontinuation of the existent peace process for any reason or event.

The paper dwells upon the following:

- a. Outlining the existing measures to build trust between India and Pakistan. A chronological survey has been given on the measures taken by two countries to build trust for peaceful management of their differences.
- b. A comprehensive analysis on the CBMs in South Asia comprising implementation of the measures.
- c. Recommendations for CBMs with future prospects to prepare grounds or lay foundation for sustainable conflict management and resolution between India and Pakistan.

Chronological Survey of the Initiatives between India and Pakistan

The total number of initiatives to engage the two countries through trust building measures officially and unofficially are as follows (Hussain, 2003):

Ceasefires

- a. Ceasefire 1949: was established between India and Pakistan in backdrop of first war after partition in 1948 and United Nations Military Observer Group India and Pakistan (UNMOGIP) was also formed to monitor violations across Line of Control (LoC).

Pacts

- a. Liaquat-Nehru Pact 1950: It was signed to ensure minority rights of migrated Hindus and Muslims in India and Pakistan respectively.
- b. Indus Water Treaty 1960: World Bank arbitrated Indus Water Treaty between India and Pakistan to share river waters.
- c. Tashkent Declaration 1965: Moscow backed Tashkent Declaration was signed by India and Pakistan to conclude their 17 day war.
- d. Simla Agreement 1972: On 2 July 1972, India and Pakistan signed agreement to settle the post-1971 situation. Simla Accord, provided the two countries a set of guidelines for their future relations. Hotline between Director Generals of Military Operations was also established to avoid strategic miscalculations and build greater trust.
- e. Agreement on No attack on Nuclear Installations 1988: Pakistan and India signed an agreement that none of them would attack on each other's nuke installations and will exchange list of nuclear facilities with each other. The treaty was entered into forces in 1991.
- f. Foreign Secretaries agreement on 'Composite Dialogue' 1997: FS from both sides agreed to begin composite dialogue on 8 issues including Kashmir.
- g. Lahore Declaration 1999: On 20-21 February 1999, India's Prime Minister A.B. Vajpayee paid visited Lahore on invitation of Pakistani Prime Minister Mian Muhammad Nawaz Sharif. They signed three documents: a Memorandum of Understanding, Joint Statement and Lahore Declaration.
- h. Agreement on India-Pakistan border issues March 2004: Dialogue between Indian Border Security Force (BSF) and Pakistan Rangers 24-27 March 2004 (Further details on the agreement would be given in the section on Composite Dialogue).
- i. Agreement to reopen Rail link 1-2 December 2004: Pakistan and India agreed to reopen the rail link between Khokrapar and Munabao. The two sides also discussed relaxation in visa policies.
- j. Advance Notification before Ballistic Missile testing 3 October 2005: Two pacts were signed: (a) a five-year agreement on giving advance notice of 72 hours before ballistic missile testing, and (b) an MoU to establish a hotline between the coast guards of the two countries.

Joint Commissions and Statements

- a. Joint Commission 1982: Joint commission was established to strengthen bilateral relations.
- b. Joint Statement January 2004: In one of the sidelined meetings during 12th SAARC Summit, India and Pakistan issued Joint Press Statement which laid down foundation for normalization of relationship and composite dialogue.
- c. Joint Statement on Nuclear issues 19-20 June 2004
- d. Joint Statements on Terrorism, drug trafficking and Economic Cooperation August 2004
- e. 4 September 2004: A joint press statement was released expressing satisfaction on the improvement of bilateral relations through composite dialogue.
- f. Delhi Joint Statement 18 April 2005
- g. Joint Statement to start Bus Service from Amritsar to Nankana Sahib 10 May 2005

Efforts and Initiatives

- a. Joint Defence against the threat from North 1959: Field Marshall Ayub Khan made an offer to Nehru for Joint Defence to deter threat from China in wake of Tibet insurrection in 1959. Nehru rejected it, saying threat from “whom”?
- b. Shaikh Abdullah’s proposed Peace Plan 1964: Kashmiri Leader Sheikh Abdullah visited Pakistan with a peace plan, however, it could not be materialized due to abrupt death of Nehru.
- c. Samjhota Express 1976: Bus service began between Amritsar and Lahore.
- d. India Foreign Minister’s visit 1978: Indian FM Atal Behari Vajpaee visited Pakistan.
- e. No-war Pact offer 1981: Pakistan offered No-war Pact to India when Foreign Minister Narsimha Rao visited Pakistan. India rejected with a view that Simla Agreement is already a no-war pact.
- f. Prime Ministers Hotline 1989: The first hotline was installed in 1989 by Prime Ministers Benazir Bhutto and Rajiv Gandhi. In November 1990, Indian Prime Minister Chandra Shekhar and Pakistani Prime Minister Nawaz Sharif re-established the hotline to facilitate direct communication (Confidence Building and Nuclear Risk Reduction Measures in South Asia, 2009).
- g. DGMO Hotline 1990: India and Pakistan agreed to reestablish the DGMO hotline and to use it on a weekly basis, if only to exchange routine information.
- h. Non Harassment of Diplomatic Personnel 1990: In November 1990 the Indian and Pakistani Foreign Secretaries worked out a code of conduct to protect diplomatic personnel, guaranteeing them freedom from harassment (Confidence Building and Nuclear Risk Reduction Measures in South Asia, 2009).

