

INDIA-PAKISTAN RELATIONS: THE STORY OF UNSOLVED CONFLICTS

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INTRODUCTION

Since, India became independent and divided by the British government the relationship between these two countries has been mostly unstable with ever growing distrust on each other. Both countries have fought wars in the South Asia region at different fronts and continue to face problems like border terrorist activities, infiltrations, low intensity wars and intelligence/spy operations that seem unstoppable as both will continue to consider each other as an untrustworthy enemy.¹ It is seen that after the end of cold war, it has become one of the most dangerous and volatile regions in the international politics for which several reasons are responsible such as pre-independence hostility between the Muslim League and the Indian national Congress and bloodletting riots in post independence period at the time of partition. Moreover, disputes over waters flowing from India to Pakistan and finally, Kashmir which remains a subject of conflicts and bone of skirmishes between these two countries. However, there are many changes in the field of technology, global political economy and social networks took place particularly after the disintegration of Soviet Union. With this, the controversial and disappointing relationship between India and Pakistan has worsened as both have become nuclear states. In recent years, infiltration, proxy war and civilian attacks by Pakistan are increasing which is taking both states far away from the negotiation table. So many times, Pakistan took resort to International Organizations to solve the matters which in turn creates space for external powers as well. On the face of it, the study will discuss disputes resolving attempts and the role of external powers while looking forward to Indo-Pakistan's future relations.²

The Year of Great Divide: 1947

The Indian Subcontinent was partitioned into two independent nation states: Hindu-majority India and Muslim-majority Pakistan. Immediately, there began one of the greatest migrations in human history, as millions of Muslims trekked to West and East Pakistan (the latter now known as Bangladesh) while millions of Hindus and Sikhs headed in the opposite direction. Many hundreds of thousands never made it. It had many after-effects A Terrifying outbreak of sectarian violence broke out with Hindus and Sikhs on one side and Muslims on the other. In Punjab and Bengal-the carnage was especially intense, with massacres, arson, forced conversions, mass abductions, and savage sexual violence. Some seventy-five thousand women were raped, and many of them were then disfigured or dismembered. Some British soldiers and journalists who had witnessed the Nazi death camps claimed Partition's brutalities were worse.

Indo-Pak Wars

Since 1947 which is the year of partition and creation of today's India and Pakistan, the two neighbors have been involved in four wars, including one undeclared war and many border skirmishes and military stand-offs. While in the Kashmir Conflict has taken a center-stage in majority cases, the only exception is the 1971 war where conflict originated due to turmoil in erstwhile East Pakistan (now Bangladesh).

1. Indo-Pak war of 1947

This is also called the First Kashmir War. The war started in October 1947 when Pakistan feared that the Maharajah of the princely state of Kashmir and Jammu would accede to India. Following partition, states were left to choose whether to join India or Pakistan or to remain independent. Jammu and Kashmir, the largest of the princely states, had a predominantly Muslim population ruled by the Hindu Maharaja Hari Singh. Tribal forces with support from the army of Pakistan attacked and occupied parts of the princely state forcing the Maharajah to sign the Agreement to the accession of the princely state to the Dominion of India to get Indian military aid. The UN Security Council passed the Resolution 47 on 22 April 1948. The fronts solidified gradually along what came to be known as the Line of Control. A formal cease-fire was declared at 23:59 on the night of 1 January 1949.³

2. The war of 1965

¹ Metcalf Barbara D. and Thomas R. Metcalf, A Concise History of Modern India (2nd edition), Cambridge: Cambridge University Press, (2006)

² Singh Sandeep, Kaur Amanpreet and Singh Amandeep, Changing Equations of India-Pakistan Relations: Unresolved Kashmir Dispute as a Decider Factor

<http://www.isca.in/IJSS/Archive/v4/i3/15.ISCA-IRJSS-2014-320.pdf>

³ https://en.wikipedia.org/wiki/Indo-Pakistani_wars_and_conflicts

This war started following Pakistan's Operation Gibraltar, which was designed to infiltrate forces into Jammu and Kashmir to precipitate an insurgency against rule by India. India retaliated by launching a full-scale military attack on West Pakistan.⁴ The seventeen-day war caused thousands of casualties on both sides and witnessed the largest engagement of armored vehicles and the largest tank battle since World War II. The hostilities between the two countries ended after a ceasefire was declared following diplomatic intervention by the Soviet Union and USA and the subsequent issuance of the Tashkent Declaration. Both India and Pakistan claimed victory.⁵

