

# ROLE OF CBMs IN INDIA AND PAKISTAN ARMS CONTROL PROCESSES

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MASTER OF PHILOSOPHY

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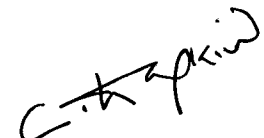
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### DECLARATION

I declare that the dissertation entitled "*Role of CBMs in India and Pakistan Arms Control Processes*" submitted by me for the award of the degree of **Master of Philosophy** of Jawaharlal Nehru University is my own work. The dissertation has not been submitted for any other degree of this University or any other university.



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### CERTIFICATE

We recommend that this dissertation be placed before the examiners for evaluation.



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Prof. Pushpesh Pant  
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*To*  
*My Family*

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All errors and shortcomings are mine alone.

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C. Lalengkima

## *Acronyms*

*ABM = Anti Ballistic Missile*  
*BMD = Ballistic Missile Defence*  
*CBMs = Confidence Building Measures*  
*CD = Conference on Disarmament*  
*CENTO = Central Treaty Organization*  
*CFE = Conventional Armed Forces in Europe*  
*CSCE = Conferences on Security and Cooperating in Europe*  
*CTBT = Comprehensive Test Ban Treaty*  
*CTR = Comprehensive Threat Reduction*  
*CWC = Chemical Weapons Convention*  
*DGMOs = Director General of Military Operations*  
*DMZ = Demilitarized Zone*  
*ENDC = Eighteen-Nation Disarmament Committee,*  
*FMCT = Fissile Material Cut off Treaty*  
*IAEA = International Atomic Energy Agency*  
*ICBM = InterContinental Ballistic Missile*  
*INF = Intermediate Range Nuclear Forces*  
*INTERPOL = International Crime Police Organization*  
*LoC = Line of Control*  
*MIRVs = Multiple Independent Re-entry Targetable Vehicles*  
*MoU = Memorandum of Understanding*  
*MRBM = Medium Range Ballistic Missile*  
*NATO = North Atlantic Treaty Organization*  
*NCA = National Command Authority*  
*NNWS = Non Nuclear Weapon States*  
*NPT = Nuclear non Proliferation treaty*  
*NRRC = Nuclear Risk Reduction Centers*  
*OSCE = Organization for Security and Cooperation*  
*PAROS = Prevention of an Arms Race in Outer Space*  
*PTBT = Partial Test Ban Treaty*  
*SALT = Strategic Arms Limitation Talk*  
*SALW = Small Arms and Light Weapons*  
*SEATO = South East Asia Treaty Organization*  
*SLBM = Submarine Launched Ballistic Missile*  
*SORT = Strategic Offensive Reduction Treaty*  
*START = Strategic Arms Reduction Treaty*  
*TTBT = Threshold Test Ban Treaty*  
*UK = United Kingdom*  
*UN = United nations*  
*UN PoA = United Nations Programme of Action*  
*US = United States*  
*USSR = Union of Soviet Socialist Republic*  
*WMD = Weapons of Mass Destruction*

## Chapter 1

### **An introduction to South Asia: Strategic Environment, Urgency for Arms Control**

#### ***1.1: Brief strategic history between India and Pakistan***

South Asia is sometimes used only to refer to India and Pakistan, as the two countries are the most important players of the strategic environment in South Asia. Both countries started their relationship on sour notes, owing to the Partition that saw their emergence as two independent nations. Both shared many commonalities in history, culture, tradition etc. After 1947, India and Pakistan passed through many important stages in diplomatic diaries. The two neighbours had deep rooted differences in many ways and compete in every nature. Both had faced a lot of problems and hurdles in military fields, territorial and border disputes, sometimes even led to disastrous war. However, both governments took several steps to maintain amicable relationship where arms control has been playing a significant role.

India, one of the most populous democratic country has unique features of foreign policy. It stands firmly non aligned with any bloc. Its policies have been peaceful co-existence, mutual respect, anti-racism, anti colonialism and supporting self government. Pakistan followed a very different policy, aligned with Western Bloc and became a member of the military alliance South East Asian Treaty Organization (SEATO) and signed Central Treaty Organization (CENTO) also known as Baghdad Pact. Pakistan has been passing through the many phase of diplomatic period. S.M Burke and Lawrence Ziring (1990) characterized Pakistan's foreign policy as change and continuity. While J.N Dixit (2001) said India started building relation with other countries by using the technique of international diplomacy. After an era



of illusion ended, the beginning of realism set in between 1956-64. After 1964, India followed the Indo-centric policy. India's security was affected increasingly in the size of Pakistan armies, its modernization of weapons, and increased production of indigenous defence product (Dixit 1997: 145). Likewise, the Pakistan security was in parallel to India

There are four important basic persistent problems between India and Pakistan relations. Religion and ethnicity are the first and foremost factor. India is a multi ethnic, secular country where as Pakistan declared itself as an Islamic Republic. Most of the Pakistanis are Muslims while most of the Indian people are Hindus. The history of India and Pakistan revealed the deep rooted problem between Muslim and Hindu from early period. The Muslim rulers tortured Hindus and non Muslim people, imposing harsh non Muslim tax called '*jajya tax*'. History kept records of clashes and problem between these two communities. The legacy of 'two nation theory' remains alive in the heart of the people. Indian and Pakistani thought themselves as enemies and the seeds of enmity were sowed from their childhood. The enmity was accelerated by the British through adopting domestic law and initiating some beneficiary for minorities. The divide and rule policy also fuelled the diversity between Muslims and Hindus. The British played a crucial role during the time of partition where they hastily partition India. The dilemma of Partition and the uncertainty of the Princely states status created a very unsolvable problem between India and Pakistan (Blinkenberg 1998: 46-55).

The other important element is what Waltz called 'sameness'. Kenneth Waltz said "competition produces a tendency toward sameness of the competitors." India and Pakistan are dominant power in South Asia. Both countries are always compared in every scenario. There is a well-built competitiveness between India and Pakistan. Christopher Lyne argues sameness includes "not only military strategic, tactics weaponry and technology, but also administrative and organizational technique" (Lyne 1995: 140). For instance, If India were moving fast in technology, the rival Pakistan,

would struggle to compete India on that field too. So if Pakistan could not meet that demand, Pakistan might fear to lose the dominant player in South Asia. So, the spirit of competitiveness kept them moving forward. Pakistan feared India's strength and try certain conditions threatening India's security (Hammond 1999: 301-302).

Thirdly, another important role was played by a third party. After both countries got independence. India and Pakistan chose a very different diplomatic track. India had remained non aligned to any bloc. But, Pakistan joined the western countries bloc. The United States play a very active role between India and Pakistan. US has been supplying military and technological aid to Pakistan. In 1981 September, US and Pakistan concluded six year agreement on military and economic assistance worth \$3.2 billion, sale for F-16 fighters which was supplemented by tanks, helicopter, anti-ballistic missiles. During the crisis period between India and Pakistan, US hard pressed Pakistan to be less aggressive, Pakistan blindly followed what US instructed. This can be found in Kargil war in 1999 and Operation Parakram (border dispute in 2001-2002). Likewise, India also get technological apparatus and economic aid from Russia too. China also helps Pakistan to check the rising power of India in Asian region.

Kashmir is the heart of tension between India and Pakistan. Kashmir has a great economic potential and has been a very beautiful tourist attraction. To Pakistan, as a Muslim state, possessing the Muslim populated state is very desirable. However, for a secular state like India, there is no contradiction in having a state where Muslim population is predominant. The total population of Pakistan is lesser than the Muslim population in India. So, keeping Kashmir is an appropriate example for a good secular state. Pakistan has made interesting argument about Kashmir. India also has a different version of impressive stories on possessing Kashmir too. Pakistan makes justification that Junagadh and Hyderabad was acceded to Pakistan which was rejected by government of India. (Junagadh acceded to Pakistan on 15<sup>th</sup> August in 1947,

the Nawab of Junagadh was fled to Pakistan. Plebiscite was held on 20<sup>th</sup> February 1948, and the people of Junagadh overwhelmingly voted to join India. Hyderabad Nizam Osman Ali Khan wanted keep his state as independent and decided not to join either India or Pakistan after 1947. So, India had taken to integrate the Hyderabad to India on September 1948. The 'Police Action' officially Operation Polo was used by India to take Hyderabad.)

India accepted Kashmir as an integral part of India. India demands any discussion on Kashmir must be with in the Indian constitutional framework, while Pakistan argued that the people of Kashmir would decide the future of Kashmir. Pakistan has regarded the problem of Kashmir as “unfinished chapter of 1947 partition” (Ahmad and Bashir 2000: 52). This issue was referred and discussed in the United Nations. A peace mission under Gen. Mc Naughton was initiated in 1949, Sir Owen Dixon also made proposal to partition Jammu and Kashmir and plebiscite for the valley. Dr Frank Graham wanted to demilitarized Kashmir. But such proposal was not acceptable to either party. So far, the important several proposals and suggestions to solve the Kashmir problem seems to be in vain and could not be resolved till date.

Though the UN Military Observer Group in India and Pakistan was deployed in Kashmir, border disputes and cross border terrorism could not stop. There is a constant insurgency in Kashmir and spreading insurgency group instigated by Pakistan have de-railed the peace process. Most of the militants came from outside the region rather than inside (Lieten 2003: 369). Both countries held several rounds of talks on relation between them, but Kashmir is a motionless and stable deadlock. If Kashmir is Kashmir, India and Pakistan could never make easy peace between them. P.R. Chari argues that South Asia is designated as the most dangerous, conflict prone region in the world (P.R. Chari 2003: 239).

In military relationship, both India and Pakistan had engaged with four full-fledged war. In 1947, India and Pakistan fought war over the Kashmir

issue when Pakistani tribal people intruded in the Kashmir and threatened the security of Kashmir. The Indian armies fought back Pakistani intruders after Maharaja of Kashmir, Hari Singh, signed Instrument of Accession with India. India brought Kashmir issue in to the UN Security Council in 1948, under Article, 35. However, the issue could not be solved easily in UN due to the bloc politics. The UN requested India and Pakistan to solve their problems amicably. After 14 months long battle, the war was ended, ceasefire was signed on January 1, 1949. Agreement on ceasefire line was drawn later on July 27, 1949 at Karachi, dividing Kashmir into Indian Kashmir and Pakistani occupied territory called Azad Kashmir.

Again in 1965, India and Pakistan had border tensions in Rann of Kutch. Pakistan claimed the area of north of 24 parallel where both armies clashed on April till the end of June. The case was referred to third party mediation. The then Prime Minister of India Lal Bahadur Shastri warned Pakistan not to cross border, if not India will retaliate back (Bandyopadhyaya 1991: 326). But, Pakistan did not pay heed to the warning. China suspiciously instigated Pakistan into taking further military action ( Timothy George et al.1984: 9). Subsequently, Pakistan sent guerrilla infiltrators to cross the ceasefire line, predicting and aiming for widespread insurgency in Jammu and Kashmir (Qureshi 2003: 283). For long, Pakistan refused to give up its obsession with Kashmir (Kaul 1971: 10). Field Marshal, Ayub Khan and Z.A Bhutto launched a formal attack in September on Jammu and Kashmir called "Operation Gibraltar"(Dixit 2001: 82). India retaliated the attack and moved towards Lahore, ceasefire was declared after United Nations intervention, the war lasted 23 days. After 1965 war, Tashkent Agreement was signed by both leaders to create amicable relations. In 1968 when mediation judgment was out, about 90 percent of dispute over land was allotted to India. In the war of 1965, Pakistan utilized weapons supplied by the US evidence was found from the captured weapons where the original US marking was not erased (Kaul 1971: 40).

In 1971, both countries fought a war again in the Eastern side. The crisis began with domestic affairs of Pakistan. The liberation movement of East Pakistan dragged into a full scale war between India and Pakistan (Dixit 2001: 108). The consequence of Pakistan internal crisis had threatened security of India. India lent a helping hand to resolve the Pakistan internal crisis and called for intervention of international community to stop the crisis, but failed. In December 3, Pakistan Military ruler Yahya Khan ordered preemptive strike against India. India launched a counter strike leading to war, that lasted 13 days. Pakistan army surrendered in December 16<sup>th</sup> 1971. A 1971 war hero, Maj. Hakeem Qureshi state that the day of surrender was called as the day of ultimate shame (Qureshi 2003: 174-192). Bangladesh was created after the war, under the leadership of Sheikh Mujibur Rehman.

After a long break, both India and Pakistan engaged in war again over Kargil-Drass sector in 1999. The BJP led government at the centre (under the Prime Ministership of A. B. Vajpayee) lost majority support in the Parliament thus leading to a reduced status. Pakistan tried to take advantage. However, Pakistan mis-calculated the morale of the army. So, Pakistan launched "Operation Badr," and sent infiltrators along with regular army to cross the Line of Control (LoC) and occupied the Indian army post in Tiger Hill. Indian troops also gave a rapid response. 'Operation Vijay,' a combination of land and air strike was launched. The war lasted from May 6 till the end of July 1999. The Indian army displayed its strength and threw out the Pakistani infiltrators and regular armies. The invasion was not a prompt action. Rather, it was pre-planned. Arms, weapons and other necessities were piled up in advance. Pakistan aimed to project important objective in the Kargil war: like internationalize the Kashmir problem, to win Indian Muslim support. But Pakistan was not successful in internationalization of the Kashmir issue, and lost its international community support including China.

All this major confrontation and war results in important post agreement except Lahore Declaration. The Line of Control Agreement was significant

between India and Pakistan where all border disputes in Kashmir was measured from the scale of the Line of Control agreement. The LoC served as international boundaries and strictly maintained till date. Tashkent Agreement is the product of the 1965 war, signed by the then Prime Minister of India, Lal Bahadur Shastri and Pakistan President Ayub Khan with the presence of the Soviet Union Premier Alexi Kosygin. The Shimla Agreement was signed by the two Prime Ministers, Indira Gandhi and Zulfikar Ali Bhutto after 1971 war. Even if both the treaty was signed by different leader who had different visions, dreams and capacities, the two treaties have the same compulsion, condition and same spirit. In these agreements, India and Pakistan agreed to create good neighborly relations between them in accordance with the United Nations Charter. Both had reaffirm, their beliefs and their obligation under the Charter, not to use force against the territorial integrity or political independence of each other and to settle disputes through peaceful means through bilateral negotiations or any other peaceful means mutually agreed upon between them

India and Pakistan agreed to followed the principle of non-interference in the internal affairs of each other, respect each other's national unity, territorial integrity, political independence and sovereign equality, good neighborly and durable peace between them, peaceful coexistence. India and Pakistan have agreed to discourage any propaganda directed against the other country, and will prevent hostile propaganda directed against each other and also agreed restoration of economic and trade relations, communications, as well as cultural exchanges between the two countries. (Tashkent Agreement 1966; Shimla Agreement 1972).

Further, India and Pakistan have agreed to continue the discussion of questions relating to the problems of refugees and eviction/illegal immigrations. They agreed to discuss the return of the property and assets taken over by either side in connection with the conflict in Tashkent Agreement

and steps to be taken to resume communications, postal, telegraphic, sea, land including border posts and air links including over-flights including promote travel facilities for the nationals of the other country in Shimla Agreement. Trade and cooperation in economic affairs was encouraged to resume as far as possible in Shimla Agreement. In Tashkent Agreement, both leaders agreed to continue meetings both at the highest and at other levels on matters of direct concern to both countries; while in Shimla Agreement, they agreed their respective Heads of Government meet again at a mutually convenient time in the future (Tashkent Agreement 1966; Shimla Agreement 1972).

After militancy in Kashmir the relation between India and Pakistan deteriorated. The involvement of cross border terrorists had badly infected the life of Kashmiris. There were many displaced persons and refugees of Kashmir spread across the nation. It also ruined the economy of the state where tourism industry was declining. Nobody dared to grow the apple and people remembered Kashmir as a horrific place. Both the countries engaged in different methods of Confidence Building Measures (CBMs). Nuclearization of South Asia had made the security vulnerable. India tested three nuclear devices at underground testing site in Pokhran on 11<sup>th</sup> May 1998, which was followed by other two more tests on May 13, 1998. The nuclear tests carried on May 11<sup>th</sup> were a simultaneous detonation of three different devices - a fission device with a yield of about 12 kt, a thermonuclear device with a yield of about 43 kt, and low-yield a sub-kiloton device. Pakistan followed India and conducted nuclear weapon underground test at 3:00 p.m. on the afternoon of May 28<sup>th</sup> 1998, called Chagai-I, taking after the location of the test site which was the Chagai Hills in Baluchistan province..

After India and Pakistan tested nuclear weapon and become a nuclear weapon states diplomatic tracks also change in another scenario. The relation building materials have been shifted from conventional deterrence to nuclear deterrence. Both countries have their own nuclear policies and nuclear doctrine. This doctrine and policies dominated the relation between the two countries. In

South Asian countries, the diplomatic nature also shifted that agenda. Border dispute, water sharing, building trade relationship and other important issues are replaced by dialogue on nuclear risk reduction, avoidances of nuclear accidents and unauthorized use. The language of diplomacy was changed to that of nuclear CBM and nuclear proliferation. The range of relations with other countries was not only trade and simply diplomatic formalities, but replaced by the negotiation of nuclear deals and cooperation in other nuclear activities etc.

Lahore Declaration is a pre-war agreement. Recalling their previous agreement which was made on 23<sup>rd</sup> September 1998, leaders of both countries agreed that an environment of peace and security is in the supreme national interest of both sides. The leaders shared their vision of peace and stability and reiterate implementing the Shimla Agreement in letter and spirit; agreed to resolve all issues including Kashmir problem, intensification of composite dialogue and condemnation of terrorism with promotion of Human rights. They also agreed to reduce the risk of unintended use of nuclear weapons, promoting confidence building in the nuclear and conventional fields, including prevention of conflict. (Memorandum of Understanding 1999).

Though, all of the agreements contain excellent textual proposal and also mention ways to create good relation, it was not easy to transform spirit into action and not easy to achieve good relation between them. Many conflict and drawbacks in relating themselves persisted. Robert Jervis says security arena is unforgiving, if you lose a trade deal you will be poor, if you lose a war you will be dead, it is not easy to measure because it was not easy to know what other state do. So, India and Pakistan were afraid to lose in security arena. They strive to struggle to maintain balance of power between them. After 1996, India changed the diplomatic channel, using an Indian version of 'Track Two diplomacy' called "Gujral doctrine", playing a big brother role to other neighboring countries. This diplomacy helps the relation between India and Pakistan in many ways.



The word “nuclear” is neither a foreign word in South Asian countries, nor is nuclear weapon a new gadget. Indian Nuclear weapons is not an accidental development. George Perkovich (2000) wrote that India’s first Prime Minister Jawaharlal Nehru and famous physicist Homi Bhabha wanted to make the bomb, even before India gained Independence, if necessary. Both leaders claimed that India could make bomb within one to three years. Indian nuclear policy was changed after 1964 under Prime Minister Lal Bahadur Shastri, when China tested its own nuclear weapon. This forced the Indian political system to go nuclear. However, the primary objective of Indian nuclear strategy is to achieve economic, political, social, scientific and technological development within a peaceful and democratic framework (*dIND*,1999 ).

Indian weaponization encouraged and accelerated Pakistan’s quest for nuclear weapons (Bajpai 2003: 51). Pakistan started nuclear research programme under the auspices of the ‘Atom for Peace’ programme. Pakistan acquired nuclear reactor material from US in 1965 (Beg 1996: 158-172). Pakistani leaders were also very desperate to making nuclear weapon. Leaders of Pakistan were adamant to make nuclear weapon that Z.A Bhutto even said that they will make bomb even if they eat grass. After the nuclear weapons came in South Asian region, the strategic environment has change, Nuclear weapons have introduced a new strategic vocabulary which are never used before in this region. Military, weapons, armament and even arms control was measure only in the scale of nuclear weapon. The present situation in South Asia is described as a ‘stability and instability paradox over the nuclear issue’. There is still a very high risk of nuclear war in South Asia.

The strategic nature of South Asia was dominated by nuclear capabilities and delivery system of India and Pakistan. Both the states continue

to engage in the latest equipments and sophisticated weapon as well as modernizing armament. Pakistan security calculation involve India capabilities and intentions (Rajains 2005: 280). Pakistan set up the Space and Upper Atmosphere Research Commission (SUPARCO) in 1961. This commission had started manufacturing missile, and began surface to surface Ballistic missile programme in 1980. Haft I missile, capable of 500 kgs payload with 80 kms range and Haft II 500 kg payload with 300 km range was developed. China also supplied the M-9 missile to Pakistan. Pakistan has the US made F-16, jet fighter to carry the nuclear weapons. Later Pakistan developed M-9 Shaheen-1 range 700 kms nuclear capability, M-9 Shaheen-2 range 2,500 kms May have nuclear capability with Ghauri-1/Hatf 5 range 1,300-1,500kms, Ghauri-2 /Hatf 6 range 2,000-2,300 kms.

India has Defence Research and Development Laboratory (DRDL) at Hyderabad supplemented by Indian Space Research Organization (ISRO). India has developed short and medium-range nuclear-capable missiles. Prithvi missile has a different version like SS-150 (Prithvi-1) popularly known as Army version - range 150 km, payload 1,000 kg, SS-250 (Prithvi-2) called Air Force version - range 250 km, payload 500-750 kg.<sup>1</sup> Agni-I, (range 1,500 km, two stage, solid fuel, hydroxyl-terminated polybutadiene/oxidizer, Payload 1000 kg; Re-entry vehicle has carbon-carbon composite heat shield) and the Agni-II (range 2500 km, two stage, solid fuel, hydroxyl-terminated polybutadiene/oxidizer, payload 1000 kg; maneouverable re-entry vehicle with carbon-carbon composite heat shield) The official deployment of the Prithvi SS-250 missiles was in September 1997, some rumours also spread that reportedly four nuclear armed Prithvi's were deployed during the Kargil War in June 1999. The first deployment of the medium range Agni-II, was during Kargil war, which apparently consisted of a single preproduction model. The medium range Agni-II system is designed to be mobile. The original version was developed in a road-mobile configuration, but later a rail-mobile version

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<sup>1</sup> [http://www.en.wikipedia.org/wiki/India\\_and\\_wapon\\_of\\_mass\\_destuction](http://www.en.wikipedia.org/wiki/India_and_wapon_of_mass_destuction)

was also manufactured. India also developed Agni-III, with a range of 3500 to 5000 km and a ship version of surface- to- surface missile “Dhanush” and Submarine Launched Cruise Missile (SLCM) “Sagarika”. “Dhanush” a Prithvi naval version, 8.56 metre-long, strike range of 250 km, was successfully tested in 2001, where Sagarika successfully tested on 26 February 2008. India also has the Mirage 2000 and MiG-27 Flogger, a nuclear-capable Soviet aircraft, The MiG is a single-seat aircraft with a range of approximately 800 kms which could carry up to 4,000 kgs of bombs. Jaguar aircraft which is capable to arms with nuclear weapons. Jaguar weight 15,450 kgs a range of 1,600 kms with a pay load of 4,775 kgs.

The third party also plays an important role in South Asian strategic environment. There is evidences showing China’s supply of a nuclear technology and missile to Pakistan (Jasjit Singh 2001: 27-43) As a weaker and smaller states, our unfriendly neighbour, Pakistan has been keen in guarding its sovereignty and territorial integrity. It has obtained weapon from the United States and sought military and technological aid from other countries.

Nuclear weapons could not ensure deterrence and security in the South Asian region. Nuclear deterrence does not work in South Asia because this very deterrence is based on rational actors model. Gen.V.P Malik (2002) said Pakistan’s dictatorial regime could not ensure rational decision making. The Kargil War revealed that deterrence is not ensured by nuclear weapon. Kargil War did not end due to nuclear weapon deterrence but due to political efforts. Operation Parakram (2001 -2002 border confrontation) also ended due to international negotiation. So, during the Kargil War and Operation Parakram, neither Indian nor Pakistani nuclear weapons were involved. Julian Lewis argued that there is ethical paradox in which peace could be maintained and achieved by possession of nuclear weapon (Lewis 2001: 51). In South Asia too, India and Pakistan did not feel secure without nuclear weapon.

Nuclear weapons alone are nothing without any other deliveries; therefore, nuclear weapon helps to develop the conventional weapon too. Nuclear warhead needs more sophisticated missiles which could carry nuclear weapon. So, nuclear weapons urged the countries to develop advanced conventional weapon. It also helps to upgrade and well equip the existing weapon. Both India and Pakistan military experts thought that nuclear weapon brings relief and expecting to help in military fields. However, nuclear weapon is a burden in military system too. India and Pakistan need to maintain well their nuclear weapon. It is not an easy task and there are several operational burdens that come with nuclear weapon. It also needs forms and intelligence and information. Building a nuclear weapon is not difficult, but not easy to be a nuclear weapon state. Former chief of Indian Navy, Vishnu Bhawat said that “we should work hard and intelligently at our supports system command and control sub system, code authentication prior authorization, chain of command etc. Nuclear weapons are not show piece, we need a very strong team for self verification or peer review and for auditing our readiness, preparation and capability” (Bhawat 2000 : 121).