- i. 7 April 2005: Srinagar-Muzaffarabad bus service was started.
- j. Earthquake Diplomacy 7 November 2005: After devastating earthquake on 8 October 2005, India and Pakistan reached an understanding on opening five points along the LoC from 7 November, for the benefit of the people of two sides. These points were: Nauseri-Tithwal, Chakothi-Uri, Hajipir-Uri, Rawalakot-Poonch and Tattapani-Mendhar. There were few rounds of talks for enhancing trade and economy in 2006.

Dialogues

- a. Foreign Ministers Dialogue 1962-63: Anglo-American facilitation encouraged India-Pakistan dialogue between Foreign Ministers, Zulfikar Ali Bhutto and Sardar Swaran Singh and there were 6 rounds of talks, yet they remained inconclusive.
- b. First Track II Conference 1984: The Muslim Daily, Islamabad organized the first T-II conference between non official media, academics and retired government officials from India and Pakistan.
- c. Reconciliation under US auspices 1990: US Envoy Robert Gates was sent to avert hostile relations between India and Pakistan in backdrop of Kashmir Insurgency 1989 and Indian Brasstack exercises 1987.
- d. Back Channel Diplomacy 1999: Both countries nominated their envoys to conduct secret back channel diplomacy, Niaz A Naik from Pakistani side and R.K. Mishra from India side.
- e. Agra Summit 2001: President Pervez Musharraf visited New Delhi on PM Vajpayee's invitation but summit remain inconclusive because no agreement was signed.

Agra Summit in summers of 2001 broke the ice after Kargil crisis, 1999 and tried to mend the aura of mistrust of following years but could not help the two countries to sign an agreement. In wake of tragic 9/11 and attack on Indian Parliament in December 2001 served as a breaking stone to derail the transitional process of normalization. India accused Pakistan for its role in attack on the Parliament and it distorted all possibilities. With a happy and positive conclusion of Islamabad Summit 2004, the two countries started holding talks under Composite Dialogue. Effendi (2006) has gathered some of the following details on the Composite Dialogue:

Composite Dialogue

- a. First round of talks after the successful SAARC Summit, 16-17 February 2004 at Joint Secretary-Director General level, led by Arun Kumar (Joint Secretary of Indian Ministry of External Affairs) and Jaleel Abbas Jeelani (Pakistan's Director General South Asia) in Islamabad.
- b. 18 Feb 2004: another round of dialogue between the foreign secretaries of India (Mr. Shashank) and Pakistan (Riaz Khokar).

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- c. 9-10 March 2004: The first round of technical level talks between Joint Secretary of Pakistan Ministry of Communications Mr. Mussadaq Muhammad Khan and Joint Secretary of Indian Ministry of Transport and Highways Mr. Alok Rawat on the technical issues of the proposed 'Khokrapar-Munnabao Bus Services'
- d. India and Pakistan held a four-day talks dialogue on 24-27 March 2004 in Lahore. A 14-member Indian Border Security Force (BSF) delegation was led by Inspector General BSF S.G.S Gul and Pakistan Rangers (Punjab) Chief Major General Hussain Mehndi headed the Pakistan's team. Issues discussed during the meeting were fencing the Line of Control (LoC), installation of electronic surveillance equipment at different points along the LoC, cross border drug trafficking, smuggling, illegal immigration etc.
- e. 19-20 2004 in New Delhi, between the two Additional Secretaries; Dr. Sheel Kant Sharma from Indian Ministry of External Affairs and Tariq Osman Hyder from Pakistan's Ministry of Foreign Affairs after the Lok Sabha election (April 2004) on nuclear issues. They discussed various issues and issued a joint statement. The issues, discussed during the expert level meeting were establishment of a 'dedicated and secure hotline' between the foreign secretaries of India and Pakistan through their respective foreign offices, upgrading of the existing hotline between Director General of Military Operations (DGMOs) of the two countries, to continue discussions and meetings at bilateral level for the implementation of Lahore Declaration 1999, resumption and continuity of dialogue on security and non-proliferation issues etc.
- f. 27-28 June 2004 talks between foreign secretaries Mr. Shashank (India) and Mr. Riaz Khokar (Pakistan) in New Delhi. The discussion covered peace and security, CBMs, Kashmir and concluded an Agreement on pre-notification of flight testing of missiles, and entrusted the experts to work towards finalizing the draft Agreement. According to Ministry of External Affairs, India (June 28, 2004, cited at <http://ipripak.org/factfiles/ff55.shtml>) "both sides reaffirmed the elements in the Joint Statement of 20th June on the need to promote a stable environment of peace and security, recognizing the nuclear capabilities of each other constituting a factor for stability, working towards strategic stability, and the call for regular working level meetings to be held among all the nuclear powers to discuss issues of common concern.
- g. July 29-30 2004, talks were held on Wullar Barrage/Tulbul Navigation Project between Pakistan Ministry of Water and Power's Secretary, Ashfaq Mehmood and the Indian Water Resources Secretary, V.K.Duggal in Islamabad. A joint statement was released which reassured their commitment to Indus Water Treaty 1960.
- h. 3-4 August 2004, talks between Mrs Neena Ranjan, Indian Culture Secretary and Mr. Jalil Abbas, Pakistan's Secretary Minorities, Tourism, Culture and Youth Affairs. They discussed 'Promotion of friendly exchanges in various fields' through track I (official) and track II (unofficial) diplomacy.