3. *The war of 1971*

This war was unique in the way that it did not involve the issue of Kashmir, but was rather precipitated by the crisis created by the political battle brewing in erstwhile East Pakistan between Sheikh Mujibur Rahman, Leader of East Pakistan, and Yahya Khan and Zulfikar Ali Bhutto, leaders of West Pakistan. This would culminate in the declaration of Independence of Bangladesh from the state system of Pakistan. Following Operation Searchlight and the 1971 Bangladesh atrocities, about 10 million Bengalis in East Pakistan took refuge in neighboring India.⁶ India intervened in the ongoing Bangladesh liberation movement. After a large scale pre-emptive strike by Pakistan, full-scale hostilities between the two countries commenced.

4. *The Kargil War*

Commonly known as the Kargil War, this conflict between the two countries was mostly limited. During early 1999, Pakistani troops infiltrated across the Line of Control (LoC) and occupied Indian Territory mostly in the Kargil district. India responded by launching a major military and diplomatic offensive to drive out the Pakistani infiltrators.⁷ Two months into the conflict, Indian troops had slowly retaken most of the ridges that were encroached by the infiltrators. According to official count, an estimated 75%–80% of the intruded area and nearly all high ground was back under Indian control.⁸ Fearing large-scale escalation in military conflict, the international community, led by the United States, increased diplomatic pressure on Pakistan to withdraw forces from remaining Indian Territory.

The Kashmir Issue

It is doubtless that Kashmir has always been a disputed territory between India and Pakistan since their independence. However, Kashmir has always been a major issue of India-Pakistan disputes and contentions. During the partition time, J and K remained independent territory. Newly independent state Pakistan had started infiltration into this territory as it was Muslim majority area claimed by Pakistan. Kashmir decided to merge with India when it found itself in trouble with Pakistan.⁹ Since then, Kashmir has been an integral part of Indian Union and also has strategic significance for the country. After the first war over Kashmir in 1947-48, India and Pakistan signed a ceasefire agreement on January 1, 1949.¹⁰ In spite of first war, India and Pakistan went to war over Kashmir again in 1965, and the resulting line of control divided old Jammu and Kashmir into four political units: i. Ladakh and Jammu and Kashmir Valley (Indian-occupied Kashmir); ii. Azad Kashmir (Pakistan occupied Kashmir); iii. The Northern Area, administered by Pakistan; and iv. Aksai controlled by China.¹¹ India had put matter of dispute before the United Nations in January 1948 and called for international intervention in the matter. In spite of this, UNSC's (United Nations Security Council) adopted resolutions in 1948, 1949 and 1957 respectively, asking for giving the right of self-determination to the people of Kashmir through a plebiscite to decide their destiny choosing to merge with India or Pakistan. Ironically, mainly due to India's unwillingness and lack of sincerity, the implementation of these resolutions still remains unfulfilled which could not bear fruits for both countries.

Sir Creek Issue

Sir Creek is a 96-km strip of water disputed between India and Pakistan in the Rann of Kutch marshlands. Originally named Ban Ganga, Sir Creek is named after a British representative. The Creek opens up in the Arabian Sea and roughly divides the Kutch region of Gujarat from the Sindh Province of Pakistan. The dispute lies in the interpretation of the maritime boundary line between Kutch and Sindh. Before India's independence, the provincial region was a part of the Bombay Presidency of British India. But after India's independence in 1947, Sindh became a part of Pakistan while Kutch remained a part of India. Pakistan claims the entire creek as per paragraphs 9 and 10 of the Bombay Government Resolution of 1914 signed between then the Government of Sindh and Rao Maharaj of Kutch. The resolution, which demarcated the boundaries between the two territories,

⁴ David R. Higgins (20 January 2016), *M48 Patton vs Centurion: Indo-Pakistan War 1965*, Osprey Publishing, p. 103, ISBN 978-14-7281-094-6

⁵ "Pakistan: The Indo-Pakistani War of 1965". Library of Congress Country Studies, United States of America. April 1994. Retrieved 2 October 2010.