Nuclear weapon safety is very important: there has been at least 230 nuclear related accidents in the US, former Soviet and UK between 1950-1980 (Gregory and Edwards 1989: 11-24). In India too, the 1997 Comptroller and Auditor General report on the Ministry of Defence mentioned that 187 accidents occurred in 1997, there are 2,729 Indian Air Force (IAF) aircraft accidents since April 1991. In 1997 alone, 147 aircraft and 63 pilots were lost by IAF and the Indian aircraft was mockingly later called ‘Flying Coffins.’

India and Pakistan faced a financial rout after the nuclear test in 1998. The national economy of both countries was affected by the nuclearization. On 16 June 1998, US announced sanction under the Glenn Amendment to the Arms Exports Control Acts, which includes stopping and suspension of development aid, sales and deliveries of militaries equipment, restricting

loans from the US bank and controlling the exports of dual use equipments (Synnott 2001: 28-29). Japan stopped aid to India and Pakistan where in 1997, Japan gave \$ 1 billion as loan and grants of \$ 26 millions to India; \$230 millions loan and \$ 41millions grant to Pakistan (Synnott 2001: 27). Many European countries had imposed sanction on India due to Nuclear test. Indian economy faces a difficult test. Trade relationship suffered due to Nuclear weapon, and also hampered economical aid and loan from other developed state. According to estimate made, India was about to lose \$ 20 billion as a result sanction including termination of military sales and financing and blockages of US bank loans as a credit to Indian government (Khanna 2002).

Nuclear weapon has been increasingly requiring more money. The 1998-99 Budget presented by government after the nuclear explosions, involves a 14 per cent increase in the defence budget over previous year's revised estimates corroborating to the monetary rising demands of nuclear weapons. That comprises an increase of Rs. 4038 crore in revenue expenditure and Rs. 1063 in capital expenditure. The only explicit increase in budgetary expenditure which reflect the nuclear programme are in the outlays for the Department of Atomic Energy (a 59 per cent increase, from Rs. 987 crore to Rs. 1569 crore) and the Department of Space (a 62 per cent increase, from Rs. 850 crore to Rs. 1381 crore), which are not a part of the stated Defence Budget.<sup>2</sup> The nuclear test also affects the value of rupee and foreign exchange in many ways. The dollar price of India also declined. Reserve Bank of India devalued rupee by 20 percent. The foreign liability of India in rupees term was increased in Rs 21,200 crore at one time. The Industrial growth also declined and agricultural growth rate is also negative (Khasnabis 1999: 169).

Actually, nuclear weapon curtailed developmental process in India to a certain extent. The price of nuclear weaponization annual outlay Rs. 7000—

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<sup>2</sup> <http://www.angelfire.com/mi/MIND123/BUDGET.html>

8000 crore is same with the government total budget for all Education ( Rs. 7,046 crore) in 1998-99, the cost of nuclear submarine (Rs. 9,000 crore) is more than budget of all rural employment and poverty programmes (Rs. 7,283 crore) and India need to pay every year Rs. 7 and Rs. 8 of every 100 rupees collected as tax would have to be use for creation of nuclear arsenal (Ramonahar Reddy 2003: 393-400). So, acquiring a nuclear weapon is not a joke. There are so many people living under poverty line, million of people lives in hunger, living without proper health facilities and million of children die due to malnutrition. But, India needs to spend a huge amount to maintain weapon. So, if India did not have Nuclear weapon, money used for nuclear weapon can be spent for other developmental schemes. The money could reach the poor people, education and health facilities could also improve.

Similarly, Pakistan also face sanctions and freeze foreign fund. It needs to pay a very huge amount for nuclearization. According to Social Policy and Development Policy estimation, the price of nuclear for one year would be high. The findings were as a follows:- Pakistan have short run in lower gross domestic product by Rs 12 billion, lower real per household income annually by Rs 400, lower consumption expenditure by Rs17 billion, and also 16000 more educated unemployed, 20,00,000 more below poverty line, 400000 more additional malnourished children would be added.(SPDC).

Nuclear weapon has been playing an important role in domestic policies too. The politics of nuclear test had given political advantages to some party like BJP, after the NDA failed to get majority in Parliament, Bharatya Janata Party(BJP) led National Democratic Alliance (NDA) formed government again in the mid term poll in 1999. The nuclear test had diverted much attention from the failure of government and could hamper the development process. In India, nuclear disarmament has not permitted free and full expression of popular sentiments. Praful Bidwai and Achin Vanaik's critique of the nuclear elite mindset and its debased sensibilities that regard that

nuclear elite experts and strategies are not really accountable to public, and it tried to dominate discussion on feasibility and desirability of nuclear disarmament (Bidwai and Vanaik 2002 : 7).

Nuclear weapons are a very big burden for India in many ways. India had suffered a diplomatic restraint in relation with other countries. In 1998, when India tested nuclear weapon, Australia and New Zealand had pulled off their Ambassador as a protest of nuclear test. Many countries also expressed their rage to India and Pakistan nuclear test. It had given a bad impact in their relation with other countries who were against the nuclear weapon state. The nuclear weapon states also expressed disapproval of the Indian Nuclear weapon test. Around 152 nations and all major regional organization including Group of Eighth (G-8), European Union, Organization of American States, Gulf Cooperation Council, Organization of Islamic Countries, Nordic Council expressed the unsolicited feeling on nuclear test. UN Security Council unanimously condemned the nuclear conduct by India. India lost the UN Security Council non Permanent member seat after declining the Comprehensive Test Ban Treaty (CTBT) in 1996. Only 42 out of 185 countries voted for India. India's hope for a Permanent member for UN Security Council was bleak. India not only lost a non permanent member seat but lost trust from many other confidant states. The Indian nuclear test was not welcomed by major nuclear suppliers like Canada and US earlier after Pokhran I in 1974, Canada was very surprise, and the plutonium used in nuclear test was produced by CIRUS. Canada warned the then Prime Minister of India, Mrs Indira Gandhi in the event of India conducting any nuclear test. Canada cut off all nuclear cooperation as well as economic aid and US Congress was very upset and recommended punitive action against India (Kamnath 2000: 232).

Some critics thought that nuclear test have exposed the serious weakness of Indian science. Indian scientist have given more priorities to militaristic and ambitions of the elite than the problems of poor people

across the nation and accused the Indian science (or scientist) of betraying the humanistic heritage of Gandhi and Buddha by building the nuclear weapon (Amulya Reddy 2003: 202-203). Arms control in South Asian region is very vital that Raja Mohan and Peter L Lavoy argues arms control is " necessary because each country engages in coercive strategic behavior – including provocative troop movement and military exercise near tense border, alleged support for militants groups in unstable region of the other countries, cross border firing mainly along the Line of Actual Control in Kashmir " (Mohan & Lavoy 1996: 26).

In South Asia region, prohibiting and reducing small arms and light weapon has not proved easy. This region have been facing a very challenging problem in restricting small arms. The countries private gun manufacture produces very good qualities with cheap prices. Darra Barra in Pakistan and Cox Bazaar in Bangladesh are famous for arms market. These arms products were not restricted and no taxation was imposed by the governments (Malik and Joseph 2005: 30). Most of the illegal weapons are proliferated from these regions through international black market. The other difficulties of preventing small arms and light weapon are due to their low cost, portability, easy to handle and concealability (Klare 1999). The experience of the past wars between India and Pakistan has taught the lesson that war does not consolidated peace and peace could also be achieved through avoiding war and conflict. Peace is not the by product of war. All this connotes the necessity of arms control in South Asia

### ***1.3: The Arms control processes in India and Pakistan***

Even before the gun was invented, attempt to purge war and arms control existed. The Medieval Church took initiative against wars. In 1139, the second Lateran Council condemned the use of Crossbow. In 1623, France monk Emeric Cruce, made a proposal called *Le Nouveau Cynee* (council of



ambassadors from across the world) aiming the elimination of war, advocating negotiation and arbitration. Arms control also has so many meaning from early period. It is still a crucial topic in contemporary world where the world was dominated by hegemonic culture. The concept of arms control is not constricted only to limited objectives but is rather multipurpose. The Peace of Westphalia had taken important efforts on disarmament, encouraging to demolish and not to make any fortification. The very first and important effort by a country or nation to limit arms was started in 1766, when Austria under Prince Kautitz proposed a bilateral arms reduction to Prussia. But the offer was not accepted by Prussia. In 1787 France and Britain agreed to restrict a naval construction. The modern arms control foundation was laid by Russian Czar Alexander I, in 1816, when he unsuccessfully proposed general arms reduction followed by the Treaty of Versailles.

Lawrence Friedman argues that arms control “include the substance and process of all international negotiation with regulating armaments” (Friedman 1998: 195). Arms control aims at regulating the arms and weapons, but disarmament deals with reducing and abolishing existing weapons. Arms control bring stability, disarmament brings peace. Arms control process includes reducing the risk of war, reducing the cost of preparing for war and reducing the damage inflicted by war (Archer 2003: 8-9). So, India and Pakistan’s bilateral efforts for tension and conflict management could be addressed as important arms control. Levi and Hanlon listed the foundation of arms control in their book *The future of arms control*, which includes producing transparency and early warning, and strictly complement to military forces (Levi and Hanlon 2005: 11-17). India and Pakistan have been taking initiative to produce transparency and early warning, actions that also complement to the military forces. Both countries have created political predictates for coercive actions too.

Jozef Goldblat has listed the chief function of arms control in his book *Arms Control: Guidance to Negotiation and Agreement* :- Reducing the risk of war, slowing down the global and regional arms races, reduces the fear of the intention of a potential adversaries, preventing the development of new type of weapon and armament, limiting the disproportion between heavily and lighter armed state and removing the instability, supporting the state to resort to peaceful means and converting resources for economic and social development, promoting better understanding among nation (Jozef Goldblat 2002: 11-12). So, keeping in mind those concepts and functions of arms control, let us examine the arms control processes in India and Pakistan.

The arms control processes in South Asia can be classified into four broad themes: —

(a). Preventive measures – Prevention is one of the important parts and parcel of arms control. Prevention is the clever action. Stopping of manufacturing, production, deployment and installation of weapon are easier said than done. However, prevention of weapon's use is necessary. India and Pakistan made agreement on not to attack each others nuclear installation. The agreement on reducing accidents relating to nuclear weapons was an important arms control step for both countries.

(b). Precautionary measures – Precaution and Pre-notification is a goodwill act. Both India and Pakistan took steps not only in reducing weapon and armament but gave efforts on precautionary and pre-emptive measures like agreement pre-notification on military exercise, agreement on air Space Violation in 1991, agreement on pre-notification of flight testing of ballistic missile. Those anticipatory measures deal about regulating armament, which is one of the important steps for arms control process.

(c). Prohibitory measures – The Karachi Agreement, Joint Declaration on Chemical Weapons Prohibition are the important apparatus for preventing

proliferation and dissemination of weapons. Both India and Pakistan made strict prohibitory process determined to ease tension between them.

(d).Permanent threat reduction measures like hotlines. Hotline is a useful material to communicate with counterparts. Hotline was successfully used during the confrontation between US and Soviet Union. Not only in military, but also political leaders multipurpose used it to discuss the political and security situation. The hotline provides important threat reduction measures and serves important channel during war and tension between them. It was a versatile instrument for managing the conflict.

The arms control measures aimed in removing threat situation or weapons when war broke out, preventing competition that could cause financial ruin. It also includes creating an environment of increasing trust and confidence (Barash and Webel 2002: 324-328). India and Pakistan are also taking an important step to improve the relation during war time. Hotline was used in Kargil war period. India and Pakistan also took steps increasing the trust and confidence between them. In some way, arms control was only regarded as one type of military strategy as Jasjit Singh argues "arms control can be described as an essential ingredient of military strategy pursued through diplomatic means and process."(Jasjit Singh 2006: 7). Thomas Schelling also said "Arms control is a clumsy pair of words but it has come to stand for all forms of military cooperation among potential enemies that may reduce the risk of war."(Schelling1961: 723.)

Motivation of arms control process in South Asia was numerous. The nature of political unrest lies in the heart of relations between the two South Asian giants. The fear of destruction and possibility of war is very sensitive and extremely high between India and Pakistan. Avoiding and preventing war is the clever action for both parties. Both countries fought four full fledged wars and experienced two big border confrontations. The cost of war and confrontation

is very high, and both countries had taken steps for arms control process. Arms control in South Asia is an important instrument of conflict resolution. The arms control process between India and Pakistan de-escalated the tension between the two countries. Another important motive of the nuclear weapon state is urgently needed nuclear risk reduction measure. After the nuclear test, both countries have been following different version i.e nuclear related arms control. The diplomacy of track II, better known as 'people diplomacy' and other good neighbourhoodly schemes were promoted between them.

The UN also supports the principle for arm conflict prevention. While dealing with the arms control process, the two Asian giants fulfil the norms and criteria set by the UN in many ways. The UN's main responsibility is maintaining international peace and security. The policy framework for UN Preventive Diplomacy is useful where some initiatives is based on the UN Charter especially Article No. 1, which deals with the purpose of the UN in maintaining international peace and security. UN Charter Chapter VIII under the "Action with respect to threat to the peace, breaches of the peace and acts of aggression," Articles 39, 40 and 41 deals about preventing conflict or war. In UN history, Universal Declaration of Human Rights, UN Security Council Resolution No. 678 and No. 688 highlight the preventive initiation of conflicts. In addition to that, the UN also made a book called, *Handbook on Peaceful Settlement of Dispute between States and Declaration of fact finding by the UN in the field of maintenance of international peace and security*. So, keeping in mind those proposal and guidelines, Pakistan and India took careful steps for arms control.

India and Pakistan have been following methods of conflict prevention to build trust between them. Conflict prevention refers to a particular kind of conflict management. It intended to prevent dispute from escalating into violent conflict, to prevent old conflict from recommencing and to prevent existing conflict from spreading. It includes measure like diplomatic initiatives,

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preventive diplomatic negotiation, mediation, conciliation, arbitration and judicial settlement and preventive deployment of troops (SIPRI 1998).

In other words, India and Pakistan uses the 'Preventive diplomacy', for their arms control processes. Preventive diplomacy is one of the common and useful tools. On 31<sup>st</sup> January 1992, Boutros B Ghali, United Nations Secretary-General makes an important agenda to the 'Summit Meeting of the Security Council', and called "*An Agenda for Peace*" which includes preventive diplomacy, peacemaking and peace-keeping". The Agenda declared that preventive diplomacy is, " most desirable and efficient employment of diplomacy to ease tensions before they result into conflict. Preventive diplomacy requires measures to create confidence; it needs early warning based on information gathering and informal or formal fact-finding; it may also involve preventive deployment and, in some situations, a demilitarized zones" (B Ghali 1992). The preventive diplomacy encouraged India and Pakistan. Several initiation was taken on the lines of UN Preventive diplomacy. Truly, the South Asian arms control is a purely preventive diplomacy.

However, India and Pakistan have big difference in arms control processes. India wanted 'no first use' pact while Pakistan wanted 'non-use of force', and peaceful settlement of dispute. India is concerned with multilateral forums and advocating global disarmament including general and complete disarmament while Pakistan is interested in regional disarmament. Pakistan proposed non-deployment, But, India wanted to extend to prohibition of attack against nuclear installation and facilities and include a promise not to target population and centre of economic importance with nuclear weapon, which was not accepted by Pakistan (Carge 2003: 64-65). The big obstacles to arms control in South Asia are like a diplomatic pre-occupation with nuclear disarmament to a detriment of nuclear restraint and both state refused to pursue arms control as an instrument of national security (Lavoy 2003:243).

In the South Asian arms control process, India and Pakistan have initiated a composite dialogue on eight baskets which was agreed on June 1997. The first round of this composite dialogue between India and Pakistan was held in February 2004. India wanted to discuss nuclear matter while Pakistan wanted to talk about nuclear restraint, the two countries take initiatives to take further step on the basis of this composite dialogue (Croft 2004: 1012-1013 ). Besides those compulsion, both countries copying the major power arms control process like Hotline, nuclear risk reduction, prior notice on military manoeuvre and many more were copied from the US and USSR bilateral arms control process.

#### ***1.4: Role of CBMs between India and Pakistan***

The 'Helsinki Final Act' is regarded as the beginning and foundation of Confidence Building Measures (CBMs). The Conference on Security and Cooperation in Europe, which opened at Helsinki on 3<sup>rd</sup> July 1973, was continued at Geneva from 18<sup>th</sup> September 1973 to July 1975, and concluded at Helsinki on 1<sup>st</sup> August 1975. Conferences on Security and Cooperating in Europe (CSCE) functioned as a regional organization after concluding the famous Helsinki Final the OSCE was created to serve as a multilateral forum for dialogue and negotiation between East and West<sup>3</sup>. The CSCE was later succeeded by Organization for Security and Cooperation in Europe (OSCE). OSCE is an international organization operating in different fields in many European countries. OSCE mainly deals with conflict prevention in Europe.

Helsinki Act tackles questions relating to security in Europe. Declaration on principles guiding relations between participating states was chalked out. The Helsinki Act promotes sovereign equality, respect for the

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<sup>3</sup> <http://www.osce.org/about/19298.html>

rights inherent in sovereignty, refraining from the threat or use of force, inviolability of frontiers, territorial integrity of states, peaceful settlement of disputes, non-intervention in internal affairs. It also includes respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, equal rights and self-determination of peoples, co-operation among states, and fulfilment in good faith of obligations under international law. The Helsinki Act also deals with confidence-building measures and certain aspects of security and disarmament prior to notification of major military manoeuvres.

Helsinki Final Act argues a prior notification of military maneuver exceeding total of 25,000 troops, the prior notification will also be given within 21 days in advance. The participating party will also invite other participants to send an observer to attend military manoeuvres, and aimed for less confrontation and promotion of disarmament. They also expect to take effort on achieving the general and complete disarmament under strict and effective international control and other confidence-building measures, questions relating to disarmament, general considerations and co-operation in the field of economics, science & technology and environment.

The word CBMs or Confidence Building Measures is not a very new word or vocabulary in South Asian region. The words CBM is versatile and is used in different places for different purposes. Michelle Maiese (2003) defines "CBMs are agreements between two or more parties regarding exchanges of information and verification, typically with respect to the use of military forces and armaments. Some measures attempt to make military capabilities more transparent and to clarify the intention of military and political activities."

The important primary Confidence Building Measures (CBMs) can be classified<sup>4</sup> into broad theme like communication, constraint, transparency, and

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<sup>4</sup> <http://www.stimson.org/southasia/?SN=SA2001112047>

verification measures. Communication measures are one of the important CBMs tools. Communication plays a very crucial role in relation between other countries. Misreading of communication could lead to a disastrous confrontation. The first "Hotline" was made between the United States and Russia, these hotlines were widely used for arms control process between two countries and during the crisis in Middle East in 1970s. Like the US and Soviet Union model, in 1965 both India and Pakistan Military Operations Directorates used the hotline communication measures. Regional communication centres were established in some countries and are very helpful to resolve the crisis or conflict and crisis management. Conference on Security and Cooperation in Europe (CSCE), had set up a European model of a communications and security centre. Another useful tool is Consultations along with other party. Regular consultation is a very useful measure. US and Soviet Union had held annual meetings established between both the countries navies after the 1972 Incidents at Sea Agreement (INCSEA). In Latin American countries also, some countries like Argentina, Brazil, Chile, Paraguay, and Uruguay initiated the regular consultation of Chiefs of Staff of the armed forces.

Demilitarized Zone (DMZ) is another important constraint measures. In some countries, thin-out zones, or limited force deployment zones, were established. In 1975 Syria and Israel established a demilitarized zone (DMZ) extending 20 kms on each side of the DMZ. This Demilitarized zone was monitored by multinational forces. Pre-notification or precautionary measures are constructive methods. Helsinki Final Act restricted military exercise, manoeuvre and demand military movement. Stockholm Accord of 1986 restricted the military exercises only 42 days for major military exercises and 1-2 years for larger scale exercises and demand prior notification. Transparency measures are very important for military strategy. Transparency measures like data exchanges including existing military holdings, planned purchases, military personnel and budgets, projected military capabilities help in de-escalating the conflict. Verification measures can be done in Aerial



inspections, Ground-based electronic sensing systems and On-site inspections. After INF treaty and SALT treaty, the US and Soviet have done On-site inspections.

In South Asia, the military and non military CBMs were emphasized. However, the military CBMs played a very crucial role between Pakistan and India. Non-military CBMs like diplomatic, cultural and economics also play a crucial role. Prof. P. Sahadevan has been classifying the India and Pakistan CBMs into (1) Dispute settlement measures, (2) Relation regulatory measure, (3) Cooperatives measure (4) Communication measures and (5) Civilian protection measure (Sahadevan 2001: 315). So, the CBMs which is currently in progress can be termed as a mechanism that re-enforce stability between states who are suspicious of each other but who basically share a desire to avoid conflict (Alam 2004: 101).

In 1960 India and Pakistan signed the Indus Water Treaty for sharing the Indus river water under the auspices of the then President of the World Bank, Eugene R. Black. After several years of negotiations, the Indus Water Treaty was signed by Prime Minister, Jawaharlal Nehru and Pakistan Military ruler Mohammad Ayub Khan along with International Bank for Reconstruction and Development representatives WA B. Iliff at Karachi. The text stated, *“The Government of India and the Government of Pakistan, being equally desirous of attaining the most complete and satisfactory utilisation of the waters of the Indus system of rivers and recognising the need, therefore, of fixing and delineating, in a spirit of goodwill and friendship, the rights and obligations of each in relation to the other concerning the use of these waters and of making provision for the settlement, in a cooperative spirit, of all such questions as may hereafter arise in regard to the interpretation or application of the provisions agreed upon herein, have resolved to conclude a Treaty”* (Indus Water Treaty 1960). Indus Waters Treaty is the only agreement that was successfully implemented. In April 1950, India and Pakistan signed a pact on

the treatment of religious minorities in their respective countries, in 1960 both countries settled five disputes along the Indo Pak border. Tripartite agreement on Pakistan Prisoner of War (POW) issue was settled in April 1971.

In 1983 India and Pakistan agreed to establish a Joint Commission to strengthen good neighbourly relations to promote economics, health and technology, sport travel and tourism etc. In 1984, both countries agreed to issue double entry visa, ease visa and police report and two countries decided to run two trains a day to Lahore to Amritsar (Sahadevan 2001: 320), later to work on agriculture, cultural exchanges, tourism and telecommunication in 1985. The Joint Commission agreed to emphasize travel and tourism in 1989. Both countries embarked on three year (1989-1991) cultural exchanges programme including education, art and culture, sport, exchanges of newspaper, participation in film festivals, exchange of TV and radio personnel. However, the progress of CBMs was slow. Direct telephone dialling could not be easily achieved. Travel was not easy due to non-availability of direct flight between two countries. Visa was made easy only for government officials and very difficult for ordinary citizen. In addition, Exchanging cultural programme could not materialize easily.

Pakistan imports iron ore from India which is not easily supplied by other continent. Pakistan imported around 5000 tonnes of tea from India in 1985. Apart from agriculture and industrial raw material Pakistan also imported Indian finished product like transport, Industrial and Household equipment. India and Pakistan also proposed to resolve the shortage of oil, electric for household, agriculture and Industrial used. India and Pakistan built a trade relationship after independence, during 50 years; the trade relationship was low key and suspended nine years (1965-1974). In 1998 Pakistan's trade with India is only two (2) percent and India with Pakistan was 0.44 percent as a result of several restrictive measures and lack of trade agreement. Pakistan has a trade surplus with India in only three importing more than it export during the 1990-2000 (Zaidi 2001: 42)

India and Pakistan hold regular talks on security, trade and commerce. Both countries agreed on making a code of conduct to protect diplomatic personnel in 1990 when the two Foreign Secretaries chalked out non harassments of diplomatic personnel. However, this agreement was never easy to implement as evident in incidents that followed. Pakistan did not protect Indian officials and property in Karachi after the incident of Babri Masjid in India. When India tested its nuclear weapon, an Indian diplomat was badly beaten by a Pakistani security guard in Islamabad. India and Pakistan also agreed to increase the diplomatic staffs too. They proposed the sister cities like Lahore and Amritsar, Karachi and Mumbai in exchanging the administrator, journalist and religious leader, teacher and student of their respective sister cities. Both countries also proposed the nuclear waste facilities and planned for working towards technological sharing in various fields like nuclear dual use, remote sensing system for irrigation, preventing deforestation etc.

In 1974, a protocol on visiting the religious places was made. Pakistan permitted Indian Sikh pilgrimages to visit Pakistan four times a year. Similarly, India permits Pakistani pilgrims to visit Nizamuddin and Ajmer Sharif six times a year. In 1982, India accepted Pakistani request to visit Mumbai and Goa for Pakistani Parsis and Christians respectively (Sahadevan 2001: 319).