- i. 5-6 August 2004, discussion on Siachen took place in New Delhi at Defence Secretary level. From Pakistan side, Defence Secretary Lt. Gen. Hamid Nawaz Khan and Indian Defence Secretary Ajai Vikram Singh led their delegations and discussed the modalities for disengagement and redeployment of troops and agreed to resolve the Siachen dispute after a continuing dialogue under a peaceful framework.
- j. 6-7 August 2004, Additional Secretary of Pakistan Ministry of Defence Rear Admiral Ahsan ul Haq Chaudhry and Surveyor General of India Prithvish Nag met in New Delhi to discuss the India-Pakistan dispute over the maritime boundary (Sir Creek).
- k. 10-11 August and 11-12 August 2004, joint statements were issued after discussions on terrorism and drug trafficking and Economic and commercial cooperation. Under the joint statement on terrorism and drug trafficking, the two sides agreed to work for the elimination of terrorism and to cooperate to overcome drug trafficking and narcotics. The joint statement for economic cooperation encouraged the two countries to explore economic avenues for development and commercial progress of India and Pakistan.
- l. 4 September 2004 meeting between Foreign Secretaries of India and Pakistan Shyam Saran and Riaz Khokar in New Delhi to review and assess the progress of composite dialogue on famous eight issues. A joint press statement was released and a greater satisfaction was shown over the improvement of bilateral relations between India and Pakistan through constant dialogue.
- m. 5-6 September 2004, dialogue between Indian Foreign Minister Natwar Singh and Pakistan Foreign Minister Khurshid Mehmood Kasuri over the progress of composite dialogue with a vision of future and a joint statement was issued on future proceedings for Composite Dialogue.
- n. 23 September 2004, summit level meeting between the then President Pervez Musharraf and Prime Minister Manmohan Singh in New York. The meeting was concluded with a joint statement under which the two sides reiterated their commitments to the consistence of the peace process and substantive and concrete composite dialogue.
- o. 1-2 December 2004, Islamabad, Pakistan and India agreed to resume rail link between Khokhrapar and Munabao. The two sides also pondered over the relaxation in visa policies of India and Pakistan. According to the Pakistan Railway authorities (Raza, 2004), in the first phase the two sides would lay track wherever required and repair the existing line at a cost of Rs 2.10 billion.
- p. December 13-14 2005, two days talks on nuclear issue between India and Pakistan on expert level was held in Islamabad and the possibility of the formalization of an agreement on pre notification on missile testing was discussed. However no agreement was signed between the two delegates due to some technical issues.
- q. 16-18 April 2005 President Pervez Musharraf 's visit to New Delhi. The two countries signed 'Delhi Joint Statement' (Shivpuri, 2005). The two leaderships reviewed the progress over issues under the on-going series of

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composite dialogue and agreed on the establishment of Khokrapar-Munabao rail link till January 2006, continuation of talks on Jammu and Kashmir, early start of Amritsar-Lahore bus service, trade consulates to be opened in Mumbai and Karachi, cooperation in gas pipeline etc.

- r. 18 January 2006, meeting between the two secretaries Riaz Muhammad Khan and Shyam Saran on conventional and nuclear confidence building measures.
- s. 26 March 2006, meeting between the commerce secretaries of India and Pakistan. The outcome of the meeting was a decision to set up a Working Group to discuss the issues relating to joint registration of Basmati rice. However, no significant progress has been made on the issue (Andley,2007, p.2).
- t. The series of the dialogue under third round continued till December 2006 and there were few agreements between the two countries on areas of common interest including operationalizing rail link between Khokhrapaar (Pakistan) and Munabao (India), conventional and nuclear confidence building measures (operationalizing hotline between the two countries, conflict prevention measures to avoid incidents at sea), Srinagar – Muzzafarabad Truck services for cross LoC trade, Poonch – Rawalakot bus service etc.
- u. A Shipping protocol was also signed by the two countries for better trade in December 2006. Sir Creek issue was also discussed in greater details during different phases of third round and fourth round of talks yet no advance was made to resolve the issues completely.