⁶ Christophe Jaffrelot, Gillian Beaumont. *A History of Pakistan and Its Origins*. Anthem Press, 2004. ISBN 1-84331-149-6. ISBN 9781843311492.

⁷ Ali, Tariq. "Bitter Chill of Winter". *London Review of Books*. Retrieved 2009-05-20.

⁸ Kargil: where defence met diplomacy Archived 16 December 2012 at the Wayback Machine. - India's then Chief of Army Staff VP Malik, expressing his views on Operation Vijay. Hosted on Daily Times; The Fate of Kashmir By Vikas Kapur and Vipin Narang Stanford Journal of International Relations; Book review of "The Indian Army: A Brief History by Maj Gen Ian Cardozo" Archived 8 January 2009 at the Wayback Machine. - Hosted on IPCS

⁹ Thapliyal Sangeeta, *Indo-Pak Conflict and the Role of External Powers*. IDSA. <http://www.idsa-india.org/anoct8-8.html>. Date of Access 12.11.2014 (2008)

¹⁰ Wolpert, Stanley. *India and Pakistan: Continued Conflict or Cooperation*. California: University of California, (2010)

¹¹ Hussain Syed Rifaat, *Resolving the Kashmir Dispute: Blending Realism with Justice*. The Pakistan Development Review, 1007-1035 (2009)

included the creek as part of Sindh, thus setting the boundary as the eastern flank of the creek popularly known as Green Line. But India claims that the boundary lies mid-channel as depicted in another map drawn in 1925, and implemented by the installation of mid-channel pillars back in 1924.¹²

Water Issues

1. Indus Water Dispute

The Indus Waters Treaty was signed on September 19, 1960 by the then Prime Minister Jawaharlal Nehru and Pakistan's President Ayub Khan. It was brokered by the World Bank. The treaty administers how river Indus and its tributaries that flow in both the countries will be utilized. According to the treaty, Beas, Ravi and Sutlej are to be governed by India, while, Indus, Chenab and Jhelum are to be taken care by Pakistan. However, since Indus flows from India, the country is allowed to use 20 per cent of its water for irrigation, power generation and transport purposes. A Permanent Indus Commission was set up as a bilateral commission to implement and manage the Treaty. The Commission solves disputes arising over water sharing. The Treaty also provides arbitration mechanism to solve disputes amicably. Though Indus originates from Tibet, China has been kept out of the Treaty. If China decides to stop or change the flow of the river, it will affect both India and Pakistan. Climate change is causing melting of ice in Tibetan plateau, which scientists believe will affect the river in future. It may be noted that both India and Pakistan are still at loggerheads over various issues since Partition, but there has been no fight over water after the Treaty was ratified.¹³

There are a few issues with the treaty. The treaty fails to address two issues: the division of shortages in dry years between India and Pakistan, when flows are almost half as compared to wet years, and the cumulative impact of storages on the flows of the River Chenab into Pakistan," said the UNDP report titled 'Development Advocate Pakistan'. Wular Barrage and Kishenganga project on the Jhelum and Neelum rivers present a similar problem whereby water storage during the Rabi season is critical as flows are almost one-fifth of the Kharif season, according to the report, which was released on February 1.¹⁴

2. Tulbul Navigation Project/Wullar Barrage

The Tulbul project is a "navigation lock-cum-control structure" at the mouth of the Wullar Lake. It envisages regulated water release from the natural storage in the lake to maintain a minimum draught of 4.5 feet in the river up to Baramulla, during the lean winter months. This is to ensure year-round navigation from Anantnag to Srinagar and Baramulla, a distance of over 20 km. The 74 Sq. Km. Wullar Lake (original size 202 Sq. Kms.) is the largest freshwater lake in India, and is situated on the Jhelum; it provides an important means for the transportation of goods and movement of people of Jammu & Kashmir. To sustain navigation throughout the year it is necessary to maintain a minimum depth of water. However, the stretch of 22 km between Sopore and Baramulla becomes non-navigable during the lean winter season with a water depth of only 2.5 ft. For improving navigation, India had started constructing a 439 feet long barrage at the mouth of the lake to ensure the flow of water in winter to 4000 cusecs, with a depth of 4 feet and added storage of 0.3 MAF. Pakistan objected to this project and the construction was halted in 1987. Pakistani apprehensions were based on the following reasons:

- (1) A barrage may damage Pakistan's own triple-canal project linking Jhelum and Chenab with the Upper Bari Doab Canal;
- (2) A barrage would be a security risk enabling the Indian Army to make crossing the river either easy or difficult, at will, by the controlled release of water;
- (3) After constructing the dam, India would control the flow of water into the Jhelum, creating drought and flood situations at will in Azad Kashmir and Pakistan; and
- (4) It would ruin Pakistan's agriculture.¹⁵

According to the Indian government, the project is designed to be a control structure aimed at improving navigation in the Jhelum during winter to connect Srinagar with Baramulla for transporting fruits and timber. India has underlined that the barrage would not reduce the quantum of water flow, and that it would also be beneficial to Pakistan for regulating water flow to the Mangla Dam by controlling floods. It would also improve Pakistan's Triple-canal irrigation system as well as increase Pakistan's capacity for power generation at Mangla. However, the Wullar barrage is not a storage project but a control project allowed under the treaty. Moreover, the suspension of work is harming the interests of the people of Jammu and Kashmir and depriving people in Pakistan of irrigation and power benefits that may accrue from the regulated release of water. Although the Indus Treaty is an excellent example of settling riparian disputes as well as one of the few examples of successful settlement in major international river basin conflicts, there are differences between India and Pakistan over new projects. Pakistan has charged India with violating the Indus Water Treaty though India has denied these charges. The Indus Water Treaty which was signed on September 19, 1960, divided the six rivers of Punjab between India and Pakistan. India got unrestricted use of the Beas, the Ravi and the Sutlej, and Pakistan got the three western rivers of Chenab, Indus and Jhelum. The Treaty also allows either country to have restricted access for domestic and agricultural use, generation of hydroelectric power through a "run-of-the-river" project, and non-consumptive use including navigation - provided the same quantum of water is returned to the river. The Indian projects promote the process of development without violating the treaty, Tulbul and Baglihar being pertinent examples.¹⁶

¹² <http://www.indiatimes.com/news/everything-you-need-to-know-about-the-dispute-over-sir-creek-between-india-and-pakistan-260071.html>

¹³ <http://www.thehindu.com/specials/10-things-to-know-about-Indus-Water-Treaty/article15000672.ece>

¹⁴ <http://www.hindustantimes.com/world-news/indus-treaty-great-example-of-conflict-resolution-but-its-survival-appears-weak-says-undp/story-oA3y53x4ijaKkeo0cPJ7IJ.html>

¹⁵ Priyanka Mallik, Tulbul: The Politics of Water between India and Pakistan, Institute of Peace and Conflict Studies <http://www.ipcs.org/article/indo-pak/tulbul-the-politics-of-water-between-india-and-pakistan-2055.html>

¹⁶ id

Counter-terrorism

Terrorism emanating from territory under Pakistan's control remains a core concern in bilateral relations. This is precisely why India has sought a firm and abiding commitment from Pakistan that it will not allow its territory and territory under its control to be used for the aiding and abetting of terrorist activity directed against India and for providing sanctuary to such terrorist groups. India has consistently stressed to its interlocutors the need for Pakistan to fulfill its oft-repeated assurances, given to us at the highest level, that territory under its control would not be allowed to be used for anti India activities in any manner. It is critical for the security of the region that Pakistan undertakes determined action to dismantle the terrorist networks, organizations and infrastructure within its own territory. However, internationally sanctioned entities such as Lashkar-e-Toiba (LeT) continue to function in Pakistan under various aliases. LeT's leader Hafiz Saeed and his followers also continue to incite violence against India. Moreover, in the recent months, key terrorists such as Masood Azhar and fugitives from Indian law have resurfaced in Pakistan.¹⁷