In order to create a better relation India used a multiple entry visa, liberalizing traveling to India for Pakistanis, exempting police report when crossing the border and encouraging free flow of book and journal. Besides, it also put forward the resumption of the long suspension of air and rail link, starting a new bus service, increasing mission staff and encouraging people to people diplomacy. However, the relation between both countries could not improve. On 24<sup>th</sup> May 2001, India's Prime Minister A.B Vajpayee called on Pakistan's President Pervez Musharaff to visit India for talk. Musharaff visited India on July 14<sup>th</sup>. Un-popular talk called 'Agra Summit' was held. However, the talk failed due to differences between them. In this unpopular summit,

Pakistan was accused to using the Kashmir issue as a dispute and also called cross border terrorism as a 'freedom struggle movement' which was not acceptable to India.

Eventually, political regimes changed on both sides. India and Pakistan continued to foster a good relationship between them. Both countries released their prisoners in order to improve people-to-people contact between the two countries. Resumption of talk on Kashmir issue, and trade and commerce was held. Both countries also agreed for the first time, in almost six decades, to issue tourists visa. They also exchanged their lists of nuclear facilities for fulfilling the agreement of prohibiting attacks on the installations. In 2003 November, India and Pakistan agreed to have a ceasefire in Kashmir. This cease fire was the first time after 1989 when the Pakistani intrusion in Kashmir began in the state. Before this ceasefire was announced, both armies exchanged fire every day. The ceasefire was observed on the Line of Control and Actual Ground Position Line in the Siachen Glacier too (Daily Times, Online edition, November 26 2003)

A historic South Asian Association for Regional Cooperation (SAARC) summit was held in early 2004 at Islamabad. A draft of South Asian Free Trade Agreement (SAFTA) was approved for free trade in SAARC countries. A protocol against terrorism was also made. This summit created a very pleasant environment between India and Pakistan. After the summit, both India and Pakistan took important steps to cooperate at various levels. Air link was resumed and rail link was also resumed (Daily Times, Online edition, January 15 2004). To promote the people to people contact Srinagar –Muzaffarabad bus service was resumed. Apart from political, economic, cultural and security realm, the cricket diplomacy was re-initiated almost after fifteen year gap. Indian cricket team visited Pakistan in 2004 and has continued visiting each other. Many cricket fans from both countries participated in the processes which increase people to people contact.

Both countries agreed to Foreign Secretary level talks on Kashmir and peace and security. Pakistan and India discuss important issues including Jammu and Kashmir; in 2004 both countries agreed to talks on Siachen, Wullar Barrage/Tulbul Navigation project, Sir Creek, terrorism and drug trafficking, economic and commercial cooperation (Daily Times, Online edition, February 19 2004). A meeting of narcotics officials decided on prevention of drug trafficking and smuggling. On August 11-12, 2004, a meeting of commerce secretaries was also called to discuss cooperation on economic and commercial development. Pakistan refused to give India due to Kashmir (Daily Times, Online edition, August 12 2004). Both India and Pakistan agreed to expand their trade sectors. Besides, India also extent helps on the disastrous earthquake in 2005. India gave 25 tons of food, medicine, tents, blankets etc to Pakistan for earthquake relief. India eased a visa rules for visiting Pakistani journalists, doctors and academics. In cultural CBMs, Pakistan's cricket team traveled to India for the first time in six years. Indian Sikh pilgrims arrive for a visit to religious sites in Pakistan. Pakistan President Musharraf and Indian Prime Minister Manmohan Singh met for talks in New York during the United Nations General Assembly in September 2004.

In 2006, Pakistan and India agreed to open rail links between Munnabao in Rajasthan and Khokhrapar in Sind. Train service was resumed after 40 years. After resuming the rail, the night bus service from Ferozepur and Fazilka to Ludhiana-Chandigarh was also restarted. A new bus service Amritsar-Nankana Sahib was also launched (Indian Express, Online edition, March 24 2006). Academically, student exchange programmes were launched under which India's University of Mumbai, India and Pakistan's University of Sindh signed a memorandum of understanding for exchange of faculty, scholars, and students (The Hindu, Online Edition, July 6 2007)

Indian and Pakistani armies had the first flag meeting which took place in Chorbat La sector in India on February 2004. Indian Border Security Forces

and Pakistani Rangers had an annual meeting in Chandigarh in 2004 (The Hindu, Online edition, February 22 2004). In 2005, India and Pakistan had an expert level talk on Nuclear CBMs in Islamabad, an expert level talk on Conventional CBMs was also held. Both countries agreed on establishment of a communication link between Pakistan Maritime Security Agency and Indian Coast Guard. On October 4, 2005, an agreement on the establishment of hot line for maritime security was made. Further, they agreed to jointly fight human trafficking, counterfeit currency trade, and illegal immigration (The Hindu, Online edition, October 15 2005).

India and Pakistan are like twin sisters coming from the same womb. Due to geographical location, they could not separate, but could not live in harmony. Despite their mounting differences, both countries had tried their best to create a good relationship with each other. In some way, they are busy making, collecting and accumulating sophisticated weapon and armament. Unsatisfied with these self-made weapons, they have been importing from other countries too. Not only military fields aside, nuclear weapon also affect domestic politics. Nuclear elites also play a very crucial role in domestic debates on nuclear power. The process of weaponization had badly affected the economy, socio-political life, diplomatic relations and foreign trade etc. Many countries imposed sanction, freeze aid, some countries pulled out their ambassadors in protest of nuclearization in South Asia. So, South Asian Arms control is urgently needed.

## Chapter 2

### Cold War and its impact on Arms race and Arms control: Lessons for South Asia

#### 2.1: *The Nature of arms race in International politics*

Great power plays an important role among nations where every state tries to maximize their capabilities. Jack S. Levy (1983) defines Great Power as 'a state that plays a major role in international politics with respect to security related issues'. He created eligibility norms to become a Great power. A state must possess a high level of military capabilities relative to other state, it must have the capability/ability to project military power beyond their border to carry out offensive as well as defensive military power. In another instance, John Mearsheimer's definition also emphasizes that power is the ultimate goal for nation, He argues "Great power are always searching for opportunity to gain power over their rivals, with hegemony as their final goal." (Mearsheimer 2001: 29). So, likewise, United States and Soviet Union make an effort to gain the status of not only great power but also super power among the nations.

The legacy of olden thinkers' works reveals the importance of military capabilities. An ancient Chinese military strategist Sun Tzu, who wrote the *Art of War*, exhorted the importance of military strategy and winning war. Indian statesman and writer Chanakya wrote *Arthashastra* a strategy guideline for King. In the middle age, Niccolò Machiavelli, a Florentine political philosopher wrote the book *The Prince*, which deals with the survival manual of rulers. Those writers emphasised the importance of military capabilities for states. Hence, those thinker contributed in laying the foundation for an arms race, securing the national territories and sovereignty to the other peoples.

The study of International relations and world politics is dominated by the Realist school of thought. Realism advocates that International Politics is a struggle for power like other politics, a struggle dominated by organized violence. Hans Morgenthau says, "International politics is like a political struggle for power, whatever ultimate aim of international politics, power is the immediate aim. States may ultimately seek freedom, security, prosperity and power itself. But whatever they tried to realize their goal by means of international politics, they do so by striving for power". Morgenthau emphasizes on the concept of national interest which he defines in terms of power. He also said that politics cannot be understood in moral or religious terms. State is a unit of the dominant actors in world politics. States are predominant and acted coherently. Realists also stress that force is a usable and effective instrument of policy. It also assumed that in hierarchy of issues in world politics where military security is high politics and other issues are low politics (Nye and Koahane 1989: 23- 37).

Kenneth Waltz argues that international politics lack hierarchy, all state are sovereign and equal. He also argues that in the international level, all state had done the same function that is the function of sovereign statehood and guaranteeing the security. He explicated the balance of power theory as central element in his structural realism. International anarchy fosters competition and conflict among state (Griecio 1988: 116). Structural realist observed that guaranteeing one's own security and survival is the most important function of state. In international system, states struggle to guarantee their own survival; the basis of fear is the driving force of great power. State have self-interest for them selves, and view other states as potential enemies. Distrust and fear among nations bring a security dilemma. Neo-realist advocates an anarchical system in the competition of international system (Baylis and Smith 2001: 190). Hellen Milner opines that the international system is a chaotic arena of war of all against all. No nation is competent to stop the competition on arms races between the United States and Soviet union.



Morton Kaplan (1965) one of the best exponents of Systems approach believes that physical force is necessary to keep the system intact and this elements is present in the state system which is absent in the case of international system. He categorises six models of international system such as balance of power system — a sort of equilibrium of political power favourable to a particular nation at a particular time. His models of international system include likely tight bipolar system, loose bipolar system, universal international system, hierarchical international and veto system. Kaplan propounded that state could have equal potentialities to destroy each other. Each state would possess weapon for the other's destruction. All states attempt to maximize their relative power because only the strongest states can guarantee their survival. Gideon Rose (1998) holds the view that states begin with defensive motive, but are forced to think and sometimes act offensively because of structural international system

Offensive realists suggest that leaders of countries should pursue security policy to weaken their potential enemies or threats, and for increasing their power relation to others states (Baylis and Smith 2001: 187). John Mearsheimer pointed five important reasons why states act aggressively in his book, *The Tragedy of Great Power Politics*. Where international system is anarchic, there is no central government to control them, all states inherently possess the same offensive military capability. State can never be certain about the intention of other states; this is the key assumption, because there is a fundamental defence capabilities and intention. Survival is the primary goal of all state and great power is the rational actor in international relation (Mearsheimer 2001: 29-43).

Kenneth Waltz has clearly mentioned the power-play in international relations. He foregrounds the importance of how unit are arranged in international system and marks that the *ordering principles* prevailing in

international system is very different from the domestic arena. There is no central authority to control other states in international arena and all states are equal and sovereign. The system of ordering principle in international system have taken the anarchical form. For instance Russia, one of the biggest countries, and the smallest Island, are equal in some ways. No countries could ever be restricted by other countries. Every state has the freedom and right to exercise her power. Waltz said in his *functional differentiation of units*, all state performed the same function. State guaranteed security to the state, wherein the domestic situation, power and function was distributed to do different functions. Till date all state perform the same function, establishing the diplomatic relation, securing the territories and sovereignty of the states. States are equal in some sense, so the differentiation of capabilities is very important. Waltz's *distribution of capabilities* is very important where capabilities and exercising power is only a scale to measure whether the states are powerful or not. States which function well in securities are powerful than other states. US and India are sovereign states but US is more powerful than India, as US could have more power to ensure the security of its territories and sovereignty than India. Therefore, this international government system rejects the interplay of power struggles between nation with other states battling to ensure security and power influence over others.

War accelerates the search for power. Arms race began after World War I. Lawrence Freedman (1989) stated that the transformation of war was started after 1918 and followed by a strategic bombardment. He said a key feature of strategy of shock was an element of surprise. He said that technological arms race particularly relates to full strike capabilities. Technological Arms race was in the high in 1950s. Both United States and Soviet Union had to build up large counter force capabilities with an instant readiness to fire that led to mutual fear of surprise attack. Thus, the structure of strategic force may contribute to instability regardless of the intention of the two sides (Freedman 1989).

ambivalent' policies toward post-war status of Eastern Europe, Germany, and the Far East (Theoharis 1972: 214). US were suspicious of the Soviet Union. The Western countries also accused Soviet Union of violating the Yalta conference on intervention in Poland, arrest of Polish leaders, refused entrance to the US and Britain for the observer in Poland, giving a helping hand to communist Chinese, conversion of some European nation into communist, refusing war against Japan. These factors intensified the rift and competition amongst nations of the two Blocs

The origin of the Cold War has often been traced to the Yalta Conference in February of 1945, when US President, Franklin. D. Roosevelt, Britain Prime Minister, Winston Churchill and Soviet Union leader, Joseph Stalin met after the defeat of Germany. The most difficult issue in Yalta Conference was Poland (Theoharis 1972: 220). The Soviet accusation of Prime Minister Churchill's 'Iron curtain' speech in Fulton on 5<sup>th</sup> March 1946 is generally regarded as the beginning of cold war. Churchill warned that "if western democracies stand together in strict adherence to the principles of UN Charters, their influence on furthering their principles will be immense and no one is likely to molest them. If however, they become divided or fail in their duty and if these all important years are allowed to slip away, then indeed catastrophe may overwhelm us all". However, it was the division of Germany that heralded the beginning of Cold War.

The diversity between East and West was visible in the division of Germany. The Cold War politics was fuelled by Berlin blockages. Berlin fell under Eastern Germany which was under the Soviet control. Berlin was also divided into four zones. US, Britain and France treated West Berlin as West Germany; Soviet Union tried to block the development of western countries treatment of West Berlin as their territories and claimed that Berlin was under the Soviet Union. Subsequently, Soviet Union closed the road leading to West

United States and Soviet Union kept busy for balancing themselves in a way of arms race. Balance of power is needed to maintain stability of international politics and also ensured multiplicity of states. Some thought that it also make certain the freedom of small states. In some sense, balance of power kills the spirit of the war and check growth of imperialism. During the whole Cold War period, not a single gun shot was fired between US and Soviet directly. Robert Jervis maintains that Security arena is unforgiving, So, if one lost the deal, it was not easy to recover back. Therefore, states do not want to lose in the security arena and try their best to win.

## ***2.2 : The Cold War politics and A new era of arms race.***

International anarchical forms of government play an important role in Arms race. The Cold War is the result of incompatibilities of ideology between *Capitalism* and *Socialism*, mutual misunderstanding between two countries. After World War II, the world was divided into two: US backed Western bloc and Soviet Union backed Eastern bloc. The two Blocs had been playing active politics in every scenario. The cold war politics had brought a massive competition among the Western and Eastern bloc where the Arms races formed its major trajectory. Since then, United States and Soviet Union started their race in accumulating and making sophisticated weapon, which brought insecurity in the world. The idea of Military strength is the primary key to national security during the Cold War (Rosenberg 1986 : 735).

The Cold War erupted after World War II, but the root of Cold War was started 40 years before it. In 1918-1919, US took an important role in saving the Czar of Russia and undertook measures to curb the Bolshevik revolution. Russia refused to establish diplomatic relation with US till 1933. US refused to give information about the making its Atomic Bombs called 'Manhattan Project'. Before the war was ended, President Roosevelt has a 'vacillating and

Berlin. The western countries did not understand the Soviet moves and used an airlift of supplies to West Berlin. The blockages lasted 11 month and Soviet stopped blockages on May 1949. However, it was too late to reunite the West and East bloc. Moreover, Soviet started transportation of heavy machinery to East Germany and refused acceptance of a single economic zone. Soviet also took part on a unilateral decision to make an Oder-Niese line with Poland without informing the Western bloc. These developments were followed by the division of Germany into two Western backed Federal Republic of Germany and Eastern backed German Democratic Republic.

Meanwhile, when civil war broke out in Greece, Soviet Union, through communist guerrilla tried to establish a Communist regime in Greece. To US, abandon Greece to Communist in 1947, could mean the loss of all European countries (Kaplan 1993: 5). US was involved to rescue Greece from falling under the communist. Soviet pressurized Turkey and demanded some of the Turkish territory for setting up their military base. US had been using '*Truman Doctrine*' of direct military action and economic development assistance scheme to European countries called '*Marshall Plan*.' The Truman doctrine and Marshall Plan was actually established to counter the growth of communism in Europe. Under the Truman doctrine, President Truman asked the Congress to sanction 400 million dollars for helping Greece and Turkey. Congress allowed issuing President Truman's demand. Both Truman Doctrine and Marshall Plan were aimed against the Soviet expansion (Borchard 1947: 885). To counter the Marshall Plan, Soviet bloc also initiated *Molotov plan* and created an economic agency called *Council of Mutual Economic Assistance* (COMECON). In addition to COMECON, *Communist Information Bureau* (Cominform) was also established in 1948.

Cold War politics was accelerated by the Soviet Union's acquisition of nuclear weapons when it became a Nuclear weapon state. US had continued to follow containment of Communism policy. From 1945, America started

launching Anti-Communism amongst the local people, searching of 'un-Americans' that resulted in loss of jobs, certain government policies also terrorized the people. In 1951, the government of Mussadeq in Iran was overthrown with the help of CIA and established an autocratic rule under Shah of Iran. In 1968, cold war was erupted in the forms of Vietnam War. American intelligence unit, the Central Intelligence Agency (CIA) also took part in many countries where coup happened, and involves itself in internal politics of other countries.

In 1949, People's Republic of China was established in the wake of Communist victory in China. US accepted Kuomintang Government based on Formosa (now Taiwan), and supported its representation to the UN Security Council as a permanent member. Soviet bloc attempted to accept mainland China to represent China in UN, but was rejected by US, which sparked many crisis between the two blocs. In 1950, Korean War broke out between South Korea and North Korea. US come to the rescue of capitalist South Korea, Communist China fought U. in the Korean War, and Soviet was also indirectly involved in this famous war. In Korean War, there was a clear division between US and Soviet bloc in UN, when US proposed to use Art 45 of UN Charter. However, that resolution was blocked by Soviet in the Security Council. The widely known 'Uniting for Peace Resolution' was passed by UN General Assembly. The war was known as a 'Korean war', but rather it was a war between communists and non-communist countries. The battleground was in Korea, but the rivals were Capitalists (United States and its allies) versus the Communists (China including Soviet armies.)

As mentioned earlier, the Cold War had promoted arms race between the two Blocs. The international structure had been changed to armament process that had resulted in defencelessness of non nuclear power countries. In the mid-1950s United States and Soviet Union had a full fledged nuclear arms race including manufacturing nuclear weapons (Rogers 1999: 205). Cold War

changed the concept of war in a different way, especially with the emergence of a new power system. The balance of power was replaced by balance of terror. Nuclear diplomacy, politics of arms control and disarmament changed the concept and scenario of international relations. US initiated military alliance in the name of North Atlantic Treaty Organization (NATO), to counter US backed NATO. Soviet backed alliance was established, called 'Warsaw Pact'. In Asia and Pacific region, South East Asia Treaty Organization (SEATO) and Central Treaty Organization (CENTO) were formed under the banner of United States.

Cold War politics had its repercussion not only in the European countries. South Asian giant India and Pakistan were also divided into the two blocs while Pakistan was inclined to Western bloc, India stuck to non-aligned status. India tries to maintain a good relationship with Eastern bloc. In the event of dispute between India and Pakistan, they politicised every issues relating to cold war politics. India referred Kashmir dispute to UN. However, the dispute could not be resolved in the UN. The involvement of Bloc politics could be seen in the use of the foreign made armament in wars between India and Pakistan. Arab-Israel crisis was also influenced by cold war politics.

Though arms race was very intense during the cold war period, the arms control and disarmament process continued after Cold War. United Nations established an Atomic Energy Commission and Commission for Conventional Armaments. These two Commissions were merged and called Disarmament Commission. In 1955, leaders of US, Soviet Union, Britain and France met in Geneva to discuss about disarmament. In 1954, France and Britain submitted a proposal to UN General Assembly to achieve disarmament in three phases. In 1960, Ten-Nation Disarmament Conference was held at Geneva. Both West Bloc and East Bloc sent five representative member states each. In 1960, a Paris Summit was called to discuss important issues between the two power blocs. However, US spy plane called U-2 was shot down by Soviet Union on

1<sup>st</sup> May 1960. The summit was influenced by the U-2 incident. Khrushchev demanded American apology on U-2 incident, the Paris Summit was totally fruitless, the possibility of peace between the two super powers failed again.

US and Soviet Union had a clear and solid policy on arms control and disarmament. Soviet Union has been supporting international negotiation in accordance with peaceful co-existence and recognized rules of international law. Soviet Union believes level of military confrontation should be reduced on principle of equality and equal security and no side should seek military superiority. i.e. 'non discriminatory'. Disarmament measure should be implemented under strict and effective control. Disarmament should involve the greatest possible number of states and ratified by as many countries as possible (Detrovsky 1983 :149-150). General and complete disarmament is the ultimate objective. Soviet Union also welcomed and took several initiations on bilateral or smaller parties with other countries. Leonid Brezhnev said in Berlin on 6<sup>th</sup> October 1979 that Soviet Union also maintained the 'no first use' policy. In 1978, Soviet Union submitted a proposal on concluding international conference on 'non- use' of nuclear weapon against Non- nuclear weapon states.

US extensive strategic option are referred to as 'Pre-emption'- first strike launched on the basis of convincing strategic warning, launched -on-warning and retaliation to subsequent attack (Gottfried and Blair 1988: 89). United States also support the arms control. US had been using nuclear weapons for deterring the communist countries (Hook and Spanier 2007: 75) and paid very close attention on the security of other nations. Besides the multilateral and bilateral efforts, US took very important unilateral steps for eliminating and controlling arms and weapons especially the Weapons of Mass Destruction (WMD). United States has been making a very clear and comprehensive strategic military framework on WMD consisting of military strategic goals, military strategic objectives, combatant commands, combat



support agencies with important three pillars of non-proliferation, counter-proliferation and consequence management (NMS-CWMD 2006: 4-5). Military strategic objectives include defeat and deterrence to WMD use and subsequent use, protect, respond and recover from WMD use. Defend, dissuade or deny WMD, proliferation or possession, reduce, destroy or reverse WMD possession. US also applied other important method like offensive method to deter other countries from acquiring and using WMD. Apart from offensive method, it also applied a very defensive and a cooperative method including threat reduction method (NMS-CWMD 2006: 7-8)

With the increase in nuclear weapon states, the US has changed several policies. US has a very strict policy to the new *de facto* nuclear weapon state including promoting reforms of International Atomic Energy Authority (IAEA), using the Open Skies treaty. Improving check of development in nuclear states, comprehensive usage and upgrading of US intelligence on new nuclear states, giving a reward for important information sharing on new nuclear states, revision of exports control, restriction of arms trade, support 'no-first-use' and urging new nuclear weapon states to join 'no-first-use' pledged, and support the extension of Nuclear Non-Proliferation Treaty (Dotty and Flank 2000: 75).

### ***2.3: Cuban Missile crisis and impact on arms control***

In contemporary world, the politics of deterrence had shifted to the politics of disarmament and arms control. Cuban missile crisis had taught important lessons and left a good legacy in arms control. The latent conflict in the cold war had blown up in the form of confrontation in Cuban Missile crisis. Cuban Missile crisis is called the 'most dramatic and hazardous' confrontation of the nuclear age (Gottfried and Blair 1988: 169). Both US and Soviet Union previously had not experienced such kind of crisis. In arms control processes,

Cuban Missile crisis brought a new era where the two super power have taken are efforts in arms control. Agreement on global arms control like Partial Test Ban Treaty (PTBT) and Nuclear non Proliferation treaty (NPT) and bilateral efforts like Strategic Arms Limitation Talks (SALT) and START etc. was initiated after Cuban missile crisis. In other words, the Cuban Missile crisis woke up the two super powers into taking the challenges of arms control.

The Cuban Missile crisis had important legacy in many ways. The story of nuclear safety and nuclear confrontation is incomplete without Cuban missile crisis whereby nuclear threat and nuclear confrontation have been widespread. Nuclear balances and many important strategic tactics were demonstrated though the Cuban missile crisis. In 1962, US had submitted a working paper to Eighteen Nation Disarmament Committee (ENDC) on reduction in risk of war through accidents, miscalculation or failure of communication. US proposed establishment of rapid and reliable communications among the heads of government including the Secretary General of the United Nations. It also highlighted the Soviet draft treaty on general and complete disarmament on March 15<sup>th</sup>, 1962 which did not mention provisions likes risk of war by surprise attack, miscalculation, or accident. Communication is the important key factor in relations between other countries. In 1963 June 20<sup>th</sup>, both US and Soviet Union concluded an important agreement 'Memorandum of Understanding between the United States of America and the Union of Soviet Socialist Republic regarding the establishment of direct communications link' popularly called '*Hot line*' at Geneva. The agreement stated that each government shall be responsible for the arrangements for the link on its own territory, including necessary steps to ensure continuous functioning of the link and delivery messages from the other party.

The hotline agreement had a very important impact in the relation between these two rival countries. Both countries ensured the delivery of

important messages to the Head of Government. The hotline was widely used during the arms control process. In 1971, US and Soviet Union supplemented and modified the previous Memorandum of Understanding (MoU) at Washington. The hotline was used during the Middle East crisis in 1967 and in 1970 (Borton and Weiler 1976).

Just after the Cuban Missile crisis was resolved, a negotiation of test ban was initiated at Moscow in 1963. A prohibition of nuclear test called Partial Test Ban Treaty (PTBT) was signed by Foreign Minister of Britain, Soviet Union and US Secretary of State on August 5<sup>th</sup> 1963 and entered into force on October 10<sup>th</sup>, 1963. PTBT required that member states should prohibit, prevent and not test nuclear weapons. They prohibit carrying out nuclear weapon explosion in atmospheric outer space, under water including high seas. Member states must also abstain from encouraging or participating in nuclear test explosion in any environment where they are prohibited. The treaty has unlimited duration. France and China are not party to this agreement<sup>5</sup>. The treaty does not prohibit nuclear test explosion underground. However, the treaty mentions prohibition of a test to produce radioactive debris to come out in a territorial land. Arms control experts, scholars and public opinion thought “ PTBT marked a breakthrough in disarmament” (Thee 1977: 97). PTBT is the first attempt to control nuclear weapons. PTBT is not a verification mechanism. However, member states are expected to have their own technical means to verify compliance.