The history of India-Pakistan dialogue has largely been known for its vulnerability bearing risk of being victimized due to imminent catastrophe or triggering incidents, which provides adequate reasons to peace spoilers to exploit the volatility of bilateral relationships. The tragedy of Samjhuta Express in 2007 (68 civilians were killed, mostly Pakistanis) and Mumbai attacks in November 2008 (Non-state actors from Pakistan were alleged) derailed the composite dialogue and it was revived only in 2010 after political and diplomatic deadlock of two years.

India-Pakistan CBMs – A Critical Analysis

The above findings and chronological data delineate the continuous process of confidence building. However, these initiatives, though taken in good faith, have largely been hostage to apprehensions and vulnerable to spoiler's instigated triggering incidents. The overall study on CBMs in South Asia refers the framework and initiatives, taken under Lahore Declaration 1999 and Composite Dialogue (2004 – 2007), as comparatively more practical, successful and well framed than Tashkent and Simla Accords. *Tashkent Declaration* was signed in the wake of India-Pakistan war in 1965, on 10 January 1966 under Soviet mediation. The declaration stressed that "both sides will exert all efforts to create good neighbourly relations between Pakistan and India in accordance with the United Nations Charter. They reaffirmed their obligations under the Charter not to have

recourse to force and to settle their disputes through peaceful means” (*White Paper on the Jammu and Kashmir Dispute*, 1977, p. 109)

The second phase of India-Pakistan confidence-building measures (CBMs) started in 1966 in the post-Tashkent Declaration period. The major efforts were (Nuri, p. 10):

- a. Signing of the Tashkent Declaration and return of both countries’ high commissioners to their respective posts.
- b. Restoration of flights over each other’s territory
- c. Partial restoration of each other’s telephone and postal communications
- d. Withdrawal of Indian and Pakistani troops from the border areas
- e. Exchange of prisoners of war
- f. Unilateral lifting of ban on trade by India (formal Indo-Pakistan trade did not start before 1975),
- g. Return of ships and cargo captured during the war
- h. Mutual granting and restoration of facilities as existing before the war
- i. The dispute over the Rann of Kutch was formally settled in 1969, through arbitration.

Since Tashkent Declaration was a post-war agreement, it did not cater any clause that could have laid out mechanism for further trust building. It is also said that Tashkent arrangement was not enough to spare India and Pakistan for opting another war in 1971. It was clearly mentioned in the agreement, The Tashkent Declaration (<http://storyofpakistan.com/the-tashkent-declaration/> clause 3, para 3) that “Both India and Pakistan agree to follow the principle of non-interference in their affairs and will discourage the use of any propaganda against each other.” India did not follow the clause in letter and spirit and kept interfering in internal affairs of Pakistan to an extent that brought disintegration of Pakistan in 1971.

The two countries had another armed conflict in 1971 that led to the dismemberment of Pakistan and creation of Bangladesh. India played up the political crisis between the eastern and western wings of Pakistan to its own advantage. The then Indian Prime Minister, Mrs Indira Gandhi, provided moral support to Sheikh Mujib-ur-Rahman’s Six-Point formula. The Indian media started churning out propaganda to highlight the need for East Pakistan to attain maximum autonomy. It used its print media and its financial resources to help Mujib win the 1970 elections since the Sheikh was expected to be soft on Kashmir, had pledged to reduce the size of Pakistan’s armed forces and open up trade with India (Pakistan-India Relations: A Historical Perspective, p. 34)

India supported and trained the Bengali militants (Mukti Bahini) in the eastern wing of Pakistan. In words of Nanda (1989, p.71, cited in “Pakistan India Relations: A historical Perspective”, p. 35), the invasion took place on 21 November 1971 after India had equipped, trained and launched the Mukti Bahini to soften up the target, to secure bridgeheads and “to create a proper set of military situations” in which direct intervention in East Pakistan could be justified by India. Pakistan was disintegrated and Bangladesh was created with the end of this war. Around 90,000 Pakistani military personnel and civilians surrendered to the Indian

army and became prisoners of war (POW). On 2 July 1972, India and Pakistan signed *Simla Accord* which provided the two countries a set of guidelines for their future relations.