Progress in the ongoing Mumbai terror attack case in Pakistan is seen as an important marker of Pakistan's commitment to combat terrorism emanating from its soil. The trial of seven persons in an Anti Terrorism Court (ATC) for their involvement in the 2008 Mumbai terror attacks has however proceeded at a glacial pace. The trial has been subject to repeated adjournments, non-appearances of lawyers, and frequent changes of prosecution lawyers and judges. A Pak Judicial Commission undertook its second visit to India in September 2013 and cross-examined key prosecution witnesses. Prime Minister Nawaz Sharif told PM in New York on September 29, 2013 that effective action on bringing the perpetrators of the Mumbai attacks to book was indeed Pakistan's intention, and now that the Judicial Commission had returned to Pakistan after gathering depositions and evidence in India, there would be further progress. Hearings in the case, however, continue to be disrupted for one reason or another.¹⁸

Nuclear Rivalry

The nuclear conflict between both countries is of passive strategic nature with nuclear doctrine of Pakistan stating a first strike policy, although the strike would only be initiated if and only if, the Pakistan Armed Forces are unable to halt an invasion (as for example in 1971 war) or a nuclear strike is launched against Pakistan, whereas India has a declared policy of no first use.

- Pokhran-I (Smiling Buddha): On 18 May 1974 India detonated an 8-kiloton nuclear device at Pokhran Test Range, becoming the first nation to become nuclear capable outside the five permanent members of United Nations Security Council as well as dragging Pakistan along with it into a nuclear arms race with the Pakistani prime minister Zulfikar Ali Bhutto swearing to reciprocate India quoting "His countrymen would prefer having a nuclear bomb even if they have to eat grass ". The Pakistan Atomic Energy Commission Chairman Munir Ahmed Khan said that the test would force Pakistan to test its own nuclear bomb.¹⁹
- Kirana-I: In 1980s a series of 24 different cold tests were conducted by Pakistan Atomic Energy Commission led by chairman Munir Ahmad Khan under extreme secrecy. The tunnels at Kirana Hills, Sargodha, are reported to have been bored after the Chagai nuclear test sites, it is widely believed that the tunnels were constructed sometime between 1979 and 1983. As in Chagai, the tunnels at Kirana Hills had been bored and then sealed and this task was also undertaken by PAEC's DTD. Later due to excessive US intelligence and satellite focus on the Kirana Hills site.²⁰
- Pokhran-II (Operation Shakti): On 11 May 1998 India detonated another 5 nuclear devices at Pokhran Test Range. With jubilation and large scale approval from the Indian society, came International sanctions as a reaction to this test. The most vehement reaction of all coming from Pakistan. Great ire was raised in Pakistan, which issued a severe statement claiming that India was instigating a nuclear arms race in the region. Pakistan vowed to match India's nuclear capability with statements like: "We are in a headlong arms race on the subcontinent".²¹
- Chagai-I: (Youm-e-Takbir) within half a month of Pokhran-II, on 28 May 1998 Pakistan detonated 5 nuclear devices to reciprocate India in the nuclear arms race. Pakistani public, like the Indian, reacted with a celebration and heightened sense of nationalism for responding to India in kind and becoming the only Muslim nuclear power. The day was later given the title Youm-e-Takbir to further proclaim such.²²
- Chagai-II: Two days later, on 30 May 1998, Pakistan detonated a 6th nuclear device completing its own series of underground tests with this being the last test the two nations have carried out to date.²³

Trade Relations

¹⁷ https://www.mea.gov.in/Portal/ForeignRelation/Pakistan_April2014.pdf

¹⁸ *id*

¹⁹ <http://nuclearweaponarchive.org/India/IndiaSmiling.html>

²⁰ [https://en.wikipedia.org/wiki/Indo-Pakistani_wars_and_conflicts#cite_note-pakistanpaedia.com_\(01/03/17\)](https://en.wikipedia.org/wiki/Indo-Pakistani_wars_and_conflicts#cite_note-pakistanpaedia.com_(01/03/17))

²¹ "Rediff on the NeT: It was 'Operation Shakti' on Budh Purnima". Rediff.com. 16 May 1998. Retrieved 16 December 2011.

²² "Army Chief Kayani wants SC to probe memo". TheNews.com.pk. 22 February 1993. Archived from the original on 30 May 2008. Retrieved 16 December 2011.