After PTBT was signed, US and Soviet Union were very optimistic on prohibiting spread of nuclear weapon. In 1968, a new agreement was made called Nuclear non Proliferation Treaty (NPT). UN General Assembly endorsed US and Soviet Union resolution on limiting the proliferation of nuclear weapons. UN General Assembly passed a resolution which was opened for signature on July 1<sup>st</sup>, 1968. Nuclear weapon states including US and Soviet

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<sup>5</sup> <http://www.nti.org/db/china/ptbt.org.htm>

Union signed the resolution. But, India refused to sign due to the discriminatory nature of the deal. The treaty entered into force on March 5<sup>th</sup>, 1970. NPT define nuclear weapon states and prohibit transfer of weapons or nuclear explosive devices or providing any technological help to non nuclear weapon state. Nuclear weapon states could exchange their technology and equipments etc. NPT strictly asked nuclear weapon state to engage in curtailing nuclear arms race. Non-nuclear weapon states were asked to refrain from acquiring and producing nuclear weapons and nuclear explosive devices. In compliance of the treaty, UN General Assembly and Security Council have authority to sanction breach of the treaty to member states. Some countries accused NPT tends to uphold the nuclear monopoly of the nuclear powers and does not achieved nuclear disarmament ( Thee 1977: 106) and refused to signed. The NPT duration was indefinitely extended in 1995. NPT member states have the right to pull out from the treaty. North Korea is the first country to pull out from NPT. India, Israel and Pakistan are not members of NPT.

In 1970s there was a détente, easing the politics of tension between the two Bloc. The détente was due to financial burden of Soviet Union in nuclear arms race and financial exhaustion of US in Vietnam War. The fear of nuclear war, the emergence of Sino-Soviet differences also contributed to gaining relaxation in Cold War. Soviet Union followed the policy of peaceful co-existence under Khrushchev. The non-aligned countries also played crucial roles too. During this period the relation between US and Soviet was good. Both countries engaged in cultural exchanges, trade agreement, cooperation in technology etc. In 1973, Soviet leader Brezhnev visited US to attend a Summit talk. The Summit talk led to an agreement to co-operate in research in areas of agriculture, transportation and cultural as well as scientific arenas. Both leaders also agreed to cooperate in reduction of nuclear weapons.

Detente was very beneficial not only for arms control but improves relation amongst countries. During détente, an important agreement was

concluded. A Moscow-Bonn Agreement was signed by Soviet Premier Kosygin and German Chancellor, Willy Brandt on 12<sup>th</sup> August 1970 to accept the status quo of German position. In 7<sup>th</sup> July 1972, North Korea and South Korea agreed to work for normalising their relations and also agreed to promote mutual cooperation in latter years. East and West Germany recognised and promote cooperation between them in 1972. Later, both countries participated in UN as sovereign member countries. Détente also witnessed the end of civil war in Cambodia, end of disastrous Vietnam war, emergence of building relation between US and China and the famous Camp David accord between Egypt and Israel.

Between July 3<sup>rd</sup> -5<sup>th</sup> 1972, Conference on European Security was held in Helsinki. Both West and East bloc nations participated in the conference. On 1<sup>st</sup> August 1975, 35 Head of states from European nations and US and Canada made the famous Helsinki Final Act, a code for security and building good relation. Helsinki Final Act aimed to promote mutual respect of sovereignty, territorial integrity, non-use of forces, peaceful settlement of dispute, non-interference in other's internal affairs. Relation between the two Blocs was also very cordial and they have a good trade relation. Soviet Union supplied grain to Western countries during this period. Detente is very helpful for lasting peace in the world. It also helps bring stability and security (Bykov 1980 :136). Military relief could bring a healthy atmosphere in political fields too. Détente had benefited both super power nation, according to Leebaert (1985), benefits from détente is much more than what they expected (Leebaert 1985: 8). Soviet leaders wanted relaxation from the tension and thought of war. And detente was considered the best option between US and USSR (Garthoff 1985: 93).

The round of Strategic Arms Limitation Talks (SALT) started in 1969. After a series of negotiations held alternately in Helsinki and Vienna, two important-interim agreement, Strategic Offensive Arms and Anti Ballistic Missile (ABM) was signed at Moscow on May, 1972. The SALT I negotiation

is very important and was the first attempt to limit the delivery vehicles of nuclear weapons. Its aimed to limit the strategic nuclear offensive as well as defensive weapons (Graham Jr 2002 :36). SALT froze the nuclear warhead —weapons. Under SALT Interim Agreement, the treaty prohibited conversion of a light ICBM to modern heavy ICBM. ABM treaty prohibited deployment of national missile defence on land or sea or Space. SALT II was negotiated from 1972 to 1979. Basic elements of the Aide-Memoire, which recorded this agreement, includes 2,400 equal aggregate limit on strategic nuclear delivery vehicles (ICBMs, SLBMs, and heavy bombers) of the sides; 1,320 equal aggregate limit on MIRV systems; ban on construction of new land-based ICBM launchers; limits on deployment of new types of strategic offensive arms; and important elements of the Interim Agreement would be incorporated in the new agreement.<sup>6</sup> SALT brings important landmarks of serious arms control. The pause of arms control i.e death of SALT indicates an end of serious arms control (Bollen 2003: 17).

In October 1986, US President, Ronald Reagan and Soviet Union CCP General Secretary, Mikhail Gorbachev, met in Reykjavik and agreed to begin formal negotiations to establish Nuclear Risk Reduction Centers. “Agreement between the United States of America and Union of Soviet Socialist Republics on the Establishment of Nuclear Risk Reduction Centers” was signed in Washington, on 15<sup>th</sup> September 1987. The treaty was entered on the same day. Under the Agreement, both countries -agreed to establish a Nuclear Risk Reduction Center in the National capital, including establishing a special facsimile communications link between these Centers. Nuclear Risk Reduction Centers operated on April 1, 1988. Both Nuclear Risk Reduction Centers National Center (known as the NRRC) are located in their respective capitals.

The Nuclear Risk Reduction Centers do not replace normal diplomatic channels of communication and function. The Treaty Protocol I deals with the

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<sup>6</sup> <http://www.state.gov/www/global/arms/treaties/salt2.html>

notifications to exchange ballistic missile launches required under 1971 Agreement on Measures to Reduce the Risk of Outbreak of Nuclear War, and under 1972 Agreement on the Prevention of Incidents on and over the High Seas. Protocol-II, deals with the technical specifications of the communications and facsimile<sup>7</sup>.

US and Soviet Union have agreed to use the Nuclear Risk Reduction Centers to transmit notification under the following heads: Agreement on Advance Notification of Major Strategic Exercises; START I and START II Treaties, Wyoming MOU; Threshold Test Ban Treaty; and Underground Nuclear Explosions for Peaceful Purposes Treaty. Both the American and Russian Centers have also assumed responsibility for their governments in transmitting messages related to CFE Treaty, CSBM notifications under Vienna Document 1994 and Open Skies Treaty via the Organization for Security and Cooperation in Europe (OSCE) Communications Network. Both Parties have agreed to a modernization of communications equipment that updates the terminal equipment (replacing the facsimile capability with scanned files transfer) and should become fully operational in late 1995. Under separate agreements with Belarus, Kazakhstan, and Ukraine, the U.S. Nuclear Risk Reduction Centers (NRRC) operates similar communication links with those countries in support of the START I and INF Treaties.<sup>8</sup>

The agreement on Intermediate Range Nuclear Forces (INF) treaty is a very commendable and successful arms control treaty. INF treaty was signed on 8<sup>th</sup> December 1986, by US President Ronald Reagan and Soviet Union Communist Party Secretary-General Mikhail Gorbachov, which came into force on 1<sup>st</sup> June 1988. INF treaty deals with elimination of nuclear and conventional ground launched ballistic, cruise missile which have ranges of 500 to 5,500 kms. INF is the first initiation where super powers agreed to

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<sup>7</sup> <http://www.fas.org/nuke/control/nrrc/docs/nrrc1.htm>

<sup>8</sup> <http://www.state.gov/t/ac/trt/5179.htm>

eliminate the entire category of nuclear weapons.<sup>9</sup> In this INF treaty, US and USSR destroyed 2,692 different ranges of missile. INF has a protocol which has a list of missiles to be destroyed.

After SALT negotiation, US and Soviet Union configured another bilateral arms control. Negotiation of START began in 1982. After a nine year long journey, the treaty on reduction and limiting of strategic offensive arms was signed in 31<sup>st</sup> July 1991 and was enforced in 1994. In START, US and Soviet Union should take initiative on reducing their strategic nuclear forces. The treaty specifically mentioned limiting Inter-Continental Ballistic Missile (ICBM), submarine launched ballistic missile (SLBM), heavy bomber and heavy missile. START have numerous compliance like on-site inspection, exchange of data etc. START has a series of arms control process. START II was launched in 1993. It aims to continue reduction of weapons, supplementing shortcomings of the previous arms control and filled vacuum that existed under START I. Both countries would de-activate all strategic nuclear delivery vehicles and remove their warheads. It also mentioned the No-Multiple Independent Re-entry Targetable Vehicles (MIRVs) weapon on ICBMs and limiting a nuclear warhead to be deployed in SLBMs. START II states that all the Russian ICBMs must be destroyed. However, START II could not come into force. In reaction to US withdrawal from Anti Ballistic Missile (ABM) treaty, Russia pulled out from START II.

After Soviet Union collapsed, both US and former USSR, Russia continued their effort on bilateral arms control. Due to economic collapse, Russia could not implement the programme for reducing, removing, safeguarding and stockpiling some weapons. US Senator Sam Nunn and Richard Lugar proposed giving a helping hand to Soviet Union to destroy and secure their weapons and stockpiles. Co-operative Reduction Treaty (CTR) covers three main important areas like destroying un-needed weapons, re-

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<sup>9</sup> <http://www.armscontrol.org/factsheets/INFtreaty.asp>.



employing nuclear scientists, preventing work for non-nuclear weapon states, securing weapons and fissile material. US supported to destroy Soviet Union weapons under the START I programme. Billion of dollars have been spent to destroy, secure and consolidate the weapons. Later, CTR helped Kazakstan, Ukraine and Belarus to become the non nuclear weapon states<sup>10</sup>

US and Soviet Union was a party to the famous Conventional Armed Forces in Europe (CFE Treaty), signed in Paris on 19<sup>th</sup> November 1990 and entered into force in 1992, whereby the 22 members of NATO and the former Warsaw Pact participated. The treaty agreed an equal limitation of conventional weapon like battle tanks, armoured combat vehicles, and artillery pieces, as well as combat aircraft (except for naval air) and attack helicopter for East and West. In 1995, the 30 States Parties completed destruction or conversion of over 52,000 conventional weapon like battle tanks, armoured combat vehicles, combat aircraft and attack helicopters<sup>11</sup>.

US and Russia (Soviet Union) are member of Australia Group, Missile Technology Control Regime, Nuclear Suppliers Group, Wassenaar Arrangement and also signed International Atomic Energy Agency (IAEA). Both US and Russia are the founders of the Global Initiative to Combat Nuclear Terrorism And also participate in the Hague Code of Conduct against Ballistic Missile Proliferation.

Michel Krepon listed the nuclear risk reduction measure during the cold war. He argues that US and Soviet Union agreement would not change territorial status quo in the area by military means. Avoiding the nuclear brinkmanship in 1962, even during the Cuban missile crisis, both countries minimise and avoided the dangerous military practices. Even the two Blocs

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<sup>10</sup> <http://www.fas.org/nuke/control/ctr/index.html>

<sup>11</sup> <http://www.armscontrol.org/subject/caec/cfeback2.asp>

engaged in indirect war in Korea and Vietnam. US and Soviet Union never had a direct military confrontation. Nor did the two countries involve themselves in major military collision or accident during the cold war. US and Soviet Union had reassurances measure for ballistic missiles and nuclear weapons system. A long negotiation of SALT and START bore a very good fruit between them. Not only in letter, both US and Soviet faithfully executed the treaties successfully. The communication link called 'hotlines' is practical and useful. Both super powers had learnt the importance of establishing a reliable nuclear command and control system. Not Satisfied with the existing treaty, both countries upgraded and supplemented the agreement with modified version, Hotline agreement was signed in 1971, to complement the previous hotline agreement signed in 1963. START was signed to supplement the SALT (Krepon 2004: 219-225). The Cold War negotiations were mutual, reciprocal in a selective and balanced arms limitation (Alexander and Keiger 2006: 188).

#### ***2.4 : Lesson for South Asia***

War experiences gave rise to the exigency of arms control for several countries where some countries have learnt important lesson of arms control by paying a very expensive price. Similar to the impact of Cold War on the relations between United States and Soviet Union, India and Pakistan also learnt the 'art of arms control' from their experience. The experience had given a better memory in which war was no longer limited to mere speculation. Cuban Missile crisis brought a major arms control between two super powers. Brasstack had taught India and Pakistan to take initiatives on arms control though the treaties signed between the two lack various constructive points.

In 1986, the Brasstack Crisis blew the fuse between India an Pakistan. Brasstack was the largest military exercise in South Asia. It had the largest involvement of man power, equipments, use of air forces, deposits of ammunitions near exercise area. India thought Brasstack was a routine military

exercise, and regarded it as a testing ground for new concepts of mechanization, mobility and air support devised by Chief of Army Staff, Gen. Sunderji. This military exercise was aimed to test Indian Army's strategy of "offensive defensive" (Hagerty 1998: 97). However, the exercise had sparked another crisis where Pakistan retaliated hastily. To counter India's move, Pakistan decided to arrange a winter military exercise, one in Bahawalpur and other was near Jhelum-Chenab corridor. The Brasstack was transformed into a deep crisis due to misperception, where "misconceptions have been both the cause and efforts of war" (Bajpai et.al.1995: 100). From 8<sup>th</sup> December 1986 till 23<sup>rd</sup> January 1987, India and Pakistan were in the brink of war. However, the crisis was eased with diplomatic efforts. Some strategist felt that the legacy of Brasstack crisis quickened the pace of nuclear proliferation in South Asia. It warned India and Pakistan to a serious arms race between them. The Brasstack crisis pushed for Islamabad to achieved nuclear deterrent (Hagerty 1998: 117).

Brasstack was a series of military exercise which was held in four phases. Brasstack I was initially held under the command of southern, western and northern army command beginning from 1<sup>st</sup> July 1986. The Brasstack series I, II and III were planned to be held continually till December. However, the exercise was publicly announced in November. Brasstack II was held in November 1986 and was designed as a computerized war game. In this exercise, both Navy and Air forces also had a separate exercise. Brasstack III was aimed as a Divisional - Corp level offensive operation in a mobile battle ground. It was planned to be held in November-December 1986. Brasstack IV was planned for February -March 1987. After the previous exercise, Indian politicians wanted to put off the on-going military exercise. However, the military Commander wanted to continue, and Brasstack IV was transformed into 'Operation Trident.'

Nevertheless, the Brasstack military exercise is not an immediate stroke which proves that there is evidence of military manoeuvres and exercise in 1983-1984 ( Bajpai et al 1995: 23). In the Brasstack IV, Indian Armies two

armored division, one mechanized division, six infantry were involved. In the initial stage, Pakistan was not much aware of Indian military exercise. In November, 1986 Pakistan Senator Qazi Hussain Ahmed warned Indian military movement near Rajasthan. That warning alarmed the Pakistani media which alleged India is going to attack Pakistan. After repeated warning, Pakistan ruler Gen. Zia-Ul Haq did not pay heed to India's concerns. Pakistan remained confident of Indian military exercise, and the Pakistani External Affairs Minister Zain Narooni claimed that Pakistan knew India's military movement.

Brasstack was transformed into a crisis due to a very small issue. Many express and mail trains which travelled to Jammu & Kashmir was cancelled, and some were also hampered on 10<sup>th</sup> November 1986. The newspaper reported about cancellation of train. People were misled in thinking that the train was cancelled due to troop movement for Brasstack. However the cancellation of train was misinterpreted and sparked rumors which spread like wild fire. The railway officials did not explain the cause of train cancellation. Soon after that, in a Pakistan village of Batala, people reported massive tank movement and such activity was reported in Ambala too. Pakistan reportedly was alarmed. Indian defence officials denied a mass troop movement saying it was a routine military exercise and a carry forward of previous military exercise. Later, on 15<sup>th</sup> November, India's Director General of Military Operation (DGMO) informed his Pakistani counterpart about India military exercise and troop's movement near Rajasthan.

In relation to the Indian military exercise, Pakistan conducted the last phase of winter military exercise, called *Saf-e-Shikan* and was to be concluded at end of November, which involved 1<sup>st</sup> Armored and 37<sup>th</sup> Infantry Division in Southern Pakistan and concentrated in Bahawalpur near the Rajasthan border. Another exercise was called '*Flying Horse*' involving 6<sup>th</sup> armored division and 17<sup>th</sup> infantry division including army reserves. After the completion of exercise, troops remained in their respective places. After concluding *Saf-e-Shikan*, Pakistan troops moved near the border and cross Sutlej river and stayed near

Bhatinda and Ferozpur. Pakistan Air Forces and satellites were kept ready for use after the military exercise. Mines were laid in some areas, leave of personnel were cancelled. India faced no other choice and instructed troops to move forward.

India found that Pakistani troops also moved from South near the border area. Pakistani changed their military exercise venue scheduled to be held in Shakargarh near the Chenab river. The Operation was re-named '*Sledgehammer*.' In addition to that, reserved troops stationed near the exercise area were to join them soon. In mid-January, Pakistan deployed 14 divisions near the Indo Pakistan border. Pakistan has deployed its armies in forward position along the Indian border. This worried the Indian government (Indian Express 1997: Jan 18) Along with these armies manoeuvre Pakistan air forces has carried out a massive air excursion and kept the satellite airfield (Times of India, January 17 1987). The then Prime Minister Rajiv Gandhi was tremendously concerned over the enormous Pakistani troops along the Indian Border (Times of India, January 21 1987 ). Later, India sealed Punjab border and Indian troops also moved near the border to react against the Pakistani army deployment near Fazika and Abohar. India was to withdraw her troops after Pakistani troops pulled out from the region.

During the crisis, the hotline was used to convey messages between India and Pakistan. They expressed their willingness to hold talks to ease the tension between them. A Meeting was held between Minister of State for External Affairs, Natwar Singh and Humayun Khan, Pakistan's Ambassador to India. Indian External Affairs Minister N.D Tiwari and Soviet Ambassador, Vasily, Arun Singh India's Defence Minister and US Ambassador to India, John G Dean. Pakistan conveyed its willingness to talk. After the meeting, the crisis de-escalated. U.S. also urged both sides to talk. Pakistan sent a delegation for holding a talk with India and both countries held talks on 31<sup>st</sup> January. The talks was extended for another day, four round of talk were held between India and Pakistan. In the Summit, both countries agreed for troop

withdrawal. The first phase was completed in mid-February. Brasstack was continued as per schedule and agreement made between India and Pakistan was not breached. Tension too de-escalated. In March 1987, the final phase of Military exercise was conducted. A media representative and Pakistani representative were also present in this last round of Brasstack. A.Q. Khan tried to drag the crisis into a nuclear crisis. However, George Perkovich said that Pakistan did not have such weapons of threat. Brasstack gave a good lesson for military strategy (Perkovich 2000: 281) After the Brasstack crisis, there was recommendation for useful arms control measures likely to establish direct political level contact with one another. Use of symbolic actions like Zia's Cricket diplomacy and Rajiv Gandhi's participation in Africa Fund defuses the crisis atmosphere. Establishment of crisis management institutions, not relying on a single intelligence source, regular consultation for bureaucratic and military personnel prevent the crisis before escalating (Bajpai et.al.1995: 111-112).

Brasstack taught many lesson to India and Pakistan. Both become aware of military strategy and art of diplomacy. Brasstack was not only a military exercise, it was also a test of conventional deterrence between India and Pakistan which left an important legacy in arms control between India and Pakistan. Both countries realized that conventional deterrence could fail between them. Before Brasstack crisis, India and Pakistan fought major wars. They took initiation on arms control, they concluded a repatriation and rehabilitation treaty to restore normalcy. Both only aimed to regain what they had lost in war. After Brasstack crisis, major arms control was started. In 1988, India and Pakistan signed important nuclear CBMs called Agreement on the Prohibition of Attack against Nuclear Installations and Facilities. Nuclear weapons were not acquired by both countries. However, they paid attention on nuclear related installation.

The lack of communication and miscommunication led to a major confrontation. The pre-notification on military exercise is helpful and

successfully operated in other countries. Both countries are aware of the importance of military movement and military exercise. In 1991, an agreement between India and Pakistan on the advance notice of military exercises was concluded. It includes agreement of pre-notification of military movement. India and Pakistan also agreed on prevention of Air Space violation and permitting overall flight and landing by military aircraft. After the Brasstack crisis, the Hotline was also given renewed importance. Prime Minister of both countries conveyed important messages through this Hotline. During the crisis India and Pakistan did not have nuclear weapons. But nuclear threat was the dominant issue on this crisis (Bajpai et.al.1995: 106). The crisis urged them to move towards development of nuclear weapons.

Brasstack is the introductory part of confrontation between India and Pakistan. In 1990, terrorists had started operation in Kashmir. Kashmir militancy changed the relation between India and Pakistan. In the 1990s the relation between India and Pakistan was worst than ever in that Pakistan had started instigating infiltrators across the border. In 1989, the daughter of Union Home Minister Mufti Mohammed Sayeed, Rubaina Sayeed, was kidnapped ushering the beginning of militancy in Kashmir. Local people were the first victim of militancy. From the beginning of 1990, militants actively took to ambush, exchange of fire with Indian military forces. In 1990, New Delhi had deputed a new Governor to Jammu and Kashmir, which implicate that the Government of India wanted to resolve Kashmir problem with 'Stick rather than Carrot' approach (Ganguly and Hagerty 2004: 87). Later Jammu & Kashmir was placed under President's Rule after the state Chief Minister Farooq Abdullah resigned. On 20<sup>th</sup> January, police fired a demonstration of peoples in Srinagar killing 32 people. The event of 1990 in Kashmir transformed into a conflict between India and Pakistan (Hagerty 2001: 140). The militants conducted extensive operation in Kashmir through ambushes and opened fire with Indian army which become a familiar sight in the state. Militancy in Jammu and Kashmir had disrupted the election process in the

state. Before that, in the late 1989, Pakistan had staged a Pakistani version of military exercise known as *Zarb-i- Mimin*, near the Indian side of the country. It involved 7 infantry divisions and one armoured division. The 1990 Kashmir crisis is viewed as the world's second nuclear confrontation (P.R. Chari et.al. 2003: 3).

The 1990 crisis in Kashmir (also called Spring Crisis) was one of the important episodes between India and Pakistan since it provoked the development of nuclear weapons. The 1990 crisis was also regarded as a nuclear crisis. Relationships between India and Pakistan deteriorated. A preparation for army deployment was begun on Kashmir, Punjab and Rajasthan border. 1990 is very complicated and unique in that it involves a domestic political crisis and involvement of super power states in this crisis (PR Chari et al 2003: 2). The crisis was transformed into a nuclear crisis when Pakistan puts its nuclear weapon arsenal on alert (Hersh 1993: 65). India increased Army deployment in Kashmir by three divisions and one division in Punjab. Pakistan was alarmed after India increased its troops. In 1990 U.S. had sent a Deputy National Security Adviser Robert Gates in Islamabad and New Delhi. Gates met Pakistani leaders and discussed the vulnerability of Pakistani position. Robert Gates had frankly told the Pakistani General that US had studied the war game and Pakistan do not have a chance to win. He also said that Pakistan could not expect any assistance from US if war is broke out. It urged Pakistan to stop support of Kashmir terrorist and to avoid military deployment. Gates met Indian leaders and have a very good discussion. So, Pakistan promised to shut down training camps for Kashmir terrorist group and promised to pull out troops from the border.

Pakistan funded insurgency group known as the 'Kashmiri freedom fighter' fought Indian army. Pakistan accused India of violating Human rights in Kashmir. India claim that terrorist group came from Pakistani side and entered India to spread terrorism. During the 1990 crisis, a war of words also began when Pakistani Prime Minister Benazir Bhutto promised a thousand



years of war in support of militants. Indian Prime Minister V.P. Singh replied with a very strong word (Ganguly and Hagerty 2004: 92). Pakistan gave moral and diplomatic support to Kashmir insurgency groups. The 1990 crisis scenario was described later as more vulnerable than Cuban missile crisis by the then CIA Deputy Director, Richard J.Kerr. He said that " I've been in the exchange. It was to be as close as we've come to a nuclear exchange. It was far more frightening than the Cuban missile crisis". The crisis slowed down after both India and Pakistan withdrew army deployment in June. In addition to nuclear shadow, there is a conventional military balances between India and Pakistan. India deployed 200,000 troops while Pakistan deployed around 1,00,000. In border areas, both troops were instructed to move forward against each other. So, both Brasstack and 1990 crisis left a remarkable legacy in the Asian strategic environment. "No conflict resulted from these crisis (Brasstack and 1990 crisis), but they did accelerate the nuclearization of South Asia. These events left India and Pakistan in a worsened position."( P.R. Chari et.al. 2003: 137). The crisis is not a minor crisis where US President George Bush did not certify whether Pakistan do not have nuclear weapons (Perkovich 2000: 312). The 1990s Nuclear crisis was acute to the extent that India set up a secret committee to respond the nuclear attack from Pakistan. It was formed under the initiation of Indian Defence Minister A.S Arunachalam (Perkovich 2000: 313).