Simla Accord addressed various issues including PoWs and territories occupied by the Indian forces during the war, developing Hotline Communication between Director Generals of Military Operation (DGMOs) to be used to avoid crisis times. The Ceasefire Line was transformed into the Line of Control (LoC). Kashmir was also discussed and third party option/mediation was ruled out. Pakistan's suggestion, based on Article 33 of the UN Charter, that any dispute between two countries "will be settled by peaceful means such as negotiation, conciliation, enquiry, mediation, or, should these methods prove unavailing, by arbitration or judicial settlement." The Indian side suggested that the two countries agree to "undertake to settle all issues between them bilaterally and exclusively by peaceful means" (Sattar, 1995, p. 33). Pakistan believes that Clause I (relations to be governed by UN Charter) of the accord allows Pakistan to raise the Kashmir issue in international fora but the Indians quote Clause II, according to which differences were to be settled by peaceful means mutually agreed upon by both parties (Pakistan-India Relations: A Historical Perspective, p. 36; Muller, 1998, p.2, cited in Khan, 2003). Both Tashkent and Simla Agreements did not provide guidelines for further improvement in the relations and laid out time oriented issues of respective wars in 1965 and 1971.

Hotline between DGMOs which was discussed in Simla Agreement was re-established in 1990 and it was decided to be used on weekly basis to exchange routine information. Lahore Declaration 1999 revised all previous CBMs and reiterated and re-emphasized the use of hotlines. The DGMO hotline has been used intermittently. However, during periods of tension, important information has not been communicated over the hotline in a timely fashion. During a serious regional crisis in 1987, the DGMO hotline was not used nor was the hotline used during another major crisis in Kashmir in the spring of 1990 (see Confidence building and Nuclear Risk Reduction Measures in South Asia). On December 24, 2013, the DGMOs ended a 14 year-hiatus from in-person talks, meeting at Wagah. This meeting had been agreed to during a September 2013 meeting between the Indian and Pakistani prime ministers in New York, and intended to reinstate the ceasefire and to diffuse tensions on the LoC (see Confidence building and Nuclear Risk Reduction Measures in South Asia).

From 1972 to mid 1980s, there was only one substantial initiative to strengthen relations through *Samjhota Express Bus Service* between Lahore and Amritsar. From 1988 to 1992, there were three agreements signed, developed and completed; *Non-attack on nuclear facilities* (signed by Prime Ministers Ms. Benazir Bhutto and Mr. Rajiv Gandhi in December 1998 and ratified in January 1992), *Agreement on Prior notification of Military Exercises* (April 1991) and *Agreement on the Prevention of Violation of Air space* (April 1991). There was a mix result on the implementation of these agreements. Both countries notified each other prior military exercises most of the time and list of nuclear facilities have

been exchanged every year. Air space was violated. There are periodic claims by both countries that the airspace agreement has been violated. In the Siachen Glacier region, where rules of engagement are more aggressive, helicopters have been shot down (see Confidence building and Nuclear Risk Reduction Measures in South Asia).

In August 1992, a *joint declaration on the prohibition of Chemical Weapons* was also completed. However, India did not comply and its chemical weapons were declared soon. When the Government of India joined the Chemical Weapons Convention (CWC), it declared having chemical stocks as well as production and storage facilities for the express purpose of dealing "with any situation arising out of possible use of chemical warfare against India." Pakistan did not declare any chemical stocks, production, or storage facilities when it joined the CWC (see Confidence building and Nuclear Risk Reduction Measures in South Asia). The road to peace in South Asia was seen as bumpy and common grounds between India and Pakistan were not forged right way during the decade of late 1980s to 1999.

Lahore Declaration 1999 provided a comprehensive code of CBMs for future relations. The year 1998 brought mounting tensions in India-Pakistan relations. Being isolated diplomatically, both countries faced greater pressure from international community that envisaged the region as a high-risk conflict zone, moving towards a nuclear holocaust. It was in this backdrop that India and Pakistan realised need for dialogue to reassure the world community that they were responsible nations. On 20-21 February 1999, India's Prime Minister A.B. Vajpayee paid an official visit to Lahore on invitation from his Pakistani counterpart, Mian Muhammad Nawaz Sharif. This historic visit concluded with the Lahore Declaration. Three documents were signed: a Memorandum of Understanding, Joint Statement and Lahore Declaration.

The Declaration was an assurance to the world community that South Asian nuclearisation would never fall victim to any strategic miscalculation in future. It emphasised the bilateral initiatives and efforts to discuss and resolve the conflict in future, regional cooperation under the auspices of South Asian Association of Regional Cooperation (SAARC). The Joint Statement clearly discussed issues of mutual and international concerns; information technology, terrorism, liberalising visa and travel regime, trade issues etc. The MoU, signed by the foreign secretaries of the two countries (K. Raghunath of India and Shamshad Ahmad of Pakistan) laid out a framework for bilateral meetings and dialogues in future, revitalising communication links to avoid any miscommunication between the two countries and specifically focused on nuclear restraint and risk reduction in the region (The Nation, 1999). It was the first ever meeting between the leaders of the two countries after Simla Agreement 1972, and it was the first bilateral summit held post-nuclearisation. India and Pakistan reiterated their pledge to resolve the Kashmir issue through peaceful measures.