²³ <http://pakistanpaedia.com/landmarks/RasKoh/Youm-e-Takbeer.htm> (01/03/17)

Trade and commerce has always played an important role in bilateral relationship and it has been a two-way bridge which strengthens friendly relations. Therefore, normalizing trading relations with Pakistan is an important component of India's policy of overall normalization and improvement of bilateral relations with the neighbor. Bilateral trade existed since independence; however, significant progress was made in the late nineties. India initiated the move for further boost in bilateral trade when it extended the MFN status to Pakistan in 1996 and the trade volume grew remarkably in the early 2000s. Further transition towards normalization of trade relations between India and Pakistan was initiated by moving from a positive list maintained by Pakistan to a negative list regime in March, 2012 following the visit of the then Commerce minister. This was followed by opening up of trade through the land routes in April, 12, thereby opening up better trade opportunities.

Main items of export from India to Pakistan

cotton, organic chemicals, food products including prepared animal fodder, edible vegetables, plastic articles, man-made filament, coffee, tea, spices, dyes, oil seeds, dairy products, pharmaceuticals etc. Main items of **import** by India from Pakistan are: copper and copper articles, edible fruits and nuts, cotton, salt, sulphur and earths and stones, organic chemicals, mineral fuels, plastic products, wool, glassware, raw hides & skin etc.

Attempts to Improve their Relationships

1. **Tashkent Declaration:** It was peace agreement between India and Pakistan which was signed on January 10, 1966, as result of the Indo-Pak war of 1965. The great powers intervened into the agreement and pushed the both nations to a cease fire to bring peace in the region. However, the agreement was criticized in India because it did not contain any renunciation of guerrilla warfare in Kashmir or no-war pact^{11, 22}. Thus, discussions were unsuccessful and no result was achieved during the declaration.
2. **Shimla Agreement:** India and Pakistan signed Shimla agreement on July 2, 1972 and ratified by the parliament of both countries in Shimla, the capital city of Indian state Himachal Pradesh which was the result of Indo-Pak war in 1971 leading to the independence of Bangladesh (earlier East Pakistan). The agreement was concluded in order to end the conflict and confrontation which hindered their relations for making peaceful environment in the region. This agreement was also about to promote territorial integrity, political independence, and sovereign equality and to respect national security of each-other. However this agreement failed to prevent their armed conflicts when this agreement was violated by Pakistan during the Kargil War in 1999 and subsequent infiltration made by Pakistan in Indian Territory.
3. **Lahore Declaration:** It is a historical bilateral agreement between India and Pakistan's governments which is also called a second nuclear control treaty, signed on February 1999 and also ratified by the parliaments of both countries to overcome the historically strained the bilateral relations²⁴. It also added a joint commitment to take major steps towards the avoiding Kashmir conflict and other confidence building measures such as to avoid the misuse of nuclear weapons leading to nuclear war between two nations in the future. But outbreak of Kargil war in May 1999 further strained their relations which result in the violation of the treaty and exacerbated the doubts over their future relationships. Thus, the treaty also remained a subject of violation and showed the weak negotiation between both countries.
4. **Agra Summit:** This was a two days historic summit meeting between the leaderships of India and Pakistan which was held on July 14-16, 2001 in order to make proposal for resolving their long standing issues, Kashmir issue, economic cooperation and military confidence particularly to reduce the threat nuclear arsenals and cross-border terrorism. However, the political dialogue failed collapsed because of the difference in the opinions and overzealously between the leadership from New Delhi (P.M. Atal Behari Vajpayee) and Islamabad (President Pervez Musharraf) over certain issues and the treaty remained unsigned. Thus, due to the absence of sincere talk, this attempt to improve relationship could not succeed.²⁴

High Level Interactions

The visit of the then Senior Federal Minister of Commerce of Pakistan Makhdoom Muhammad Ameen Fahim to India from September 29- October 3, 2011 was the first such visit after a gap of 35 years. The visit of Commerce, Industry and Textiles Minister Shri Anand Sharma to Pakistan from February 13-17, 2012 was the first ever such bilateral visit from the Indian side. He was accompanied by a 100-strong delegation of senior captains and representatives of India's trade and industry. This was followed by a visit of the then Minister of Commerce Makhdoom Fahim of Pakistan to India in connection with the 'Lifestyle Pakistan' Exhibition in New Delhi from April 12-14, 2012. Pakistan's Federal Minister of Commerce met Commerce Minister in New Delhi on January 18, 2014 on the margins of the Fifth SAARC Business Conclave. The Ministerial meeting was preceded by meetings of Commerce Secretaries of the two countries on January 15 and 17, 2014.