In 2001, US had publicly condemned terrorism after Al-Qaeda attacked the World Trade Centre. That same year the tension between India and Pakistan accelerated when Pakistan backed terrorist group Lasker-e-Toiba(LeT) attack Indian Parliament on December 13<sup>th</sup>. Before the attack on Parliament, Jammu and Kashmir's Legislative Assembly was attacked on 1<sup>st</sup> October, 2001. India got enraged with the incident. As a protest to the incident, India recalled its High Commissioner from Pakistan and stopped most of the important transportation in air, land and rail link. Indian army was prepared to move towards the border. India has several options such as- strike punitive measures back to stop Pakistani industry, campaign actions against the

Pakistani society, start a limited cross-border terrorism, military measures or manoeuvres which threaten the Pakistani army (Sunil S 2003: 3). India opted for military threat and her army was asked to move toward the border with Pakistan. The then Indian External Affairs Minister Jaswant Singh and Defence Minister George Fernandez also asked Indian forces to be ready. Air Force units and satellite airfields were activated, and the Eastern fleet moved into the northern Arabian Sea to join the Western fleet if required (P.R.Chari 2003: 20). Indian Air Forces made a plan for air strike to destroy bridges between Pakistan and Pakistan occupied Kashmir.

However, International community like United States play a vital role in easing tension. Many major countries also blamed Pakistan in this incident. When Pakistan intended to take action to control terrorist group and also arrested some of the LeT leaders, tension was reduced. However, peace process between India and Pakistan was derailed again in 14<sup>th</sup> May 2002 when terrorist groups attacked Indian Army camp in Kaluchak, Jammu and Kashmir. India could not ignore the action after Pakistan promised to curb terrorist action. International community were much concerned about the crisis. US Assistant Secretary of State Christina Rocco was in South Asia when Kaluchak massacre took place. On 19<sup>th</sup> May, India placed more paramilitary along the border. India also wanted to pull out from Indus River treaty. So, Chris Patten, European Union Commissioner on External Relations, British Foreign Secretary, Jack Straw, US Deputy Secretary of State, Richard Amritage, US Defence Secretary, Donald Rumsfeld were present in South Asia and tried to convince both countries to have a good relation. Rumsfeld presence could not help them to de-escalate the crisis.

The fear of full fledged war ran high. The media played a key role in reporting the possibilities of damage which both countries could possibly face with a very reliable illustration. The government of India secretly made a plan to strike aggressively against Pakistani supported insurgent training camps. IAF was stayed ready to attack. However, the government was cautioned by senior

Defence personnel due to the possibilities of Pakistan's attack on the Punjab and Rajasthan border. India chose against engaging in a full fledged war due to unpreparedness in various sector ( Ganguly and Hagerty 2004: 179-180). If war broke out, it would surely get more aggressive and worse than the previous wars as both countries are now nuclear states. After a long mediation, the crisis was de-escalated when Pakistani President Pervez Musharaff and Indian Prime Minister A.B Vajpayee met in 'Summit on Confidence Building Measures in Asia' on 4<sup>th</sup> July 2002, organized by Russia.

During 'Operation Parakram', India changed the main military aim. In the beginning, India intended to undertake offensive action in Jammu & Kashmir and was ready for full scale war if Pakistan tried to escalate the conflict. In June, it aimed to launch offensive action in Rajasthan sector and destroyed Pakistani offensive formation (Sood & Sawhney 2003: 88). India Prime Minister A.B. Vajpayee later announced that India would not attack Pakistan due to Pakistan's efforts to curb the terrorist action. During this period, Britain and France took out their non-essential staff from Pakistan. US and Australia warned to their respective citizen not to travel to the Indian sub-continent (Rajagoplan 2004: 124). An estimated of 8,00,000 troops, including its two corps, were deployed in the western borders.

Like a major war, the confrontation itself demands huge money. Pakistan spent around a thousand million dollars, involving around 2.5 lakh military personnel and 1,300 tanks. India did not clearly reveal the war expenditures But, it had spent comparatively more and also deployed more troops than Pakistan. Operation Parakram had routed India's finance. The total cost of army deployment was Rs 6500 crore (Rs 65 Billion). Cost of mobilization, including pay and allowances, field allowance and transfer grant alone amounted to around Rs 700 crore. Cost of equipment is Rs 1,300 crore. The depletion of mines, ammunitions and warlike stores cost around Rs 550 crore. Transport and fuel costs Rs 850 crore. Apart from the involvement of the Army in the crisis, the government also had to pay compensation to civilians

for loss of property, life, crops etc which amounted to around Rs 350 crore. Pakistan also spent around \$1.4 billion during this crisis (Phadnis 2003).

Though Operation Parakram did not lead to a full fledged war, it was in this Operation that the Army lost more lives than during the Kargil conflict. Around 680 men lost their lives which was higher than 527 in Kargil conflict. Most of the soldiers lost their lives due to mine accidents and road accidents.<sup>1</sup> India and Pakistan learnt a lesson in a very expensive manner and exhausts its energy. However, national security could never be compromised. The border confrontation between India and Pakistan was not like the Sino-Soviet border dispute in 1968-1969. Both Soviet and China are nuclear weapon states. However there is vast imbalance between those two countries. But India and Pakistan had conventional and nuclear balances. That makes India and Pakistan's confrontation more dangerous than other confrontations.

However the confrontation had taught an important lesson. US and USSR had also learnt from their mistake and took important steps on Arms control . The Cold War "Cuban Missile Crisis" had urged to move forward on bilateral arms control, followed by multi lateral arms control. India and Pakistan experienced fierce confrontation -Brasstack, Spring crisis in 1990 and Kargil war and learnt important lesson from <sup>those crises.</sup> After major confrontation both countries started arms control process like precautionary and preventive measures ( See Appendix page 156)

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<sup>1</sup> <http://www.defenceindia.com/26-jul-2k4/news32.html>

### **Arms Control Process in India and Pakistan: Confidence Building Measures (CBM's)**

#### ***3.1: India and Pakistan Arms control policies.***

India has been trying to operating a very comprehensive policy on Nuclear weapon. Indian nuclear doctrine is described as a 'credible minimum deterrent' and followed a Nuclear weapon 'no first use'. However, India declares "not to be the first to initiate a nuclear strike, but will respond with punitive retaliation should deterrence fail," and also strongly affirmed not to use nuclear weapon on non- nuclear weapon states. India's Nuclear High Command was established in 2003. The Nuclear High Command is the only competent authority to act as the custodian of all India's nuclear weapons, missile and assets. India had a clear and good credibility, survivability, security and safety clauses. It had also tried to mobilize efforts in research and development to keep up with technological advances in this field.

From the beginning of Independence, India had interest in arms control and disarmament. Her foreign policy is strongly influenced by denouncement of arms race and disarmament. The country's first Prime Minister, Jawaharlal Nehru was one of the champions of disarmament for whom "the question of disarmament is more important than any other problem, internal and external (or international). The whole future survival of India and every Indian depend upon it".(Lok Shaba Debates 1960: 1937-1940). Prime Minister Nehru spoke in the Lok Shaba and argues that the most important thing in foreign affairs today is disarmament. If there is no disarmament the world gets nearer towards conflict and towards war. After the US tested hydrogen bombs, Nehru made an appeal for suspending all nuclear tests. In a speech before Parliament on 2<sup>nd</sup>

April 1954, he said, "We have advocated the prohibition of such weapons by common consent and immediate agreement on those concerned and also suggested standstill agreement on actual operation. India had denied US President Eisenhower's offer of military aid during the 1962 war. Adhering to the notion that abolition of nuclear weapons would enhance world's peace and security, the Indian Constitution has included the direction for the states to settle international dispute in Part VI. This clearly shows India's commitment to world peace.

India's version of disarmament is clear and not ambiguous. The country believes in complete and total disarmament. Ambassador Krishna Menon made an important speech at the Eighteen Nation Disarmament Committee by stating that, "Disarmament has not become a question of reducing armament by 10%, 15%, 20% or 25%. So, the only answer to armament and menace of war is total disarmament. There is no way of mending this situation but only of ending it..."(ENDC 1962) India welcomed the INF Treaty and regarded it as true disarmament. Former Prime Minister Rajiv Gandhi in his speech at *A World Free of Nuclear Weapons* at the United Nations General Assembly, New York, 9<sup>th</sup> June, 1988 mentioned that, "It is an important step in the right direction. Its great value lies in its bold departure from nuclear arms limitation to nuclear disarmament. We hope there will be agreement soon to reduce strategic nuclear arsenals by 50 per cent. The process should be carried forward to the total elimination of nuclear weapon"(Rajiv Gandhi, 1988). Jasjit Singh (2006) said universal abolition of nuclear weapon is in India's short and long term security interest

India strongly believes in setting a time frame for achieving disarmament. It supports prescribing a time bound period for implementing disarmament and arms control. This, however, does not mean India want a time limit for duration of agreement. India is keen to achieve disarmament within a short and is strongly opposed to the discriminatory treaty on disarmament

initiatives. On 17th November 1961, Ireland submitted draft resolution for nuclear non proliferation which would have the UN General Assembly to call upon all states. India supported the Irish resolution. However, India considered NPT not as an equal instrument. Ambassador Azim Hussein explained the First Committee, why India did not sign NPT. The reason lie in India's contention that the NPT treaty did not ensure non-proliferation of nuclear weapon but only stop dissemination of weapon to Non Nuclear Weapon States (NNWS), NPT treaty did not take away. The special status of superiority associated with power and prestige of nuclear weapons state. The treaty did not provide a balance of obligation and responsibilities between nuclear weapons state and non-nuclear weapon states.

India accused NPT of violating the principles of sovereign equality of all states mentioned in the UN Charter. Every state had the sovereign right to develop any technology for the benefit of its own population. However, the treaty asked states to surrender that right, and forced the non nuclear power to accept a position and wanted non nuclear weapon states to remain non-nuclear weapon states (Chopra 1984: 202). India relies on the verifiable and non-discriminatory nuclear disarmament (*dIND* 1999). Though India supports making nuclear weapons free zone, India does not support making South Asia the only nuclear weapons free zone. It does not support UN to endorse the demand for a nuclear weapon free zone.

India supported multilateral and bilateral disarmament efforts, cooperated with the UN initiatives on disarmament and strongly supports General Assembly Resolution No. 1378,<sup>13</sup> expressing the hope for leading toward the goals of general and complete disarmament under effective international control. India will continue its efforts to achieve the goal of a nuclear weapon-

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<sup>13</sup> United Nations Security Council Resolution 1373 is a counter-terrorism measure adopted September 28, 2001 after 9/11 incident. The 1373 resolution was adopted under Chapter VII of the United Nations Charter, and binding on all UN member states. The 1373 resolution tried to restrict the movement, organization and fund-raising activities of terrorist groups. The resolution asked all states to adjust/adopted their national laws to ratify the existing International conventions on terrorism. The resolution established the Security Council's Counter Terrorism Committee (CTC) to supervise state compliance.

free world at an early date (*dIND*, 1999). India believes that disarmament is a step for development. The draft of Indian nuclear doctrine also mentions that India's security is an integral component of its development process.

In 1978, when the UN General Assembly Special Session on Disarmament was called, the then Prime Minister, Morarji Desai sought a declaration outlawing the use of nuclear technology for military purpose including research and development because it was a violation of UN Charter and was a crime against humanity. In 1953 speaking before First Committee of UN General Assembly, Krishna Menon categorically rejects a mere regulation of atomic weapon through arm control. He said, "There is only one thing to do with atomic weapon and that is to do away with them." (Manpreet Sethi 1998).

In the Second Special Session of UN General Assembly, India repeatedly called for a nuclear disarmament and proposed a five point programme outlined by Indira Gandhi. The points include negotiation of a binding convention on the non use of nuclear weapon and immediate suspension of all nuclear tests, a freeze on nuclear weapons, achievement of general and complete disarmament within an agreed time frame including the UN taking initiation for educating the public on dangers of nuclear war. In 1984, India launched six nations, five continent peace initiatives with Argentina from South America, Greece and Sweden from Europe, Mexico from North America, and Tanzania from Africa. In 1987, when Soviet Union President, Mikhail Gorbachev visited India both countries had made a Joint Statement to call for urgent action that would lead to a world free of Weapons of Mass Destruction (WMD).

India had submitted such an Action Plan to a Special Session on Disarmament of the United Nations General Assembly. The Action Plan is called 'Rajiv Gandhi Action Plan' and calls upon the international community



to work for commitment to general and complete disarmament. The core theme of 'Rajiv Gandhi Action Plan' is the elimination of all nuclear weapons in three stages, over the next twenty-two years. The important features of the Action Plan were a need for a binding commitment by all nations to eliminate nuclear weapons in stages. The proposal set a deadline latest by the year 2010. Secondly, the Action Plan called all nuclear weapon states to participate in the process of nuclear disarmament and all other countries must be part of the process. Thirdly, to demonstrate good faith and build the required confidence, there must be tangible progress at each stage towards the common goal. Fourthly, the plan also urged some changes in doctrines, policies and institutions to sustain a world free of nuclear weapons. The negotiation process should be undertaken to establish a Comprehensive Global Security System under the aegis of the United Nations (Rajiv Gandhi, 1988). Rajiv Gandhi plan is the last positive action which India had undertaken for arms control and disarmament initiative under the UN System.

India is very serious about disarmament and arms control process. India rejected the drafted treaty of CTBT in the May 1996 when a session of Conference on Disarmament (C.D.) was called. The decision to reject the treaty was announced by Indian Ambassador to C.D. Arundhati Ghose, saying that India shall work for internationally binding security assurances by nuclear weapon states to non-nuclear weapon states. India believed that the nuclear weapon states had failed to eliminate nuclear weapons. It wanted that the treaty should be towards global disarmament. The treaty language should strive for the elimination of all nuclear weapons in a time bound framework. India proposed several paragraphs for inclusion in the Preamble and in the articles on Review and Entry into Force clauses. India called for a treaty that banned all types of nuclear weapons tests (Arundhati Ghose 1997). Arundhati Ghose said that India is "committed to working towards a CTBT that will promote the goal of total nuclear disarmament and thereby, the lasting and legitimate security interests of all countries in a nuclear weapon free world—including our own."

(Arundhati Ghose 1997). India cannot and should not accept control regimes that would be indefinite and would jeopardize our decision-making autonomy. India argued her security interests cannot be 'harmonised' with an inequitable world order and certainly not by signing dangerous control mechanisms like the CTBT

India had taken initiative in Chemical Weapon Convention (CWC) in 1997 and opened its chemical weapon stockpiles and their production and storage facilities to international inspection. However, India did not allow CWC to compromise with its security in any circumstances and submitted a list of chemical weapons and related facilities to the Organization of Prohibition of Chemical Weapons.

Disarmament and arms control are universal terms, applied not only to nuclear weapons but also to conventional weapons. India not only concentrates on nuclear weapons but on conventional weapons too. Ambassador Chakravarty said, 'We must remember that conflicts that plaque us today are being envisaged entirely with conventional weapon'. Ambassador Lall said before Eighteen Nation Disarmament Committee, 'it is not only a question of pulling an end to nuclear weapon disarmament it extends to conventional weapons as well. India is not a member of Missile Technology Control Regime. However, India agreed to adhere to the regime's guidelines in July 2005. As a member of Convention on Certain Conventional Weapons and also a party to all protocols. India signed the Outer Space Treaty in 1967 and ratified it in 1982. Till today, the country gave tremendous importance to disarmament initiatives. The great power nations also tried to push India into a disarmament mainstream in 17<sup>th</sup> November 2006, when the US Senate passed Indo-U.S. Civil Nuclear deal Bill. US President George Bush said that the bilateral agreement "will bring India into the international nuclear non-proliferation mainstream" (Suryanaryana 2006).

Pakistan has not issued an official nuclear doctrine. But some scholars had been writing the outlines of Pakistan Nuclear Doctrine based on the government action and intentions. Pakistan nuclear doctrine is called 'first used but last resort' theory. Pakistan is interested in deterrence against all forms of aggression and wanted deterrence to be achieved through the development and maintenance of effective combination of conventional and strategic forces. Committing strongly to 'No use of nuclear weapon to non nuclear weapon states', Pakistan has adopted measures to ensure foolproof security for its nuclear weapons. Nuclear Command and Control Authority under the Chairmanship of the President, with key ministers and important securities personnel was established to be responsible for Pakistan's strategic assets.

Pakistan military strategy was guided and aimed solely by India (CRS Report, 2007). Pakistani military expert Gen. Kidwai declares the nuclear threshold of his country's nuclear stand whereby all its nuclear weapons are aimed solely at India. Pakistan will use nuclear weapon if :- "India attacks Pakistan and conquers a large part of its territory (space threshold), India destroys a large part either of its land or air forces (military threshold) India proceeds to the economic strangling of Pakistan (economic strangling) India pushes Pakistan into political destabilization or creates a large scale internal subversion in Pakistan"(Landau Network Report 2002). Even though Pakistan strongly support a disarmament policy and tries to implement it, at the same time, it also strongly supports maintenance of a balance of in conventional forces between Pakistan and India (Ambassador Munir Akram 2004: 4).

Pakistan does not have a clear, solid long standing disarmament and arms control policies. Pakistan sign the Partial Test Ban treaty (PTBT) in 1963 and ratified it on 1987. However, the country did not sign the Non-Proliferation Treaty (NPT) and the Comprehensive Test Ban Treaty (CTBT). In the first phase of NPT, Pakistan had accepted NPT, and later turned hostile in 1975, failing to attend the second review meeting at Geneva (Savita Pande 1995).

According to the US Defence Department report, "Pakistan remains steadfast in its refusal to sign the NPT, stating that it would do so only after India joined the Treaty". But Pakistan do attend the NPT review meeting as an Observer. Even though Pakistan is not a party to the NPT, Pakistan tries to fulfil the non proliferation obligation, and declared to observe a unilateral moratorium on further nuclear tests. It is also ready to co-operate with the Nuclear Suppliers Group (NSG).

Pakistan did not have much trouble in signing the CTBT treaty. However it insisted that sanctions must be lifted before signing the treaty and demanded India to sign the treaty first. Addressing the "Pakistan's Response to the Indian Nuclear Doctrine" Seminar, on November 25<sup>th</sup>, 1999, Foreign Minister Abdus Sattar, said the reason Pakistan did not sign CTBT was due to India's opposition to the treaty.<sup>14</sup> After the PNE was signed, Pakistan had proposal for making a South Asia Nuclear weapon Free zone (SANWFZ), which was submitted to the UN General Assembly in November 1974. However it was not fulfilled. It also supported creation of the Middle East as a zone free of weapons of mass destruction and making Korean Peninsula free of nuclear weapons.

In Fissile Material Cut off Treaty (FMCT) negotiation, Pakistan should interested and attended the negotiation in CD. In August 1998, it announced to begin the negotiation for non discriminatory, multilateral and effective verifiable treaty which could prohibit the production of fissile materials for nuclear weapons. Pakistan joined the negotiations process of Fissile Materials Cut off Treaty at the Conference on Disarmament in Geneva. However, Pakistan could not tolerate the demands to declare a moratorium on the production of fissile materials before the conclusion of a Fissile Materials

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<sup>14</sup> <http://www.acronym.org.uk/41pakis.htm>

Treaty. It also stands against the transfer of any missile technology and Ballistic Missile Defence (BMD). Pakistan was interested in regional participation of arms control. The country also made important agreement on arms control with India also made efforts on enhancing the confidence building measure between them. Pakistan is a party to both the Biological Weapon Convention and Chemical Weapon Convention and made an ordinance to meet the implementation of Chemical Weapons Convention in 2000. In September 2004, a comprehensive, Export Control Act was made for nuclear and biological weapons.

Pakistan welcomed the Prevention of an Arms Race in Outer Space (PAROS) and also co-sponsored the United Nations General Assembly resolution 59/65 on the "Prevention of an arms race in outer space". It is also keen on the implementation of preventing Arms race in outer space. Pakistan also thought that the existing international legal instruments are inadequate to prevent the weaponization of outer space. It argues against the existing international legal instruments as inadequate to prevent the testing, deployment and use of weapons other than WMD in outer space, and found lack of universality in the existing international law<sup>15</sup> (Janjua 2005: 22). Pakistan agreed to adopt UN Security Council Resolution no 1540<sup>16</sup> to curb the acquisition of WMD by non-state actors. Pakistan also established a Nuclear Regulatory Authority, the guardian of the safe operation of civilian nuclear plants.

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<sup>15</sup> This Statement is made by Pakistan Ambassador Ms Janjua at CONFERENCE ON DISARMAMENT Final record of the nine hundred and eighty eith plenary meeting held at the Palais des Nations, Geneva, on Thursday, 30 June 2005, at 10.15 a.m.

<sup>16</sup> United Nations Security Council Resolution no 1540 (2004) was adopted by the Security Council at its 4956<sup>th</sup> meeting on 28 April 2004 . The Resolution 1540 was about non-proliferation of weapons of mass destruction, which all States shall restrict non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery and also appeal States, adopt and enforce appropriate effective laws to curbed and prohibited which prohibit any non state actor manufacture, acquire, possess, develop, transport, transfer of Weapon of Mass Destruction.

Even though Pakistan claimed faith in First Committee of UN and multinational efforts such as the Conference on Disarmament, it preferred and advocated regional disarmament than the global. Pakistan made proposal with India on “maintenance of nuclear weapons on de-alert status; no operational deployment of nuclear ballistic missiles; no acquisition or deployment of anti-ballistic missile systems”<sup>17</sup> The Outer Space Treaty agreement was signed in 1967 and ratified in 1968 by Pakistan. It later signed Convention on Certain Conventional Weapons in 1982 and was a party to four of the five protocols. Though Pakistan is not a member of Ottawa Mine Ban Convention, the country domestically banned exports of antipersonnel landmines.

### ***3.2: CBMs on Non Nuclear related arms control process.***

India and Pakistan made important and crucial arms control agreement. Both are kept busy to make a reliable and transparent arms control treaty. India and Pakistan arms control are influenced by the previous Cold War arms control. They also exercise some of the arms control models from other continent such as Pre-notification of Military exercise and manoeuvre, which was a model of Helsinki Final Act and Stockholm Agreement in 1986. However, in some cases, the circumstances forced it to follow the other models.

The first ever military Confidence Building Measures between India and Pakistan was signed in July 27, 1949, at Karachi. United Nations Commission for India and Pakistan invited India and Pakistan to send fully authorized military representatives to meet jointly in Karachi under the auspices of the Commission's Truce Sub-committee to establish a ceasefire line in the state of Jammu and Kashmir. India and Pakistan reached an agreement on that ceasefire line which was established as a complement to the suspension of

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<sup>17</sup> This Statement is made by Pakistan Ambassador Khan at CONFERENCE ON DISARMAMENT Final record of the nine hundred and eighty first plenary meeting held at the Palais des Nations, Geneva, on Thursday, 24 March 2005, at 10.15 a.m.

hostilities in the state of Jammu and Kashmir on 1<sup>st</sup> January 1949. According to the agreement, the ceasefire line runs from Manawar in the west, north to Keran, from Keran east to the glacier area. Drawn on an one inch map, the agreement mentioned details of the ceasefire line and area. The ceasefire line was verified mutually by both Commanders under the supervision of UN Military Observers. The agreement mentions that no troops shall be stationed or operated in areas close to the ceasefire line. There shall be no increase of forces or strengthening of defence in areas where no major adjustment are involved. (Karachi Agreement 1949). In case the local Commanders could not reach an agreement, the case shall be referred to the UN Commission, and its decision will be final. The agreement also provides that the UN Commission for India and Pakistan will station an Observer, if necessary. This agreement was very successful. The Line of Control (LoC) has been maintained till date and serves as an international boundary between India and Pakistan.

India and Pakistan took several initiatives to improve relations with each other in the lines of confidence building between the two countries, especially military involvement. After the 1971 war, a communication link called 'hotline', was introduced between the Pakistani and Indian Director General of Military Operations (DGMOs). However, the hotline was not used in the 1987 Brasstack crisis. In December 1990, India and Pakistan agreed to re-establish the DGMO hotline to be used on a weekly basis. However, this communication was consecrated for a very limited purpose of exchanging information. In 1999, when the Prime Ministers A.B. Vajpayee and his counterpart Nawaz Shariff met at Lahore Summit, the countries agreed to review all existing communication links with a view to upgrade and improve 'hotlines'. 'Nuclear hotline' was agreed to by India and Pakistan. The usefulness of hotline is apparent when both governments agree to expand their hotline system along the coast guard in January 2008. Many problem and issues are expected to be resolved through this system.