Kargil 1999 strained relations between India and Pakistan and they withdrew their diplomatic staff from the respective High Commissions. Throughout this

deadlock, Pakistan kept on offering India negotiations at “any level, anywhere and anytime.” India rejected Pakistan’s peace initiative on the basis of the Kargil conflict as well as internal political situation of Pakistan. President Musharraf proposed a “reciprocal action plan” to be implemented by both countries as a first step to defuse tension and to promote peace. The plan called upon India to stop atrocities in IJK and prevent human rights violations there. It said Pakistan might recommend to the freedom fighters to moderate their indigenous freedom struggle in Kashmir. But India’s response had been negative (<http://www.rediff.com/news/2001/jul/r4inpak7.htm>).

Situation was bit mild in mid 2001 and India extended an official invitation to Pakistan to rejuvenate bilateral contacts in May 2001. President Pervez Musharraf accepted the invitation from his Indian counterpart and a meeting was arranged between the two leaderships in Agra on 14-16 July 2001. *Agra Summit* was considered a landmark achievement after two years of stalemate and brought higher hopes to the region. President Musharraf assured the Indian Prime Minister, Atal Behari Vajpayee; “I have come with an open mind and look forward to my discussions with Indian leaders on establishing peaceful, tension-free and co-operative relations between our two countries” (Zeb, 2003, p.55). The two leaders discussed issues such as CBMs, resumption of dialogue, Kashmir, economic cooperation and peaceful coexistence. However, the summit did not produce the desired results and remained inconclusive devoid of finalization of any agreement or pact. The draft of the joint declaration was not issued due to Indian refusal to deal separately with Kashmir and Pakistani reservations about “cross-border terrorism.” The summit ended very silently and depressingly (Amir, 2001).

Composite Dialogue started in 2004 and continued till 2008 (Mumbai attacks). Composite Dialogue is considered as the most sustainable and successful peace initiative in the history of India – Pakistan relations. However it had both its highs and lows at times. The most positive feature of this dialogue was its uninterrupted continuity for four years and India and Pakistan’s pledge to follow the timetable outlined as per a Joint Statement issued after a two-day dialogue on 5-6 September 2004 at Foreign Minister Level. It included strategic CBMs (maritime, Siachen and nuclear), trade issues, visa policies, tourism, visit to religious shrines, bus services, interaction between the diplomats, etc. There was no violation of ceasefire along with LoC by either side. Moreover, India and Pakistan continued dialogue even after the violent incident took place such as Ayodhya attack in July 2005. The composite dialogue was termed “irreversible” by Indian and Pakistani leaderships. Indian Prime Minister Manmohan Singh said that “he continued to trust Pakistani leader and he believed that he could do business with the General” (The Nation, 2005). Indian Prime Minister Manmohan Singh, in the wake of the Ayodhya attack on 4 July 2005, reaffirmed that the “peace process with Pakistan was irreversible despite the Ayodhya development” (Cohen). Better cooperation was seen at public level, more interaction between civil societies of two sides, along with economic ventures came out as fruitful result of the sustained dialogue.

Albeit, Composite Dialogue had regular meetings and sessions to build trust but none of them brought India and Pakistan any closer to final resolution of their conflict. There was some flexibility on the positions of both sides. While India kept its word to sustain the process despite any triggering incident, Pakistan opened up with softer approach. President Pervez Musharraf made various proposals including “demilitarisation and self-governance” to settle the Kashmir issue. From 2004 to 2008, on different occasions, Pakistani leadership displayed flexibility on the settlement options for Kashmir. Gen. Musharraf did not insist on settling conflict through a UN-supervised plebiscite which was considered as viable way to resolve Kashmir since 1948. The Indian side, however, seemed less interested in resolving the “Kashmir conflict.” This caused much discontent and frustration among the parties to the conflict, especially the Kashmiris.

Hard core issues such as Kashmir, Siachen, Sir Creek, Kishanganga Project, Baglihar Dam, were not focused with substantial progress during the dialogue and this brought frustration to Pakistani side to much extent. Throughout the sessions under Composite Dialogue, Indian side seemed reluctant to discuss Kashmir conflict. Statements from leaders - like the one made by then Indian foreign minister Natwar Singh: “there can be no question on redrawing the map of India,” and “in New Delhi's view the status of Held Kashmir is not in dispute, that is, it is part and parcel of the country” — makes one to think that there is no progress on Kashmir, which is the central issue of this whole composite dialogue (Effendi, 2006). Having discussed all the trust and confidence building measures through various tracks, one may suggest future course of actions should be outlined on the format of Lahore Declaration and Composite Dialogue.

India – Pakistan CBMs – Future Perspective

In 2013, positive omen was seen when the newly elected Pakistani Prime Minister Mr. Nawaz Sharif invited his counterpart Prime Minister Mr. Manmohan Singh in his oath-taking ceremony but Mr. Singh didn't make it for the misgiving that concrete talks on cross border infiltration and terrorism would not be discussed on the occasion. In May 2014, newly elected Prime Minister of India Mr. Narendra Modi invited his Pakistani counterpart in his oath-swearing ceremony and Mr. Nawaz Sharif made it to New Delhi to attend the event on a very positive note.