CBM

CBMs or Confidence Building Measures are a widely recognized concept in the modern day world and includes a wide range of measures encompassing military, political and economic fields. It is generally believed that the concept of CBMs originated in Europe during the 1970s in the backdrop of East-West confrontation. There is, however, sufficient evidence to suggest that the process had already been practiced in many parts of the world although not necessarily characterized as such. For instance, in

South Asia, there have been many such agreements between India and Pakistan. The 1949 Karachi Agreement, the Liaquat-Nehru Pact of 1950, the 1960 Indo-Pak Border Ground Rules Agreement, the 1962 Indus Water Treaty, the Tashkent Declaration of 1966 and the 1972 Simla Agreement are cases in point. While the term CBMs has broader connotations, the term CSBMs denoting Confidence and Security Building Measures is specifically used by some writers to describe military related confidence building measures.

According to Johan Jorgen Holst:²⁵

"Confidence building measures (CBMs) may be defined as arrangements designed to enhance assurance of mind and belief in the trust-worthiness of states confidence is the product of much broader patterns of relations than those which relate to military security. In fact, the latter have to be woven into a complex texture of economic, cultural, technical and social relationships."

In a 1998 Conference held at Geneva under the auspices of UNIDIR (United Nations Institute of Disarmament Research) a new term TCBMs (Trust and Confidence Building Measures) was also introduced. One may argue that this addition of a 'T' or 'trust' does not really add any new substance to the existing concept since 'confidence' and 'trust' are synonyms and the addition may have been aimed at making the concept more eye catching. Former Pakistani Foreign Minister Mr. Agha Shahi, who was one of the participants of the Conference however, opined that: "UNIDIR has rightly joined trust to confidence-building measures for India and Pakistan as the panacea for the lack of mutual confidence in the performance in good faith of their obligations towards each other".²⁶

As pointed out earlier CBMs can be broadly categorized into military, political, and socio-economic measures. Within the military sphere they can be further classified into conventional or nuclear CBMs. The most comprehensive, elaborate and well documented model of CBMs to-date can be found in the 'Helsinki Final Act' of 1975 which was implemented with a great degree of success and resulted in formalizing the status quo in Europe. The Helsinki agreement was further supplemented and expanded in scope through the Stockholm Accord which in turn was followed by the two Vienna Agreements in 1990 and 1992 respectively.³ It may be appropriate here to dilate upon the concept of CBMs and their various ingredients before embarking upon its relevance to and history in South Asia.

Categories of CBMs between India and Pakistan:

CBMs agreed to between India and Pakistan from time to time can be categorized into following:-

- Communication Measures
- Hotline between DGMOs since December 1971.
- Direct Communication Lines between Sector Commanders across the LOC since 1991.
- Hotline between Prime Ministers since 1997.
- Hotlines between Foreign Secretaries since 2005.
- Notification Measures
- Agreement for prior Notification of Military Exercises involving ten thousand or more troops is in place since April 1991. It stipulates that at Corps level exercises must be held forty five kilometers from the border while at Division level exercises must be held twenty five kilometers away from the border. No military activity is permitted within five kilometers of the border.
- Agreement on pre-notification of Ballistic Missiles flight tests is in place since 2005. This agreement is follow up of the understanding reached during the Lahore Summit in February 1999 and was being followed by the two countries even before its formalization into a bilateral agreement.