Not only military personnel, the Head of Governments also used hotline communication too. The first hotline for Prime Ministers was installed in 1989. India's Prime Ministers Rajiv Gandhi and his Pakistani counterpart Benazir Bhutto—were the first to use the service. In November 1990, Indian Prime Minister Chandra Shekhar and Pakistani Prime Minister Nawaz Sharrif used the hotline to facilitate important messages. Pakistan's Prime Minister, Nawaz Sharrif used the hotline to express his interest in further developing bilateral ties with Chandra Shekhar. In May 1997, Indian Prime Minister I.K. Gujral and his Pakistani counterpart, Nawaz Sharrif were determined to re-instate the hotline. Prime Ministers Sharrif and Gujral spoke on the eve of the revived Foreign Secretary talks in June 1997 to reaffirm their commitment to the dialogue process. Prime Minister Hotlines was also used during a period of heavy artillery fire along the Line of Control (LOC) in Kashmir in October 1997, and in Kargil war in 1999.

Manoeuvre of military movement and exercises are a part of military strategy. Advance notification is one of the important precautionary measures for neighbouring countries. India and Pakistan sometimes have communication gap between themselves. Both countries henceforth intend to avoid unnecessary gaps and decided to make pre-notification of military exercise to each other. On 6<sup>th</sup> April 1991, India and Pakistan ventured into a significant CBM on "Agreement Between India and Pakistan on the Advance Notice of Military Exercises" signed by Indian Foreign Secretary, Muchkund Dubey, and his Pakistan counterpart Shaharyar M. Khan at New Delhi. Pakistan and India recognize the need to jointly formulate an agreement at the government level on giving advance notice on exercises, manoeuvres and troop movements in order to prevent any crisis situation arising due to misreading of the other side's intentions. So they decided that their Land, Naval and Air Forces will avoid holding major military manoeuvres and exercises in close proximity to each other. However, if military exercises are organized, the agreement prescribed within distances of other countries and the military exercise must not be



towards the other side. Both sides may not conduct exercises of Land Forces at Divisional level and above within five (5) kms of the border areas. India-Pakistan International Border and Line of Control are the area between the Manawar Tawi and Ravi Rivers.

The tentative schedule of major exercises was to be informed in writing to the other side through diplomatic channels in advance. Both countries allowed pre-notification for Air exercises at Regional Command level and above, fifteen days in advances. Divisional level exercise, and major Naval exercises involving six or more ships of destroyer/frigate size and above, exercising in company and crossing into the other's EEZ , should be notified thirty days in advance. Corps level exercises requires sixty days and Army level exercises need ninety days advance notice.

If any party is planning military exercise the information must be given to the other party stating clearly the (a) type and level of exercises (b) general area of the exercise on land, air and sea. In respect of air and sea exercises, these will be defined in latitude and longitude(c) duration of the activity (d) number and type of formations participating(e) any shifting of forces from other Commands/Corps/Strategic formations (f) the move of strategic formations, particularly armoured division, mechanized divisions, air assault divisions/reserve infantry formations and artillery divisions/air defence artillery divisions. Strict vigilance on naval ships and submarines belonging to the other country required that they do not cross less than three Nautical Miles towards the other side in order to avoid any accident. Combat aircraft including fighter, bomber reconnaissance, jet military trainer and armed helicopter aircraft are not allowed to fly within ten (10) kms of each other's airspace. Unarmed transport and logistics aircraft including unarmed helicopters and Air Observation Post (AOP) aircraft will be permitted to operate up to 1,000 meters from each other's airspace. (Agreement on Pre-notification of Military exercise

1991). The agreement has its flaws. However, it produced to create a better relation in the military sphere

Along with the Agreement of Pre-notification of military movement, India and Pakistan include agreement on prevention of air space violation and permitting overall flight and landing by military aircraft, *“both sides will take adequate measures to ensure that air violations of each other's airspace do not take place. However, if any inadvertent violation does take place, the incident will be promptly investigated and the Headquarters (HQ) of the other Air Force would be informed of the results without delay, through diplomatic channels” (Art 1)*. Restrictions are to be observed by military aircraft of both the forces like combat aircraft including fighter, bomber, reconnaissance, jet military trainer and armed helicopter aircraft within ten (10) kms of each other's airspace. In order to avoid any tension, prior notice will be given with regard to air exercises. Combat aircraft operating from the air bases specified below will maintain a distance of 5 (five) kms from each other's airspace:- For India (1) Jammu (2) Pathankot (3) Amritsar (4) Suratgarh. For Pakistan (1) Pasrur (2) Lahore (3) Vehari (4) Rahim Yar Khan. Military aircraft may fly through each other's airspace with the prior permission of the other country. Safety was prioritized *“In matters of safety and any air operations in emergency situations, the authorities designated by the respective Governments should contact each other by the quickest means of communications available.”(Art 5)*.

The agreement had an appendix for conditions for grant of flight Clearance for Military Aircraft of both countries. If any party asked permission for over flight and landing to another party the following clarification must be given: Aircraft type, aircraft registration number, aircraft call sign, name of the captain, number of the crew etc. Flights approved will be valid for 3 days. If there are any subsequent changes in the flight plan, a fresh clearance from Air HQ is required for which advance notice of 72 hours will be essential. One of the important text was the rules of *“flights across each other's*

*airspace which will normally be completed between sun rise and sun set. Overflights by night may be permitted, on specific request, under special circumstances*"(Appendix A. no. 6). Arms, ammunition, explosives, (except escape aid explosives), nuclear fissionable material, Biological and Chemical weapons materials, photographic material, electronic devices other than required for the normal operation of the aircraft are restricted for carriage or installation in the aircraft. Above all, both countries only allowed over flights across the other's airspace with the approval of International Air Traffic Services (ATS) routes (Agreement on Air Space Violation 1991).

India and Pakistan have an arduous task, not only in terms of nuclear and military roles but to other WMD too. Both governments made Joint Declaration on the Complete Prohibition of Chemical Weapons on 19<sup>th</sup> August 1992 in New Delhi by the Foreign Secretaries of both countries. The Government of Pakistan and India declared support of the Protocol for Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed in Geneva on 17<sup>th</sup> June 1925. It brings to mind the relevant resolutions of the General Assembly that calls for continuation of the validity of the 1925 Geneva Protocol. They decided to commit not to develop, produce or acquire chemical weapons nor to use chemical weapons, assist, encourage or induce, in any way, anyone to engage in development, production, acquisition, stockpiling or use of chemical weapons. Both were ready to cooperate with each other, making and adopting Chemical Weapons Convention and encourage the full utilization of achievements in the field of chemistry for peaceful purposes. Both countries reiterate their aspiration to become original States party to the proposed Convention drafted in the Conference on Disarmament.( Chemical Weapons Convention was a process to be implemented during the time this joint statement was made and opened for signature in 1993). However, both declared that they would exercise their right to develop their chemical industry and related applications and products only for peaceful purposes and for the

welfare of their peoples (Joint Declaration On Chemical Warfare 1992). To implement the joint statement, both countries signed and ratified the Chemical Weapons Convention. However, India made it clear that the CWC will not compromise with national security and submitted a chemical weapon and chemicals related facilities to the Organization for Prohibition of Chemical weapons (OPCW) at Hague.

The Pre-notification of flight testing Ballistic Missiles text states that -- Each party shall provide to the other party, advance Notification of the flight test that it intends to undertake of any land or sea launched, surface-to-surface ballistic missiles. The notification must not be given promptly or urgently. Notification must be no less than three days in advance of their commencement. The agreement stipulates the party to provide "Notice To Airmen". (NOTAMs) and NAVEREAs through their respective authorities.

Pre-notification of flight tests alone does not suffice. Each nation needs to address its launch site as well for military exercises. The agreement does not allow test launch sites to fall within 40 kms, the planned impact area does not fall within 70 kms of the International Boundary or the Line of Control. In addition, the agreement ensures that ballistic missile flight tested shall not cross the International Boundary or the Line of Control in any circumstances. The limit of a horizontal distance is 40 kms from the International Boundary and the Line of Control is laid down.

The agreement encourages regular consultations to review the implementation of the provisions of the agreement and to consider possible amendments or any changes. Any changes or Amendments entered shall be enforced in accordance with the procedures agreed upon by both countries. The agreement on Pre-notification of flight testing of Ballistic missile shall enter into force upon signature by the two parties and its duration is for five years

which is extendable. If any party want to withdraw from this agreement, a prior notice of six months in writing is needed. The pre -Notification messages shall be conveyed through the respective Foreign Offices and the High Commissions (Agreement on Pre-notification of flight testing of Ballistic missile 2005).

India and Pakistan have been competing to develop sophisticated missiles. India developed a series of Agni missile, SLBM Sagarika and also planned to develop ICBM Surya, while Pakistan developed Ghauri and Shaheen series with the help of China and North Korea. Both tested a missile every year, so the pre-notification of missile testing constitutes a very important Confidence building measure. On 3<sup>rd</sup> October 2005, India and Pakistan made agreement on Pre-notification of flight testing of Ballistic missile. While signing the treaty, both India and Pakistan recalled the Memorandum of Understanding signed on 21<sup>st</sup> February 1999, which declared a commitment to adopt appropriate measures to prevent misunderstanding and misinterpretations and to promote a stable environment of peace and security between the two countries.

### ***3.3 : CBMs on Nuclear related arms control Processes***

Before acquiring nuclear weapons, India and Pakistan paid attention to nuclear safety. Both countries know that nuclear facilities and installation are very crucial and could make them important target when war broke out. There was a rumour that India might attack Pakistan's nuclear reactor (PR Chari 2003: 13, PR Chari 1997: 128). Pakistan's Dictator, General. Zia-ul-Haq informed the *Wall Street Journal* that India might destroy Pakistan nuclear installation following Israel's attack upon Iraq's Osiraq Nuclear reactors. Pro-Pakistani Senator, Moynihan, accused India of a likely attack to Pakistan's nuclear installations before the Senate Intelligence Committee. Accordingly, a regional cut off of material production, a regional nuclear test ban, the

placement of new and existing nuclear facilities under safeguard, extension of the nuclear no-attack pledge to cover population centers, strengthening international security assurances, regional risk reduction centre, expanded and upgraded military and political officials and regular exchanges of military personnel is needed. (Mohan & Lavoy 1993: 26-27).

In 1988, India and Pakistan signed an important nuclear CBMs called 'Agreement on the Prohibition of Attack Against Nuclear Installations and Facilities' signed on 31<sup>st</sup> December 1988 at Islamabad by the Foreign Secretary of Pakistan, Humayun Khan and his Indian counterpart K.P.S. Menon, which entered into force after 2 years of delay, on December 1990. Pakistan and India reaffirmed their commitment to durable peace and the 'development of friendly and harmonious bilateral relations'. The agreement mentioned the need to build confidence building measures that would promote bilateral relations based on mutual trust and goodwill. The core of the agreement was that *"each party shall refrain from undertaking, encouraging or participating in, directly or indirectly, any action aimed at causing the destruction of, or damage to, any nuclear installation or facility in the other country."* (Art 1).

The treaty explained the term "nuclear installation or facility" as nuclear power and research reactors, fuel fabrication, uranium enrichment, isotopes separation and reprocessing facilities as well as any other installations with fresh or irradiated nuclear fuel and materials in any form and establishments storing significant quantities of radio-active materials (Art 2). The agreement demands to inform nuclear installation and facilities to the other party on 1st January of each calendar year. The first such exchange of lists took place on 1<sup>st</sup> January 1992.

When Prime Minister of India, Atal Behari Vajpayee, visited Lahore in 1999, the Lahore Declaration was signed by India and Pakistan. Along with the Lahore Declaration, the landmark multipurpose, 'Memorandum of

Understanding' was signed by the Indian Foreign Secretary, K. Raghunath, and the Pakistan Foreign Secretary, Shamshad Ahmad, in Lahore on 21st February 1999 in the presence of Prime Minister of India, Atal Behari Vajpayee, and Prime Minister of Pakistan, Muhammad Nawaz Sharif. India and Pakistan expressed and agreed to engage in bilateral consultations on security and nuclear doctrines to develop confidence building measures and avoidance of conflict. India and Pakistan would “*undertake to provide each other with advance notification in respect of ballistic missile flight tests.*” Both countries paid attention to Nuclear assets. Before nuclear weapons were tested, these two countries made important agreement on nuclear testing in the late 1980s. After possessing nuclear weapons, the safety of nuclear weapons is essential. So, India and Pakistan tried to undertake “*measures to reduce the risks of accidental or unauthorised use of nuclear weapons under their respective control*”. Both sides agreed to “*undertake to notify each other immediately in the event of any accidental, unauthorised or unexplained incident that could create the risk of ... outbreak of a nuclear war between the two countries.*”. In case of the outbreak of nuclear accidents and unauthorized use of nuclear weapons, both sides would act promptly to resolve the problem and would have unilateral moratorium on conducting further nuclear test explosions. India and Pakistan agreed that precautionary measures in sea and air to gain safety of navigation by naval vessels and aircraft are essential.

Both countries agreed to review the existing communication links between the respective Directors General, Military Operations, and also expressed desire to upgrade and improve communication links to provide for ‘fail-safe and secure communications’. In order to conclude the MoU, the two countries engaged in “*bilateral consultations on security, disarmament and non-proliferation issues within the context of negotiations on these issues in multilateral fora*” (MoU 1999).

Nuclear safety is one of the important agenda between India and Pakistan in the bilateral relation. After eight year of MoU on nuclear safety and prevention of accidental and unauthorized use of nuclear weapons in Lahore, both countries made 'Agreement On Reducing The Risk From Accidents Relating To Nuclear Weapons' at New Delhi on 21<sup>st</sup> February 2007, signed by K.C. Singh, Additional Foreign Secretary of India with his Pakistani counterpart Tariq Osman Hyder. Providing and ensuring the safety of nuclear assets is one of the important methods to gain safety of weapons. Both countries had set up the competent high power National Nuclear and Command Authority, and agreed to continue to work on improving the existing channel. The text delineates "*each party shall maintain and improve.. existing national measures including organizational and technical arrangements, to guard against accidents related to nuclear weapons under its control.*"(Art 1.) Accident is an accident. It can not stopped or terminated. However, as far possible, both countries would try to avoid nuclear accident and encourage each other to take precautionary measure to prevent future accidents.

The Nuclear Safety Treaty states that both parties shall "*notify each other immediately in the event of any accident relating to nuclear weapons, under their respective jurisdiction or control, which could create the risk of a radioactive fallout, with adverse consequences for both sides, or create the risk of an outbreak of a nuclear war between the two countries*"(Art 2). If accidents occur, the respective countries would try its best to solve the problem as fast as possible. However, all the accidental and unauthorised use need not be to informed to the other countries. The agreement only demands that, "*The obligation of a Party to notify shall be in respect of only such accidents which may result in an international trans-boundary release that could be of radiological safety significance or have security implication for the other Party*". This agreement was not supreme. Both countries gave a reservation on this stating that "*this agreement shall not affect the rights and obligations of*



*the parties under existing international agreements to which they are a party” (Art 6).*

The text also lies down that communication links would be maintained. The parties shall make use of the two countries hotline links between Foreign Secretaries and DGMOs or any other appropriate communication link. Besides that, both countries also agreed to use any other communication channels, including diplomatic channels depending upon the urgency of the situation. (Agreement on risk from accidents relating to nuclear weapons, 2007) Duration of the Agreement is for a period of five years. They have the right to be extended for successive periods of five years more. If any party wanted to withdraw from this Agreement, a six months advanced written notice of intention to terminate the Agreement shall be furnished.

The hotline was expanded to Sector Commanders and was also established between Pakistan Air Force (PAF) and Indian Air Force (IAF) in 1993. It also initiates people-to-people contact through the initiation of Neemrana Initiatives and India-Pak Forum, and implements the presence of an Observer in the military exercise at Zerb-Momin in 1989 and also on the Indian military exercise in 1990. Both Indian and Pakistani senior military and civilian officers participated together in various seminars.

### ***3.4 : Controlling Small arms and efforts of legislation of arms control***

India is facing acute difficulties in controlling small arms and light weapons. The state of Kashmir, Rajasthan, Punjab and North East borders are the places where illegal arms and smuggling takes place. Those areas are border areas where local people know the region more thoroughly than the security personnel and can easily smuggle illicit arms from foreign countries. In Bihar, Andhra Pradesh and UP, manufacture of small arms in cottage

industries takes place, where indigenous pistols, revolvers and hand grenades are made. Meerut (UP) was famous for manufacture of kattas. Earlier, Coimbatore in Tamil Nadu was the base for the supply of locally made weapons.

The insurgency in Kashmir is intense where around hundred militant group operated in the region ( Malika & Joseph 2005: 44). Most of the insurgent groups get weapons from Pakistan and is also believed to have proliferated it in other places too. In North East region itself, over a hundreds insurgent groups operated. North East insurgent groups can easily get China made arms in a very less expensive amount that comes via Myanmar. Apart from the insurgent group, Naxalites and People War Group are also active in Andhra Pradesh, Chhatisgarh, Orissa and West Bengal. Most of these armed groups gather their weapons from outside and also manufacture it by themselves.

In Pakistan, 'gun culture' rules in some border areas. In Darra Barra, the local people were very good in manufacturing gun that are cheap and easily available. They run cottage gun making industries free from government control and taxation. The famous gunsmith of Darra, Adam Khel and Landi Kotal, are located around the border area. The Soviet invasion of Afghanistan had increased availability of gun since America and Pakistan supplied guns near the Afghan border area. These were smuggled to other areas. Some of the insurgent groups also capture the arms stocked by Soviet Union. There was a famous arms bazaar in North West Frontier Province (NWFP) too.

'United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects' was called from 9<sup>th</sup> to 20<sup>th</sup> July 2001, at New York. The conference made the 'Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects' more popularly known as the Programme of Action or PoA. They

conveyed the message that “ the illicit manufacture, transfer and circulation of small arms and light weapons and their excessive accumulation and uncontrolled spread in many regions of the world, have a wide range of humanitarian and socio-economic consequences. It also poses a serious threat to peace, reconciliation, safety, security, stability and sustainable development at the individual, local, national, regional and international levels.” The PoA has been trying its best in preventing, combating and eradicating the illicit trade in small arms and light weapons at the national, regional, and international level. The participating states thought there are no adequate laws, regulations and administrative procedures for controlling and preventing illegal manufacture, illicit trafficking in small arms and light weapons. Since there seemed to be no adequate law on export, import, transit or retransfer of such weapons, they declared that legislative or other measures to establish arms trade as a criminal offence under a country’s domestic law is a must.

The UN PoA demands the establishment of a national coordination agency or Body for policy guidance, research and monitoring of efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons (II.4). It establish the national point of contact (II.5). Provision of laws, regulations and administrative procedures/ law enforcement/criminalisation are mentioned in (II.2, II.3, II.6), Manufacture, marking, record keeping and tracing of small arms & light weapons (II.7, II.8, II.9) is stressed. State stockpile management and security (II.10, II.17, II.18) and disposal of seized and confiscated weapons (II.16) export controls (II.11, II.12, II.15).

India Report reveals that India implemented the UN PoA in advance in 1959, where comprehensive system of regulatory policies and practices relating to small arms and light weapons were established (India Report on UN PoA 2003). The office of Joint Secretary, Disarmament and International Security Affairs Division, Ministry of External Affairs, Government of India, is designated as the national point of contact for international liaison on matters relating to implementation of the UN PoA. India also set up an Inter-

Ministerial Task Force in 2002, whose members vary from representatives of Ministry of External Affairs, Ministry of Defence, Home Affairs and National Security Council Secretariat. The Task Force deals with policy guidance, research and monitoring of efforts to prevent, combat and eradicate the illicit trade in Small and Light Weapons.

The Arms Act of 1959 and Arms Rules of 1962 deals with lawful possession, manufacture, sale, transfer, transport, export, import of arms and ammunition, and provide penal provision for violation of these acts. Sect 5 and 7 of the Arms Act (1959) and Art 20 of Arms Rules (1962) prohibit the manufacture, transfer, repair of any SALW without a license, manufacture and production of SALW controlled by the Central government. Small arms for Armed forces/police as well as for civilian use are primarily manufactured by Indian Ordnance Factories run and owned by the Ministry of Defence. Previously, Industry Policy Resolution of 1956 allowed the manufacture of single and double-barrel guns and air rifles/pistols by Private industries. However, after liberalization, making revolvers, pistols and rifled weapons - and ammunition has not been allowed in the private sector. Arms Act 1959 demands the markings of every weapons. Sell or possession of unmarked weapons is prohibited. To supplement those law, the government also laid down Prevention of Terrorism Act (POTA), Armed Forces (Special power) Act and the Army Act. The POTA was replaced by Unlawful Activities Act in 2004.

Arms Act of 1959, Sect 3 provides proper license as a prerequisite for possession of any SALW. Under the existing law, all civilians are required to get their weapon inspected once a year by a competent authority. Under Sec 26 of the Arms Rules 1962, a record of arms sold in the civilian market is also required by arms dealer under the Sale and Transfer Register. All armed forces/police and paramilitary forces also need to maintain a permanent record of all the weapons. Chapter XX of the Defence Service Regulations

(Regulations for the Army) provides regulation for management and security of Small arms held by the Army. Stocks are checked quarterly.

Export of arms manufactured by Defence Public Sector Undertakings (DPSUs) and Indian Ordnance Factories is governed and controlled by the Ministry of Defence in consultation with the Ministry of External Affairs. Those items can be exported only with 'No-Objection Certificate' (NOC) from the Department of Defence Production and Supplies, Ministry of Defence. Sec 10 of Arms Act 1959 requires that export / import of arms should first get a requisite licence. "Exim Policy 2002-2007", does not allow transfer of the imported firearm during the lifetime of the importer/licensee.

In the international scenario, India made important agreements with many countries. For instance, India made agreement with Poland on Co-operation in combating organised crime and International terrorism on February 2003. The Agreement provides for exchange of documentation, information, terrorism, including illicit trade in arms and funding of international terrorism. Agreements on setting up of a Joint Working Group for Combating International Terrorism and other types of Crimes (June 2002) was signed with Kazakhstan. India also agreed with Tajikistan and Uzbekistan in setting up of a Joint Working Group for Combating International Terrorism on 2003. India is a member of Bay of Bengal Initiatives for Multi-sectoral Technical and Economics Cooperation (BIMST-EC). The BIMST-EC has a Joint Working Group on Counter Terrorism and Transnational Crime and its first meeting was held in New Delhi on 2004.

Pakistan has been trying to implement the UN PoA. The Director General of United Nations and Disarmament Division, Ministry of Foreign Affairs act as a Liaison for implementing the PoA. Besides that, a special cell headed by the Director General of Interior Affairs, deals the problem of Small arms and Light weapons. The production of imports, export, transfer and stockpiling was

under the cover of Arms Act of 1879, Pakistan Arms ordinance of 1965, Surrender of illicit arms Act of 1991. Production of Arms was done by Public sector industries and law was applied if there was illegal manufacturing going on. Arms dealers can sell only limited types of arms after issuing the license. A strict license regime was started in 2001, where the Federal government issue an instruction. Export of all arms was under the provision of Ministry of Defence with Ministry of Foreign Affairs. The export of arms need a No objection certificate with End-user Certificate.

Pakistan had taken important step towards de-weaponization of Small arms. The scheme of the de-weaponization process was initiated in 2001. Under this scheme, amnesty period was opened for surrendering the illegal weapon followed by collecting and recovering the illegal weapons. A large number of illegal weapons were confiscated and publicly destroyed. Pakistan government encourages the registration of arms and the owner could surrender arms to the government. In 2001, the government approved the New Arms control Policy and Action plan for Recovery of illicit weapons. A large number of people were convicted and sentenced with different terms of imprisonment under this de-weaponization scheme. Pakistan revised the Police Act in 2001 to equip the Police Forces. It also tried its best to combat the proliferation and illegal trade of small arms .

In the regional level, Pakistan took important step with China and Russia where the Joint Working Group was established to combat counter terrorism. A tripartite Commission was set up with US and Afghanistan. Pakistan support the International Crime Police Organization (INTERPOL) and is a member of UN Group of Governmental Expert set up by UN General Assembly Resolution 54/241 to examine the feasibility of international instrument, to identify and trace illegal small arms .

Nuclear disarmament is regarded to be an important key between India and Pakistan relationship. Before nuclear weapons were acquired, both countries had concluded a very comprehensive agreement on nuclear safety. However, the nuclear safety is limited only to nuclear installation and reactors. It did not extent to nuclear weapons. This agreement had clearly predicted that both countries would acquire nuclear weapons soon. Even though nuclear weapons were not installed in South Asia, this agreement had paved a way for nuclear weapon safety too. After the nuclear test, both countries were busy for nuclear safety in 1999. Leaders of the two countries met in Lahore, and a Memorandum of Understanding was signed to deal with nuclear weapons safety. Both countries urged each other to move forward towards nuclear safety. A nuclear safety agreement was made in 2007 between the two countries. India and Pakistan paid heed to other WMDs and are ready to cooperate with international effort to control and pledge against the manufacture and usage of these nuclear weapons.