On socio-cultural level, Indian Channel ‘Zindagi’ has been launched to air best entertainment shows from Pakistani side. The initiative is taken as a huge step especially in lieu of Indian ban on Pakistan programs throughout these years. On the contrary, Pakistani media seems always encouraging to show Indian soaps and shows. For the past one year, India and Pakistan are going through hostile relations due to violation of ceasefire at LoC by India. It is worth to mention violation at LoC by Indian forces is common which has rendered lives and property losses in the villages bordering the working boundary. Despite protest and warnings through diplomatic channels, India continues to violate ceasefire at LoC which increase tension and sabotage Pakistan's efforts for regional peace (Daily Times, 2015).

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The continuous border tensions deteriorated bilateral relations and it is urgently needed to revive dialogue process for better South Asia. In this background, it is recommended that all tracks of diplomacy should be continuously working for the better prospects of trust building. The study makes a few recommendations below to avail opportunities in forthcoming times.

Political

Continuation of Dialogue under Track II

- a. Regular Meetings under Track II should be held once after every three months to ensure continuity of communication and to explore areas of common interest and workable options. A core Committee comprised of technocrats and policy makers should be formed to have a follow up of these meetings after every six months to identify weaknesses, vulnerabilities and strengths of the dialogue and future options.
- b. Peacebuilders and practitioners working for different international and non-government organizations within India and Pakistan should also be included under Track II to generate discussions on human security dimensions.

Modalities/framework to be discussed

- a. A time-table should be laid out to design a priority framework to discuss core issues with mutual consent. The schedule should be cognizant to the top most priority issues such as continuous violence in Kashmir, militarization of Kashmir, terrorist activities by non-state actors on both sides of the border, pending discussions should be resumed over Siachen, Sir Creek etc. Future dialogue should be held on the similar format of Composite Dialogue 2004-08.
- b. Consensus should be built on the single interpretation of India-Pakistan conflict. India and Pakistan have differences over the 'interpretation' of their conflict. While Pakistan terms it as a matter of 'human rights violation/historical status of Kashmir', India blames Pakistan for "cross border infiltration/terrorism" or sees Pakistan's role as interference. The two countries should establish a common understanding that Kashmir is the most painful cause of the conflict and other dimensions may only be catered once dialogue on Kashmir is substantially developed.

Issues to be discussed: Kashmir, Siachen, Terrorism, Interference

- a. Adherence to non-interference in each other's internal affairs. India and Pakistan fall prey to suspicions over unnecessary interference in each other's crisis zones. The two countries should sign a Memorandum of Understanding to avoid allegations and interference.

- b. Terrorism is a common threat to all South Asian countries. Violent incidents and terrorist activities by non state actors on both sides often become the reason of discontinuation of peace process. India and Pakistan should work jointly to avert the threat of terrorism within the region. Joint Commissions should be established to encourage the two neighbours to hold meetings to review, revive, and revise joint anti-terrorism mechanisms, exploring options for verification, joint intelligence and investigations.
- c. Creating institutional affiliations such as judiciary and parliament to strengthen cooperation with Joint Commission on Terrorism for trials of the convicts in cross border terrorism (Samjhuta Express incident and Mumbai Attacks).
- d. To identify conflict faultlines and effective conflict prevention, Joint Early Warning Analysis System should be formed to share risk assessment, conflict mapping and analysis, risk reduction measures in times of border crisis, between political leaderships.
- e. Siachen has been treated as a separate issue during Composite Dialogue 2004-08. Discussions on similar format should be continued at political and military level. Since both armies have to deal with hostile weather, the issue should be dealt on human grounds. However, on parallel, working groups to be established on both sides to assess environmental risks and degradation at Siachen glacier. Working Groups should put the Siachen issue on faster track to be sustainably managed or completely resolved to avoid and prevent risks and environmental disaster in future. The groups should conduct a scientific study or work on mapping or outlining the factors, causing environmental degradation, side effects etc. This will help the two to follow step by step approach to deal with the issues.

Nuclear CBMs

- a. The existing Nuclear and security CBMs should kept on working; those which are not implemented yet, should be revived. A review committee should be established to check the process and progress after N-CBMs are implemented. Committee should prepare a report and exchange with each other after every six months to discuss the way forward.
- b. Greater transparency should be enhanced for each other's nuclear programs and facilities.
- c. The prospective N-CBMs should be outlined and adopted on the similar format to Lahore Declaration 1999 and Composite Dialogue 2004.
- d. An agreement may be concluded for strengthening nuclear restraint regime in South Asia and better options for arms control may be discussed.
- e. An Early Warning Analysis (EWA) Template should be established by both sides to prevent any military (nuke) crisis at a very latent stage in future.
- f. Regional Risk Reduction Center (RRRC) should be established with mutual consent. The center should be in closer collaboration with two armies. Each

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chapter of the center should exchange information on troops mobilization, nuclear facilities, potential or prevalent militarization of conflict zones along with LOC. The RRRC should also work in times of triggering events (such as Samjhuta Express, Mumbai attacks) to avoid miscommunication or no communication. The two sides should hold meetings after every three months to assess and review the performance of the staff and the center. The RRRC may collaborate for joint seminars, conferences and promote research activities to build greater trust.