Transparency Measures

- Invitation to military observers to attend major exercises to confirm non-hostile intent. Indian and other military attaches were invited to attend Zarb-e-Momin Exercise in 1989. India had invited foreign military attaches except the Pakistani military attaché to witness the Brass Tacks Exercise in 1986-87.
- To defuse tensions resulting from its spring 1990 exercises, India invited US observers to monitor the exercises and to confirm their non-hostile intent.
- Border Security Measures
- Karachi Agreement of 1949 which established an 800 mile CFL (cease fire line) which obligated the troops to keep a distance of 500 yards from the line and froze the force levels along the CFL. The CFL in Kashmir was re-designated as the LOC (Line of Control) following the 1971 war and the Simla Agreement.
- The 1960 Indo-Pak Agreement on Border Disputes established 'Ground Rules' to regulate the activities along the West Pakistan-India border.
- The Rann of Kutch Tribunal Award of 1966. It however, left the demarcation of boundary in Sir Creek area which is still disputed.
- Air Space Violations Agreement signed in April 1991 and ratified in August 1992, which stipulates that no combat aircraft shall fly within ten kilometres of each others' airspace.

Consultation Measures

²⁵ Johan Jorgen Holst, "Confidence Building Measures : A Conceptual Framework", Survival, Vol. 25, No. 1, January/February, 1983, pp.2&4.

²⁶ Agha Shahi, "Confidence Building in South Asia", The News, Islamabad, 29 November, 1998

- Indo-Pak Joint Commission established in 1982 to facilitate discussions at ministerial level.
- Since 1990, the Joint Commission has been superseded by a series of Foreign Secretary level talks.
- The Lahore MOU of February 1999 called upon both sides to discuss their respective nuclear doctrines and security concepts.
- In June 2004, round of expert level talks both sides agreed to consult each other with view to harmonize their positions on arms control and disarmament related issues at the international forums.
- In September 2006, India and Pakistan agreed to set up a Joint Anti-Terrorism Institutional Mechanism.

Water Rights

- The 1960 Indus Waters Treaty brokered by the World Bank helped resolve problem regarding distribution of water resources.

Declaratory Measures

- The Tashkent Declaration of 1966
- The Simla Accord of 1972
- Agreement on 'Non-Attack' on each others' nuclear facilities signed in 1988 and ratified in 1991.
- Joint Declaration on the prohibition of Chemical Weapons concluded in 1992 in which both countries agreed not to develop, produce, acquire or use Chemical Weapons. India however, declared having stocks as well as production and storage facilities as a consequence of its ratification of the CWC in 1997.
- If 2016 was the year of bad news and hope from anarchists, then 2017 will be coming of age of the anarchists. With them these actors will bring about a complete disruption in the life as it was known to be in the past many decades.
- Terrorism will be at its peak. Geo-political shenanigans will be unprecedentedly aggressive and direct. Old alliances and ways will give way to rhetoric sans facts ready to "rouse the base". A base that has been and will continue to think from its arse as opposed to the brains. When the base realizes how they were taken for a ride, their ability to undertake a backlash would have been permanently compromised!

Since the partition of British India into India and Pakistan in 1947, the Kashmir dispute between them has become intractable one. They fought three wars over it in 1947, 1965, 1999, but have not resolved it. The India and Pakistan like Israeli's and Palestinians make claims to the same territory Instead of the peace and progress which the both countries expected. The year since independence have brought warfare, vituperation, frustration and fear. Instead of devoting all their resources to economic development both countries have spent millions of rupees on defence against each other. The root cause of trouble lies for back in history, present day Indo-Pak tension is a prolongation of Hindu Muslim feelings that characterised India long before Independence and partition. When the British government in 1892, introduced in a rudimentary way the principle of election and representative institution. The Muslim expressed their apprehension of being dominated by a majority with whom they differed in every sphere of life. The Muslim leaders of period, Sir Syed Ahmad Khan warned the Muslims against the danger of majority rule in India contending that the larger community would totally over ride the interests of smaller community. The Muslim majority in undivided India itself to be in perpetual danger of domination by an intolerant majority. Instead of resolving political issue, the partition of India in 1947 left behind a legacy of hostility in the region. Present day circumstances offer a clear proof that partition was not successful. The concept of partition was touted as a means of bringing security and property to the region. However today's circumstances reveal quite contrary. Broadly speaking four factors could be considered for the growth of Muslim separatism which later took the form of "two nation theory". First the British policy of divide and rule, second the emergence of Muslim middle class. Third the growth of communal sentiments, fourth the mistakes committed by the Indian national congress.