India and Pakistan adopted different domestic laws for regulating and controlling small and light weapon. UN also initiated the control of small arms. India and Pakistan seek to fulfil the UN norms and submitted their countries report to UN. Arms control in India and Pakistan are not perfect. In many ways, an agreement concluded between the two countries seems to be not too relevant in the present scenario. Most of the India's and Pakistan's dialogue of the last decade reflect the pattern that has existed between the US and Soviet Union during the Cold War and are motivated in large part by some concern—the danger of nuclear war (Cohen 2004: 195).

## Chapter 4

### Arms control in India and Pakistan: Challenges and Obstacles

*Disarmament and Arms control: The road abandoned and a road not travelled*

*Jasjit Singh*

Arms control is not an easy task. It has its complexities and complication at various levels. From the post-World War I, limiting arms and disarmament processes have been taken up till today. Beginning with the League of Nation, the UN too inherited the burden of arms control and is still working till date. The main hurdle of arms control is the justification for security. Security occupies an important place in every state. India makes excuses in building nuclear bomb, all in the name of security. Regional security imbalances could compel state to follow disastrous arms race. India's excuse for stockpiling arms is China's threat while Pakistan justifies regional imbalances for its pursuance of nuclear arms.

The limitation of International law and weak International organizations are other main factors. There is a continuous existence of conflict amongst nations. International system is anarchical with no competent international law. There is no world government or international organization to control states from stockpiling armaments. There is no strong organization to punish violators of law or treaty. Many multilateral disarmament treaties were made like the Geneva Convention, PTBT, Outer Space Treaty, Chemical Weapon and Biological Weapons Convention. However, no sanction was imposed if some countries stayed out from these treaties. If there was a violation of bilateral agreement like SALT I & II, START I & II, SORT and many regional CBMs, no punishment or serious sanction could be made for violators. For instance, when the US pulled out from ABM treaty, no harsh punishment was



imposed. International organization was weak when the League of Nations, dealt with important issues of disarmament. Under the League of Nations, disarmament action like Temporary Permanent Commission, Preparatory Mixed Commission and Preparatory Commission for the Disarmament was established. Besides that, other important laws were initiated under the League. UN also took effective and serious scheme in 1946, with the Atomic Energy Commission. The Commission for Conventional Armament was established in 1947. In 1952, these two Commission was merged into one i.e. Disarmament Commission. Despite the seemingly milestone achievement, no proper implementation was carried out successfully.

Failure of domestic law and order is the stumbling block for progressive arms control. Some states in Africa and Latin America do not regulate the Arms Act and enforce the domestic law to control arms, and curbed illegal possession of arms. Some states do not properly maintain its border and perform customs checking. In some regions, it was not easy to conduct proper border fencing and restriction. In some border area of Myanmar and East Asian regions there is no proper border fencing and check post. Illicit arms and weapons could flow easily. The gun culture and legacy of conflicts in West Asian countries, African states and Latin America also requires attention. The instability of these regions, civil war, ethnic conflict, unstable political domain etc has been increasing the difficulties for arms control.

Despite the enforcement of law and rule, certain regulations are inadequate to control weaponization and proliferation of weapons. Some arms control norms and obligation have many defects and shortcoming. Several Convention and Treaties failed to give a safe restriction. Some texts are ambiguous to be followed and some are too biased to be accepted. For example NPT was very discriminatory to be accepted by Non-Nuclear Weapon States. Biological Weapon Convention (BTWC) has been facing a number of

challenges like lack of universality. Many countries still remain outside the Convention; some countries have signed the treaty with no ratification yet. BTWC has lack of verification- convention and do not have measures to check compliance. Some state parties violated the BTWC and others are suspected of operating illegal biological weapons programme. Some weapons are not easy to control. Biological weapons can be manufactured, produced quickly and easily. It is aptly known as a ' *Poor nation's Nuclear bomb*'. Likewise, Chemical weapon is not difficult to produce. The Terrorist groups were interested in developing and using biological and chemical weapons.

Cold war politics also play a very difficult role for controlling arms and encourage countries to arm themselves. Bloc politics encouraged counter reaction from other bloc in many ways. Both Soviet Union and US supplied weapons to their respective Bloc countries to counter the opposite Bloc and also provided hardware as well as technical support to their respective blocs. The unpredictability of war forced countries not to abandon arms race. Wars breaks out under anticipated circumstances while at times they are not necessarily pre-empted. The onset of conflict is inherently unpredictable (Julian 2006). That is why it makes sense to keep an Army, Navy and Air Force. There is no assurance that a nuclear and major war will not breakout.

#### ***4.1 : Challenges on Arms control Process in India and Pakistan***

India and Pakistan have a serious nuclear compulsion. Kenneth Waltz contends that nuclear weapon gives imperfect peace and that keeping weapon by India and Pakistan had given stability in the South Asian region. In the Indian scenario, before Chinese exploded its nuclear bomb, India was an enthusiastic supporter of non proliferation of nuclear weapons. Nehru asked his Foreign Minister to sign PTBT. However, Chinese explosion changed the

situation. India would sign the NPT only under the condition of a positive assurance of protecting India from Chinese menace (Desingkar 1998: 19-34).

India and Pakistan had been playing double standards on the issue of weaponization. India is one of the champions of disarmament. However, India has played a somewhat odd policy in nuclear weapons. Keen to have nuclear weapons after Independence, the quest of India's nuclear weapon was seriously begun after China tested nuclear weapons. Although India raises its voice in supporting disarmament, it however, tested nuclear weapon in 1974. India do not sign NPT and CTBT due to its 'discriminatory' nature. India claimed that its nuclear weapon is a weapon of peace. Dr. A.P.J Kalam, the architect of Pokhran II, when asked by *India Today* said, "By building such arsenal, I actually ensure peace for my country. Now no nations dare attack us. These are truly weapons of peace" (Chengappa, 2001). But nuclear weapons can bring insecurity too.

India and Pakistan do not commit themselves to arms control process seriously. They missed many important points like non-deployment and omit several other important issues in arms control agenda and treaty. Lavoy observes that after the nuclear test, there is a great openness about nuclear weapon and military doctrines in South Asia. But still there is no strategic stability and arms control (Lavoy 2003: 247). Moreover, the kind of mutual suspicion and mutual distrust that has existed between India and Pakistan could result in a potential major armed struggle between the two, generating a nuclear war (Tiwari 2004: 91). Despite the fact that India and Pakistan have been implementing treaties and agreements, there have been arepetition of violation of the existing agreements. For instance, India gave an advanced notification to only a limited Agni and Prithvi missile test. Pakistan accused India of not giving a pre-notification on Brahmos test. Both countries also neglected upgradation and improvement of communication link. The arms control process in South Asia is very helpful by way of reducing tension and

managing conflict. However, it has not been successful to the extent of altering the dominant strategic doctrine in the subcontinent. Arms control therefore, need to play an important role in South Asian countries (Rishraj Singh 2004: 324).

India and Pakistan need to pay special attention to nuclear safety concerns. Nuclear weapon that fall under the control of terrorist could be the most serious category of nuclear terrorism. Nuclear weapons are very vulnerable. Nuclear accidents may occur during the transportation, and storing of fissile materials. Not only weapons, but nuclear facilities and nuclear material also needs to be kept safe (Balachandran 2003: 83-97). Weapons safety has been a neglected material in India. Atomic Energy Acts has 32 clauses. However, it has nothing to do with weapons. There are no legal provisions for any organisation to make, stock account, and store and save nuclear weapon. If you lose weapon you can simply be charged with losing government property (Menon 2000: 116). Pakistan had Nuclear Safety Act passed in 1999, a Nuclear Regulatory Authority, Nuclear Regulatory Board and Nuclear export control law. However, the export law exempts goods that are transferred or sold between government to government level, and exports under the auspices of Ministry of Defence (Garima Singh 2006: 27-28).

As mentioned earlier, both these South Asian nuclear states neglect nuclear weapons safety. After concluding important Treaty on nuclear safety, both countries need to emphasize the detailment of weapon safety and devices. South Asian nuclear command control system issues are worrisome where India and Pakistan have very limited safety system and devices. These countries do not have Permissive Action Links (PALs) devices which can limit unauthorized access to nuclear weapon. Both countries need PALs which are required for safeguarding weapons. PALS could also be un-safe, since anybody can access the code. There is no full proof for the safety of Nuclear weapons (Zia 2003: 107 ).

No system could be completely foolproof and there are possibilities that a determined military Commander could find some short-cut to defeat such system. In India and Pakistan nuclear weapon, there could be a possibility of un-intended used. Rajesh Rajagapalan in his book *Second Strike*, argues that there is a possibility of a military Commander getting access to nuclear weapons without proper authorization from the legitimate national political authority. There is a possibility of weapon being stolen by terrorist, a possibility of nuclear accident and a possibility of inadvertent escalation from the conflict that started as a conventional war (Rajagapalan 2005 :149-168). India and Pakistan therefore faced very high challenges of inadvertent escalation. Both countries can be involved in a higher level of conflict than what was possible before.

Paul Leventhal and Brahma Chellaney (1988) mention some of the important challenges and nuclear risks in South Asia. Some terrorists do not target civilian and innocent people but they aim specifically at important governmental places to draw attention. So the risk to nuclear installations could also be very high. Another important risk is easy availability of portable weapon systems. A small arms and portable weapon systems like surface-to-air rockets, (e.g. the shoulder- fired Stinger missiles) anti-tank rocket and rocket launcher are easily available in South Asia. The internationalization of domestic terrorism is also a great challenge where some terrorist groups started taking assistance from other organizations. After 2001, the Al-Qaeda network and other weapon proliferation were very popular. The high risk of nuclear weapon in South Asia is evident from this demonstration.

The agreements and Treaties made by India and Pakistan clearly reveal their lack of sincerity to bilateral arms control. Arms control agreements were signed only in a low key Secretary level, while some are even below Secretary Level. For instance, the Nuclear Safety Agreement in 2007 was signed by the Joint Secretaries of both countries. Most of the important bilateral Cold War arms control agreement were initiated, precipitated and concluded by the Head

of government like President of United States and General Secretary of Soviet Communist party. Some were signed by a competent representative of both governments. India and Pakistan arms control processes have been inadequately performed like an ordinary routine diplomatic work where even Ministers are not involved. CBMs is a suitable word for diplomacy but were not used when needed the most. Kanti Bajpai (1999) said that "there was a feeling that CBMs did not get at the heart of security problem in South Asia. CBMs were not seen by some as positively helpful since it leaves no incentives to proceed any further down the path of reconciliation." (Bajpai 1999 : 15-16).

India and Pakistan neither benefited from this arms control nor were they bound by the Treaty itself. Arms control does not guarantee a good relationship between them. US and China too played important roles in South Asia. If there is no assurance of non-involvement of a third party, India do not dare to disarm its weapon. India and Pakistan do not dare pay the high price of arms control. For instance, to achieve a successful arms control, India needs to surrender Kashmir. But, it is not easy to lose one's territory.

Although Indian and Pakistani leaders have concluded many important mutual CBMs, they have not yet accepted arms control as a useful means to enhance military security and stabilize strained political relations. Raja Mohan and Peter Lavoy argues that "Arms control and confidence building arrangement can help India and Pakistan avoid a war that neither side wants, minimize the cost and risk of the arms competition and curtails the scope and violation of conflict should it occur again in South Asia. Arms control is possible because India and Pakistan wish to avoid a war" (Mohan & Lavoy 1996: 26). Both the countries share similar concern on CBMs to avoid the outbreak of disastrous wars.

#### **4.2 : Obstacles in Arms control Process in India and Pakistan**

Former Pakistan Army Maj. Gen. Mahmud Ali Duranni argues that all important national issues in India and Pakistan are deeply colored by a conflict relationship. Infrastructure and development suffered a set back due to diversion of money to the military sphere. Both countries also suffer due to lack of coordinated efforts on regional issue in world bodies like UN (Durrani 2000: 12). In the domestic, regional and international sphere, India and Pakistan paid a very high price due to its strained relationship.

Deadlock over the long standing Kashmir issue is likely to continue and restrain the scope of CBMs between the two countries. The Kashmir question continues to worsen tension between the two countries. Lowering tension on the question of Kashmir would help the two countries (Jaspal 2004: 79). When Pakistan was offered the “no war pact” by India, Zulfikar Ali present the stand of Pakistan on Kashmir issues. He states “we must first settle the Kashmir issue in an honorable and equitable basis. Once that is done according to the dictates of justice and equity, we shall be willing to have not one ‘no war pact’ with India but as many as India desires (Z.A Bhutto 1964: 6). Pakistan considered settlement of the Kashmir issue as the solution to its relation with India. Kashmir stood as a major impediment for both countries.

Pakistan President General Pervez Musharaff proclaimed at a conclave organized by *India Today* “no leader in Pakistan can sideline the Kashmir Issue. This is the reality and we cannot do without it. I don’t think we can move forward on the CBMs and the economic interaction unless we move towards resolution of all dispute including Kashmir”. The task of resolving Kashmir crisis is not an easy job. South Asian expert, Peter.L.Lavoy, hopelessly says that “Kashmir dispute is perilous because no matter how dangerous the threat of nuclear war, India and Pakistan appear unable to resolve the issue” (Lavoy 2000: 51).

India and Pakistan have a different agenda. Pakistan puts the Kashmir Issue as prerogative agenda while India is primarily alerted with Pakistan sponsored Cross border terrorism. Kashmir remains particularly prominent as a core issue since it appropriately articulate Pakistan's Two Nation theory. Kashmir has an international recognition as a conflict and nuclear flash point and most of the Accord between India and Pakistan focused on Kashmir (Zeb and Chandran 2002: 57-58). However, India rejects Kashmir as a core issue in its relation with Pakistan. India considers Kashmir as its integral component. It also tries to focus on other issues such as diplomatic, cultural, trade & commerce, people to people contact etc. India and Pakistan have also different version mentioning South Asia. Ashok Kapur (1996) that For Pakistan, South Asia means the problem of India. Pakistan is regarded as a guardian of Muslim and defender against the Indian hegemony where India version is different that India aimed to manage Pakistanis irredentism in Indian internal affairs. India wanted to generate Indo-centric regional order, so that India model would remains in South Asia (Kapur 1996 : 143) So, peace and trust is not easy to achieved between them.

The cry for Kashmir has been severe in Pakistan. However, Pakistan is not clear where it stands on the Kashmir issue. It does not know how and what strategy will help in suit for resolving the crisis bilaterally or under the auspices of UN (Ahmad and Bashir 2000: 53). It was difficult to solve Kashmir issue when third party involvement was not allowed such as the Shimla Agreement. UN has been encouraging regional arrangement. However UN could not forces, Beside UN influences is very little. Mearsheimer argues that "institution have minimal influence on state behaviour and hold little promise for promoting stability in Post-Cold war World" (Mearsheimer 2000: 332). UN Charter Part VIII, Article 52 (I) said that " nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters



relating to the maintenance of international peace and security as are appropriate for regional action provided that such arrangements or agencies and their activities are consistent with the purposes and principles of the United Nations.”. India and Pakistan should undertake effort towards entering into regional arrangement. UN has asked the two countries to seriously commit themselves into regional arrangement under Art 52 (II) which states “ *Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.*” However, India and Pakistan were not fully committed to resolve their problems bilaterally.

The previous agreements were meant to assist the 2 countries in settling their problem bilaterally. But till date both countries could not resolve all of their problems. India and Pakistan suffers from the Bloc politics of the Cold War era where they do not trust UN Security Council to settle their problem. In 1948 when both countries were asked to choose a member for a Commission to settle their bilateral problem, they did not compromise on a candidate. India wanted Czechoslovakia while Pakistan nominated Argentina. They failed to compromise on the third member. Hence the two countries could not fulfil the Commission’s recommendation.

South Asian Association for Regional Cooperation (SAARC) is a competent and the only organization that could play a very important role. It is the only regional organization where Pakistan and India involve themselves together in South Asian region. However, SAARC is a weak body that functions like a defunct organization. India and Pakistan are major players in SAARC. Other member countries could not and might not want to interfere between the two countries. In 1993 SAARC member-nations signed the SAARC Regional Convention on Suppression of Terrorism. In 2004, an additional protocol to the SAARC Convention on terrorism was signed.

However, SAARC as a regional organisation is not interested in terrorism and security related issues. Major areas of SAARC interest are issues dealing with Agriculture and Rural Development; Health and Population Activities; Women, Youth and Children; Environment and Forestry; Science and Technology and Meteorology; Human Resources Development; and Transport etc.

India and Pakistan had signed agreement that seeks to enhance peace in the sub-continent. In challenging the Nuclear CBMs signed in 1999, there are several statements that Pakistan official made about nuclear arms being used during Kargil war and Operation Parakram. Pakistan newspapers reported how Brig. Rashid Quereshi, Director Inter-State Public Relation remarked about Pakistan's right to use all available option in responding to India. Pakistan Foreign Secretary Shamshad Ahmed also said that it will not hesitate to use weapons to defend Pakistan's territorial integrity (Rajagopalan 2005: 53). After this important CBMs were signed, both countries entered into the a famous Kargil war.

Obstacles to nuclear arms control in South Asia (India and Pakistan) includes deterrence of Agreements and Treaties which aims at limiting conventional, nuclear and ballistic missile forces. All the agreements deal only with reducing tensions and resolving problems. Both countries could not accept the fact that arms control is an important unit of Security policies. Moreover, both countries failed to transform their dialogue into an explicit strategic dialogue due to lack of a common strategic language (Rauf 1999: 145, Rauf 2005:189). There is a report that both sides violate a no-fly zone for combat aircraft and helicopter. The agreement on pre-notification of military exercise has been reportedly violated. Rodney W Jones (2005) argues about how advancing arms control in South Asia is a tough job. It is not just because of political obstacles, but also due to the skilled leadership of both countries in diplomacy. These leaders are able to generate outside interest in the South Asian Region.

India continues to support disarmament in theory. After the Nuclear test, India has attempted to commit itself to converting voluntary moratorium into a de-jure obligation in CTBT. Prime Minister, A. B. Vajpayee states that India is prepared to bring discussions on disarmament to a successful conclusion where entry into force of the CTBT is not delayed beyond September 1999. India expects other countries to adhere to this treaty under Article XIV of the CTBT, without conditions. India also expressed its willingness to join the FMCT negotiations in the Conference on Disarmament at Geneva. It is also willing to work for the early conclusion of such a Treaty (Vajpayee 1998). However, India has not joint CTBT and FMCT till date.

In India and Pakistan arms control, domestic politics play a very influential role. Nahasimha Rao's Congress government decided to join US in co-sponsoring a resolution in the UN General Assembly to negotiate CTB at a Conference on Disarmament at Geneva. India had co-sponsored CTB in 1993 and 1994. In 1995, India decided to attend a Conference on NPT Review and Extension. Unfortunately, in the late 1995, as the General Election was drawing near in India, the Congress Party faced difficulties. The Prime Minister Narasimha Rao took steps to consolidate his Party position and decided not to sponsor any resolution in the UN (Desingkar 1998: 19-34).

The problem of arms control is very difficult due to the figure and forms of small arms. The cost of small arms is comparatively cheap. Small arms are portable, easy to carry by horses or by individuals. It only needs a minimum infrastructure. They are easy to repair, and requires a very limited mechanism to maintain. Small arms and light weapons require minimum training. They are easy to use and handle. They are also easy to conceal and can be hidden in hand luggages. This adds to the urgency of arms control in South Asia. China's industrial growth affected arms control by providing cheap price, good quality weapons like pistol, rifles and other useful apparatus and are smuggled via Myanmar. Indo-Myanmar is porous. Smugglers can easily get in across the

border divide. Some of the North East India's insurgent group had collected different version of weapons like AK rifles series, Sniper rifles, grenade launchers, LMG, Pistols, and Chinese Grenades etc from the porous Indo-Myanmar border. Pakistan also accumulate weapons proliferated from Afghanistan. Those weapons are Soviet stocks during the Afghan war, captured and proliferated into Pakistan. There is a report that weapons are being supplied to Pakistan from some Middle East and South East Asian countries.

Political, economic and social involvement is a big hurdle for arms control. Some political and social violence are associated with insurgency in India. In India, there many insurgent groups that have fought for broader autonomy or independence such as- Khalistan, Nagaland, Bodoland, Gorkhaland, Dravidstan etc. In Pakistan, Baluchistan fought for autonomy with their insurgent unit called Baloch Liberation army. Lack of proper democracy complicates the matter. Regionalism is entrenched in India and Pakistan. The politics of regionalism badly impacts arms control measures. Some regions feel neglected by the Central and state governments. They struggle with arms to get their basic rights. In Naxalite operated areas, people claim that development has not reached them. They therefore have interested to arms to have better facilities. In other region too, the spirit of separateness was sowed in people mind. A number of North Eastern states asserted their difference from mainland India. They demanded autonomy and in some cases, even independence. All these issues complicate arms control measures. Arms control cannot be achieved only through military means (Banarjee and Mugaah 2002: 41-42).

Moral disarmament is the most important for achieving successful disarmament. Martin Alexander and John F.V Keiger stated that there is no moral disarmament in Germany in 1919 and Iraq in 1991. These two states had built themselves up. Similarly, in the case of India and Pakistan, there is a lack of moral disarmament. The seed of disarmament has to be sowed in the hearts

and minds of the people. Where there is no mass support against nuclear weapon and arms control, disarmament initiatives cannot be successful. Rishiraj Singh said that, "If New Delhi and Islamabad move to embrace nuclear arms control, it will be difficult for them to cultivate popular support for measures that are understood by very few citizen owing to years of government secrecy" (Rishiraj Singh 2004: 345). Till date, interest groups and NGOs failed to evince anti-nuclear activities or serious arms control initiatives.

Further, some security experts and strategists also welcomed the presence of nuclear weapons in this sub-continent. They believe that it is a good factor for keeping a balance in the strategic environment. Renowned Strategist like Scott Sagan states that "Nuclear weapons will remain with Pakistan and India in the foreseeable future and conflict over Kashmir will continue to smoulder, threatening to erupt into a wider and more dangerous war" (Sagan 2003: 108). In Indian Nuclear strategy, there are three important schools of thought. Prof. Kanti Bajpai had categorized the three schools as (a) Rejectionist, (b) Pragmatist and the (c) Maximalist. Rejectionists hold that nuclear weapon is regretfully necessary in a world where there are so many states. The Pragmatists believes that Nuclear weapons are vital for India's security. Nuclear weapon states reaffirm the fundamental importance of nuclear weapons in their security. The Maximalist wants India to arm itself as quickly as possible with nuclear weapon for security reason. (Kanti Bajpai 2000). These schools of thought had different vision and different ideologies. However, all of them advocated nuclear weapons for India. These influential people had played very crucial roles in the acquisition of nuclear weapons. They also managed to convince the masses and convinced the mass in a lot of ways.

Arms control is not easy for poor countries. If India and Pakistan are really willing to control arms, some weapons need to be destroyed and some

would need conversion. The conversion of military weapons into civilian use is not easy. It requires very high quality and expensive instruments which are not easily afforded in a consumer market. The market competition of other domestic product with converted weapon was high. Consumers buy only very cheap and easy to handle goods. Converted equipment also does not give guarantee for sale in the open market (Arbotov 1997: 44-45). Conversion of military weapons into civilian goods needs a high technology and large amount of money. India and Pakistan being developing countries suffers from shortage of industrial and economic might for conversion. The erstwhile Soviet Union, after its disintegration also needs large amounts of money for destroying, stockpiling and conversion of weapons. Thus, Cooperation on Threat Reduction (CTR) better known as Lugar and Nunn Act was passed by US. The above cited reasons made conversion of military weapon not easy in India and Pakistan.

Most India's and Pakistan's dialogues of the last decade echoed the pattern that has existed between the US and Soviet Union during the cold war. They are motivated in large part—the danger of nuclear war (Cohen 2004: 195). Most of the past efforts in South Asia have been preventing the acquisition of nuclear weapons and delivery system or to retard acquisition of destabilizing conventional capabilities. South Asian arms control processes have some commonalities with Cold War arms control such as nuclear risk reduction measure where common agreement to minimize and keep away from dangerous military practices are stresses along with reassurances measure for ballistic and nuclear weapons system, hotline, establishing reliable command and control and implementing treaties and its obligation.

However, India and Pakistan's Arms control process is very different from those that existed between the US and Soviet Union. US and Soviet Union arms control aims at reducing and limiting the strategic offensive arms and weapons, while South Asian arms control did not aim to reduce existing

weapons. It only deals with the stability and safety issues in the present scenario. US and Soviet Union had signed the SALT treaty including ABM treaty, START treaty and recently SORT which deal with the present and future weapons. However, India and Pakistan deal with Pre-Notification Nuclear Safety, which do not address much of the existing weapon. They only arrange prohibitory, precautionary measures including preventing conflict and aim towards de-escalating a crisis.