- g. A clear understanding should be developed between the two countries on non-deployment of Anti-ballistic Missile System.

Economic CBMs

- a. The existing trade agreements between India and Pakistan should be revived, revised and renewed for better economic cooperation in years ahead.
- b. Regular meetings to be held between Finance Ministers to chalk out plan for economic cooperation in next five years.
- c. A clear consensus has to be developed over granting Most Favoured Nation Status to India. However, India should consider giving greater concessions (non-tariff barriers on goods) to Pakistan.
- d. Joint commission to be established to discuss non-tariff barriers and measures to increase incentives for trade.
- e. Promoting regular contacts between Chamber of Commerce on both sides.
- f. 'Helping Hand Committees' should be established to deal with crisis times esp. for flood hitted areas when crops are ruined and agricultural areas are devastated. These Committees should be tasked to become the focal contact point for charity, humanitarian aid, and economic cooperation at regional level.

Socio-cultural CBMs

- a. Visa policy should be eased on both sides esp. for families living on both sides of the border and pilgrims to visit their religious places. Country visa should be introduced instead of continuing with city visa. Police reporting should be exempted for everyone. Visa should be granted to the families of serving army officers.
- b. Setting up a media committee on both sides to build capacity of working journalists or media professionals to encourage better/favourable presentation of issues concerning India and Pakistan.
- c. Collaboration between medical, scientific research institutes for joint research projects, exchange of scholars and faculty for greater regional experience.
- d. Direct flights from main airports (Islamabad, Lahore, Peshawar, Karachi – Delhi, Mumbai, Hyderabad, Lucknow, Chennai, Ahmedabad) should be started.

- e. Pakistani channels and programs should be accessed by Indian media to have greater and better exposure to Pakistani society.
- f. Joint commissions should be established to address common problems on both sides (environmental degradation, population explosion, poverty alleviation, illiteracy, clean drinking water, recycling products and waste management etc.)
- g. Quaid-e-Azam Chair to be established in Jawahar Lal Nehru University (New Delhi) and M.K. Gandhi Chair to be established in Quaid-e-Azam University (Islamabad).
- h. Goodwill measures to be introduced such as regular dialogue between hard lining factions, religious ideologues, inter-faith dialogue/intra-faith dialogue at community level.
- i. Joint games (local and international) tournaments should be held on regular bases.

Conclusion

The history of CBMs in South Asia takes us to conclude it has been a persistent process, yet did not always bring desired results. India and Pakistan have been trying to create conducive conditions for peace dialogue since long, yet their intentions and initiatives are taken hostage by multiple internal, regional and extra regional factors. It is evident that the regional as well as international situation impacted greatly on their bilateral relations. In 1960s, international community helped them ending their second full-fledged war through Tashkent Declaration. In 1999, Kargil crisis was settled with the facilitation of the US. Lahore Declaration was signed in post nuclearization and settled the dust while international community was taken by suspicions that India and Pakistan may opt for nuclear misadventure.

Similarly Agra Summit, though did not produce any agreement, but served as bulwark in India-Pakistan relations after Kargil. Composite Dialogue was spelled a euphoric sky for India and Pakistan and successfully employed various tracks of diplomacy yet it could not save the two countries going through rough times in post Mumbai attacks 2008. The overall CBMs under track I and II had mixed results. Some of them were implemented and some could not help India and Pakistan to move for further progress. Few initiatives in 2013 -14 brought hope for peacebuilding process in South Asia. However, resolution of all conflicts seems difficult but target oriented sustained dialogue and confidence building measures are recommended for better peace prospects. The study also identifies few areas of cooperation in future including consensus over modality and framework for political dialogue, nuclear confidence building measures and economic cooperation through organizational/institutional collaboration. Some regional developments took place in the year 2015 - 16 such as arrangement between China and Pakistan to build China-Pakistan Economic Corridor (CPEC) which intends to connect China with Central Asia, Middle East and even some parts of Africa via

Pakistan. CPEC opens the era of regionalism in South and Central Asia. In this reference, it may pave a way for India and Pakistan to think and work an out of the box solution for better cooperation and prosperity in the region. Though the prevailing political aura does not hold a promising and stable future but one can be optimistic about peace in the region that would bring smiles to the poorest people who happen to live in this part of the world.

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