India and Pakistan arms control policies were very different from what Tanner calls the 'Post-war Arms control'. In the Iraq 1991 case, disarmament process was without a negotiation, called "*Non-negotiated Disarmament*". The UN Security Council had passed a resolution no 687 for limiting weapons and armament in Iraq especially the Weapon of Mass Destruction (WMD). It also authorized UN inspection and destruction of laboratories and test sites. Iraq had a very limited bargaining power which was impacted by the post wartime negotiation on arms regulation. It is not associated with *Negotiated Disarmament* like in the case of French surrender in 1940 nor compatible with *Rearmament control* during World War II. The end of World War II, bring Germany to rearmament under the condition of non nationalization of its armed forces (Tanner 1993: 30-43). India and Pakistan have never experienced such type of arms control. Their arms control negotiations never held any pressure and both Parties have the right to withdraw from the Treaty after advanced notification at a specified time. No third party was allowed to interfere. The UN did not ask any of the two countries to initiate arms control except in a multilateral initiative. It however expressed its desire to see India and Pakistan resolving their long-standing conflict.

The steps taken by India and Pakistan to control arms had many challenges and shortcomings. The different policies, third party involvement and the strategic custom of both countries had created very serious problems. The agreements and treaties signed between the two countries had many

defects. It did not cover some existing weapons Treaty. The agreement also fails to touch the existing doctrine too. One of the major stumbling blocks was Kashmir. Kashmir remains a big issue.

#### ***4.3 : Recommendations for future South Asian Arms Control***

The crisis between India and Pakistan is deeply historical for which many thinkers, strategists and experts have been giving a series of recommendations and proposals. If Pakistan and India ultimately try to fulfil all the recommendations and proposals, it would be difficult and could create a big problem. India and Pakistan need to think carefully, redefine some recommendations and try to forge a better relationship between them to achieve successful arms control measures.

India and Pakistan could take the model of OSCE Confidence and Security Building Measures (CSBM). In 1992, OSCE had established a Programme for Immediate Action for Helsinki Document and a Forum for Security Cooperation (FSC). After the Helsinki Document, OSCE took another important step and Stockholm Declaration was adopted in 1996, which deals with the need to move towards a common and comprehensive security model for European nation in the 21st century. Besides Helsinki and Stockholm document, OSCE launched the Vienna Document in 1990, which allows for exchange of information on military forces including organization, manpower and major weapons and equipment system not later by 15<sup>th</sup> December. Vienna Document was supplemented by other documents in 1992, 1994 and 1999.

The model of OSCE CSBM is very successful in Europe. South Asian nations too, could build such a model for reducing tension and resolving some of the chronic problems in South Asia. India and Pakistan could transform SAARC on the lines of the OSCE model. If the OSCE model is used, not only India and Pakistan but other SAARC countries could benefit from it.



The OSCE model had many additional texts, while FSC took steps for Arms control with guidelines for arms control negotiations and implementing agreed arms control measures. If some texts and clauses are not suitable for South Asian countries, they could be modified, deleted and additional important points added-on. OSCE is a series of Treaties. Different treaty focuses on different issues. For example, the Stockholm Document emphasises on confidence, security measure and disarmament in Europe. The Vienna document is a CBSMs. South Asian countries can also make different texts and series of treaties to suits their peculiar needs.

Prof. Sumit Ganguly has recommended that India and Pakistan could put into effect an existing proposal to exchange military staffs to discuss mutual threat perception, strategies and option. A regular exchange of military personnel could be arranged between the Pakistani Command and staff Colleges at Quetta and the Indian Command and staff Colleges at Conoor. Those steps would enable the military staffs of both sides to develop a better appreciation of each other. He also wanted to utilize the existing agreement on the pre-notification of military exercises. Agreement on the pre-notification of military exercise might be effectively bolstered and both sides could agree that all military exercise along the Rajasthan-Punjab border would have a military Observer from the other side. (Ganguly 1996: 18).

Renowned Indian disarmament expert, Amitabh Mattoo (2001) has suggested that India and Pakistan should work towards establishing a Nuclear Assistance and Collaboration Zone in South Asia (NSACZ) which would have three parts :- declaring not to use weapons and to not attack each other's national capital, command authority centres and industrial areas. Establishment of nuclear assistance regimes like crisis management centres, hotline and nuclear exchanges, nuclear collaboration regime including working together on nuclear energy. The countries are also recommended to create a Nuclear Risk Reduction Centre (NRRC) in their respective Capital which

would be well equipped with the latest technology. NRRC could serve as an efficient and dedicated official communication link. Pakistan also suggests the need for data exchanges about each countries respective nuclear related materials and nuclear weapons. India and Pakistan also needs a Monitoring Agency for nuclear storage areas and nuclear facilities, and grand sensors like seismic magnet (Jaspal 2004: 79-99).

Jasjit Singh recommended that India and Pakistan should try to initiate adopting a political military doctrine of non-provocative defence, which would dedicate teams to discuss and accept each other's legitimate security concerns. Jasjit Singh also advocated using the model of Helsinki Accord for dealing with existing disputes and achieves their settlement through peaceful dialogue and negotiation. He argues the existing border/LoC not to be disturbed, Foreign policy should be idealogized and de-militarized. War, threat of use of force etc are unacceptable instrument. He also proposed that both countries be transparent in defence information and activities. This would enable the two countries to jointly work for managing dangers (Jasjit Singh 1991: 107-108).

Pervaiz Iqbal Cheema suggested a more transparent defence budget, publication of annual calendars of exercises, increasing the number of Observers including international Observers in military exercises, allowing the cross participation in each other's defence colleges, exchange of military instructions, registration of weapons sales agreements, promoting joint security studies, withdrawal of troop from border areas and creating a troop free security zone (Cheema 1999: 37-38). India needs to expand its area of negotiation. India and Pakistan should also try their best to settle the problem in Siachen Glacier, Wular Barrage, Sir Creek etc. A.G. Noorani (1996) argues that "Siachen, Wulgar and Sir Creek issue are ripe for a settlement. Only a political decision to execute the plan remains to be taken". He hoped that these settlements would bring mutual balance and reduction of defence budgets and

could also help to pave the way for settlement of Kashmir issue (Noorani 1996: 102).

Niaz A.Naik (1999) advocates the maintenance of a strict national gun licensing measure, educating of parliamentarians, media representatives and non-governmental organizations regarding the consequence of small arms and light weapons proliferation. At the regional level, uphold regular interaction and cooperation amongst the security and anti-drugs trafficking agencies of the regional states, create a regional framework or Committee to liaison suitably with international agencies, enact and implement regional regulation on the production and supply of small arms and light weapons, generate more efficient border controls etc (Naik 1999: 241). Besides that, effective check of transfer of money for terrorist activities, establishment of South Asian Arms register to prevent the flow of arms, joint patrolling of sensitive border areas, periodic meeting of Police officers etc will be very helpful (Banarjee 2007: 247).

India and Pakistan need to resolve their internal problems. Internal conflicts have played a destructive role on small arms and light weapons control. Separatism must be reduced. Some Scholars support giving financial grant to states to help them speed up development activities, encourage police reforms and modernization. Government needs to be serious about surrender-cum-rehabilitation policies for militants. This would do away with some complaints on non implementation of rehabilitation schemes. It should also provide protection and give special attention to minorities. In some areas, Governments are failed to spend Development Funds. It also needs to accelerate the judicial process in terrorist related cases (Routray 2007: 152-157).

Territorial Disarmament is one of the important disarmament instruments which European nations have successfully maintained.

Demilitarization or Neutralization has been successful. India and Pakistan also need to follow the examples set by countries like Norway and Sweden and also form multiparty agreements to settle long-standing issues between themselves. Norway and Sweden have maintained a de-militarized and Neutral zone in 1905 on both sides of their common border. Karlstad Convention was set up in a neutral area. Both sides mutually agreed on a particular area which was declared to be a 'neutralised land' for both countries. Both countries prohibited maintaining, re-establishing or fortification of military post on the Neutral Zone.

As an example of a multilateral territorial disarmament, the issue of Aland Island, an autonomous region of Finland with Swedish speaking population was settled in 1856. When Crimean war ended, an agreement was signed, called the Convention on the Demilitarization of Aland Island. The dispute between Finland and Sweden over the ownership of Aland was resolved when a Committee of Jurist appointed by the League of Nations handed authority over the Island to Finland (h 2006: 20-23). So, India and Pakistan could learn from the example set by Finland and Sweden where UN could settle the Kashmir crisis easily.

US has been advancing arms control. It acts as a pioneer in this regard. It has initiated many arms control and disarmament. U.S. has been using the strategic culture, political and legal institution like office of President, State Department, Congress, Intelligence community and Military etc to pursue arms control (Sims 2004: 55-78). Hence, India and Pakistan need to strengthen the domestic factor which could be pressed to pursue arms control. Government in India and Pakistan are headed by the Prime Minister each of whom has separate, efficient and powerful Office. In the strategic culture of South Asia, both countries need to strengthen the Prime Minister's Office (PMO), the External or Foreign Ministry and Parliament. Apart from that, the External Affairs Ministry could do a tremendous job on arms control

associating itself with Ministry of Defence. Parliament could also play a very important role. Unlike US Congress, Parliament of India and Pakistan do not involve themselves too much in external affairs. However, Parliament could also play a crucial role in arms control as can be seen in the Indo-US Nuclear deal which was delayed due to stiff pressure from some Political Parties. Parliamentarians need to be aware of the importance and significance of arms control between India and Pakistan and also undertake necessary measures.

The Elite interest groups and think tanks in reputed research institutions like Institute for Defence and Strategic Analysis (India) and Regional Centre for Strategic Studies (Pakistan) and other research organizations also play a very crucial role. India and Pakistan Print media and Visual news can also contribute in awareness and could impart important lessons to the people. Sometimes, the media portray the other country as an enemy and this '*enemy image*' became embedded in the hearts of the people (Chadha 1996: 172-178). The media needs to redefine its role. A positive editorial and news report could be a useful tool. Apart from the role of the media, both countries need to re-orient themselves from the basic education level. School text-books need to be revised and rewritten. Pakistani school textbooks portray a Hindu as 'cunning' and 'treacherous', while Indian writers blame Jinnah for being 'communal'. His organization the Muslim League was branded as a 'communal organization'. The brotherhood of India and Pakistan need to be stressed. Care should be taken not to forget that they are both victims of Imperialism. The people of India and Pakistan share the same culture, a long common history and these aspects need to be re-emphasized.

When we look at the situation in India and Pakistan, there is ample scope in which the two countries can learn from each other. Experts and thinkers suggested steps to resolve the problem that existed between them. Above and beyond, there are several successful stories to emulate. There is a possibility that some unsuccessful treaty elsewhere might be applicable for India and Pakistan which may suit them. They can employ the model of INF,

SALT and could also learn a lesson from the unsuccessful and unpopular model of Mutual Balanced Forces Reduction (MBFR) for reduction in manpower, conventional weapons etc to equal level. Those models might not suit the Central European nations. However, India and Pakistan could adopt some aspects of the treaty and could also entertain modification to suit their needs. From previous records, India and Pakistan have a long way to go in order to achieve successful arms control.

## **Chapter 5**

### **Conclusion**

Arms control in India and Pakistan is an important instrument to de-escalate a crisis situation. Besides military CBMs, India and Pakistan also continue to build trust in Non-Military CBMs. This action, it is hoped, would yield a positive result in future relations. In the context of the current situation the uniqueness of the South Asian Arms control deals with stability and safety.

After World War II, it was expected that countries around the World would observe peaceful co-existence. However, with the 'Cold War' the world was divided into two camps: the Western bloc and the Eastern Bloc. The conflicting relationship of the two super powers fuelled the fuse in the Cuban Missile crisis. There was a dangerous confrontation between the two blocs. But this confrontation bore a positive outcome in terms of mobilizing the super power states, starting a serious Arms Control measure which gave more attention to arms limitation, regulation and reducing the existing weapon, universal initiation of PTBT, NPT, and bilateral steps like SALT, START agreement etc.

India and Pakistan followed the footsteps of US and Soviet Union arms control (Cold War Arms control). Their confrontation and crisis had similarly paved the ways for arms control measures. The 1987 Brasstack experience exhibited the importance of communication. Later, advanced military exercise was made. The 1999 Kargil war was different than other Indo-Pak war. The Kargil war displayed the futility of nuclear deterrence for both countries which also reflected the heightened nuclear threat in South Asia. The war also necessitated the urgency of nuclear safety for India and Pakistan. Both countries learnt through the previous war mistakes. Efforts are now being channelized towards ensuring security and resolving conflicts through peaceful dialogues and diplomatic exercise between the two countries

India and Pakistan have had a very relevant and solid arms control policies from the beginning. Even though their policies are different, both countries try their best to regulate and control arms and weapons. They adopted very different policies and followed their own approach. Sometimes their differences in policies have also affected their relationship in many ways. This hampers the pace of Arms control.

In a multilateral fora, with growing compulsion in advocating disarmament India has striven hard to achieve it. However, she has her own concepts and abides by different salient features of disarmament, raising her voice to achieve arms reduction and disarmament. In more than fifty years of strife there have been many hurdles, including domestic politics. But we must not forget that even today, India is in favour of disarmament and a nuclear weapons free world. Pakistan has been giving more importance to regional disarmament than global disarmament. Her policies have been guided and been dependent on Indian disarmament policy.

There was a hurdle between India and Pakistan arms control by a third party intervention. As both countries are influenced by US, Russia and China, CBMs may possibly not play a major role between South Asian Arms control processes. The domestic political nature of Pakistan and India also urged not accelerating the Arms control. Instead, Arms control plays a major role for building trust and confidence between India and Pakistan. In 1949 both countries had set an example by signing the LoC agreement. After a long break, both countries realised miscommunication could lead to a deep crisis, so they concluded an important advanced military exercise followed by other important treaties. Communication is one of the important instruments for building confidence, creating better diplomatic relations. India and Pakistan established a US and Soviet model of the 'Hotline'. Though they did not sign a Hotline treaty, its unwritten rule and regulation was observed. Both countries also utilized the



non-military Hotline for the Prime Ministers of the two countries. However building measures roles on arms control was hampered by diplomatic hurdles.

Nuclear related arms control is regarded to be an important key between India and Pakistan relationship. Before nuclear weapons were acquired, both countries had concluded a very comprehensive agreement on nuclear safety. However, nuclear safety is limited only to nuclear installation and reactors. It did not extend to nuclear weapons. After a multipurpose Memorandum of Understanding (MoU) was signed in 1999, both countries took efforts in implementing nuclear weapons safety. Pakistan set up a National Command Authority (NCA) in 2000 while India established NCA in 2003. They were determined to fully implement a moratorium in conducting further nuclear test. Both countries urged each other to move forward towards nuclear safety. India and Pakistan paid heed to other WMDs and are ready to cooperate with international effort to control and pledge against the manufacture and usage of these nuclear weapons. These events contributed significantly as confidence building measures

Aside from agreement on military exercise and movement, working together in related chemical weapon, India and Pakistan also need to focus on nuclear safety and building a good relation on missile test. Both countries acquired nuclear weapons and there was no guarantee that nuclear weapon would not be used between them when Pakistan is regarded as a 'rogue state'. However, both countries have learnt precautionary lessons from their past incident. Consequently, an agreement on reducing the risk from accidents relating to nuclear weapons was concluded in 2007.

However, after concluding the remarkable treaties, both countries failed to implement it. The breach of the treaty led to an unhealthy relation. India and Pakistan also need prevention of airspace violation and a pre-notification of flight testing in ballistic missiles. Missile flight test had given false alarm to other countries. Thus, a pre-notification of ballistic missile test would be very helpful

and appropriate for both countries. Both these countries are extremely alerted by any nuclear related weapons including small arms and light weapons. There is a case for violation in Agni and Prithvi missile test.

The problem between India and Pakistan is deep rooted and goes back to independence. The crisis between them has been fuelled by their differences in political, social and religious outlook. Their diplomatic constraints affected not only arms control but other diplomatic relations too. CBMs could not much play a major role between India and Pakistan arms control. Moreover, India and Pakistan do not seem overtly committed to arms control. Even though India and Pakistan contributed much to Multilateral Arms control process, they did not pay heed to bilateral arms control. The bilateral arms control talk was low key and no disarmament steps have been taken so far. India and Pakistan only need arms control for safety measures. They do not welcome restrictions on their military settings and strategy.

The future of arms control in South Asia is uncertain. In several ways, nuclear weapons have brought security and stability. But the threat of nuclear danger has escalated. As practitioners of nuclear weapons South Asian Nuclear weapon states took steps to stabilize their nuclear weapons in many ways. Deterrence, confidence building measures, nuclear safety and other steps of strategic importance were adopted. Nuclear danger, accidental threat and shortcomings of the nuclear doctrine command and control, and many other issues are causes for concern. Arms control in India and Pakistan is not perfect. In many ways, an agreement concluded between the two countries seems not to have relevance in the present scenario. Though India and Pakistan are far from disarmament they have tried to decrease the risk of war by following Arms control measures. This action, however, is only an introduction to a better and successful Arms control regime.

Thomas C. Schelling (1961) said disarmament cannot make wars impossible. It can however slow the tempo of war and military decision. Disarmament could reduce the danger of hasty moves and help to limit war in a crisis situation. Nuclear weapons control is a serious business in the contemporary world. Most of the countries including those in South Asia also tried their best to equip themselves well with nuclear weapons. In the South Asian arms control process, prior attention should be given towards building trust between India and Pakistan. Suspicions and non-seriousness remain alive at the heart of international relations. This acts as a hurdle in arms control. As observed by some scholars, Cold War arms control cannot change the Soviet Union's view of history but can affect Soviet military programmes and provide communication for enhancing crisis stability. Likewise, South Asian arms control could not change the view of India and Pakistan. However, arms control could change the military programmes and provide better relations between the two countries, and also reduce tension in a strategic environment. Perhaps, achieving a de-nuclearization of South Asia is a far-away dream in the present scenario. However, Prof. R Rajaraman, a famous physicist, hopes that "the present atmosphere of conciliatory moves, and some early steps would be conducive to eventual de-nuclearization". Disarmament has never been easy to achieve in the Indian sub-continent. However, if trust and confidence can be built, the agreements that had been made to control arms could become a reality.

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## Appendices

### *Agreement between Military Representatives of India and Pakistan regarding the Establishment of a Cease-fire Line in the State of Jammu and Kashmir*

(Annex 26 of UNCIP Third Report - S/1430 Add 1 to 3)  
29 July, 1949

#### I. INTRODUCTION

A. The military representatives of India and Pakistan met together in Karachi from 18 July to 27 July 1949 under the auspices of the Truce Sub-Committee of the United Nations Commission for India and Pakistan.

B. The members of the Indian delegation were: Lieutenant-General S.M. Shrinagesh, Major-General K.S. Thimayya, Brigadier S.H.F.J. Manekshaw. As observers: Mr. H.M. Patel, Mr. V. Sahay.

C. The members of the Pakistan delegation were: Major-General W.J. Cawthorn, Major-General Nazir Ahmed, Brigadier M. Sher Khan. As observers: Mr. M. Ayub, Mr. A. A. Khan.

D. The members of the Truce Sub-Committee of the United Nations Commission for India and Pakistan were: Mr. Hernando Samper (Colombia), Chairman; Mr. William L.S. Williams (United States); Lieutenant-General Maurice Delvoie, Military Adviser, Mr. Miguel A. Marin, Legal Adviser.

#### II. AGREEMENT

A. Considering:

1. That the United Nations Commission for India and Pakistan, in its letter dated 2 July, 1949, invited the Governments of India and Pakistan to send fully authorised military representatives to meet jointly in Karachi under the auspices of the Commission's Truce Sub-Committee to establish a cease-fire line in the State of Jammu and Kashmir, mutually agreed upon by the governments of India and Pakistan;

2. That the United Nations Commission for India and Pakistan in its letter stated that "The meeting will be for military purposes; political issues will not be considered," and that "They will be conducted without prejudice to negotiations concerning the truce agreement";

3. That in the same letter the United Nations Commission for India and Pakistan further stated that "The cease-fire line is a complement of the suspension of



hostilities, which falls within the provisions of Part I of the resolution of 13 August, 1948 and can be considered separately from the questions relating to Part II of the same resolution";

4. That the governments of India and Pakistan, in their letters dated 7 July, 1949, to the Chairman of the Commission, accepted the Commission's invitation to the military conference in Karachi.

B. The delegations of India and Pakistan, duly authorised, have reached the following agreement:

1. Under the provision of Part I of the resolution of 13 August, 1948, and as a complement of the suspension of hostilities in the State of Jammu and Kashmir on 1 January, 1949, a cease-fire line is established.

2. The cease-fire line runs from Manawar in the south, north to Keran and from Keran east to the glacier area, as follows:

(a) The line from Manawar to the south bank of Jhelum River at Urusa (inclusive to India) is the line now defined by the factual positions about which there is agreement between both parties. Where there has hitherto not been agreement, the line shall be as follows:

(i) in the Patrana area: Kohel (inclusive to Pakistan) north along the Khuwala Kas Nullah up to Point 2276 (inclusive to India), thence to Kirni (inclusive to India).

(ii) Khambha, Pir Satwan, Point 3150 and Point 3606 are inclusive to India, thence the line runs to the factual position at Bagla Gala, thence to the factual position at Point 3300.

(iii) In the area south of Uri the positions of Pir Kanthi and Ledi Gali are inclusive to Pakistan.

(b) From the north bank of the Jhelum River the line runs from a point opposite the village of Urusa (NL 972109), thence north following the Ballaseth Da Nar Nullah (inclusive to Pakistan), up to NL 973140, thence north-east to Chhota Qazinag (Point 10657 inclusive to India), thence to NM 010180, thence to NM 037210, thence to Point 11825 (NM 025354, inclusive to Pakistan), thence to Tutnari Gali (to be shared by both sides, posts to be established 500 yards on either side of the Gali), thence to the north-west through the first "R" of Burji Nar to north of Gadori, thence straight west to just north of point 9870, thence along the black line north of Bijidhar to north of Batarasi, thence to just south of Sudhpura, thence due north to the Kathaqazinag Nullah, thence along the Nullah to its junction with the Grangnar Nullah, thence along the latter Nullah to Kajnwala Pathra (inclusive to India), thence across the Danna ridge (following the factual positions) to Richmar Gali (inclusive to India), thence north to Thanda Katha Nullah, thence north to the Kishansanga River. The line then follows the Kishanganga River up to a point situated between Fargi and Tarban, thence (all

inclusive to Pakistan) to Bankoran. thence north-east to Khori, thence to the hill feature 8930 (in Square 9053), thence straight north to Point 10164 (in Square 9057), thence to Point 10323 (in Square 9161), thence north east straight to Guthur, then to Bhutpathra, thence to NL 980707, thence following the Bugina Nullah to the junction with the Kishanganga River at Point 4739. Thereafter the line follows the Kishanganga River to Keran and onwards to Point 4996 (NL 975818).

(c) From Point 4996 the line follows (all inclusive to Pakistan) the Famgar Nullah eastward to Point 12124, to Katware, to Point 6678. then to the north-east to Sarian (Point 11279), to Point 11837, to Point 13090 to Point 12641, thence east again to Point 11142, thence to Dhakki, thence to Point 11415, thence to Point 10301, thence to Point 7507, thence to Point 10685, thence to Point 8388, thence south-east to Point 11812. Thence the line runs (all inclusive to India), to Point 13220, thence across the river to the east to Point 13449 (Durmat), thence to Point 14586 (Anzbari), thence to Point 13554, thence to Milestone 45 on the Burzil-Nullah, thence to the east to Ziankal (Point 12909), thence to the south-east to Point 11114, thence to Point 12216, thence to Point 12867, thence to the east to Point 11264, thence to Karo (Point 14985), thence to Point 14014, thence to Point 12089, thence following the track to Point 12879. From there the line runs to Point 13647 (Karobal Gali, to be shared by both sides). The cease-fire line runs thence through Retagah Chhish (Point 15316), thence through Point 15889, thence through Point 17392, thence through Point 16458, thence to Marpo La. (to be shared by both sides), thence through Point 17561, thence through Point 17352, thence through Point 18400, thence through Point 16760, thence to (inclusive to India) Dalunang.

(d) From Dalunang eastwards the cease-fire line will follow the general line point 15495, Ishman, Manus, Gangam, Gunderman, Point 13620, Funkar (Point 17628), Marmak, Natsara, Shangruti (Point 1,531), Chorbat La (Point 16700), Chalunka (on the Shyok River), Khor, thence north to the glaciers. This portion of the cease- fire line shall be demarcated in detail on the basis of the factual position as of 27 July, 1949, by the local commanders assisted by United Nations military observers.

C. The cease-fire line described above shall be drawn on a one- inch map (where available) and then be verified mutually on the ground by local commanders on each side with the assistance of the United Nations military observers, so as to eliminate any no-man's land. In the event that the local commanders are unable to reach agreement, the matter shall be referred to the Commission's Military Adviser, whose decision shall be final. After this verification,

Done in Karachi on 27 July, 1949

For the Government of India:  
S. M. Shrinagesh

For the Government of Pakistan:

J. Cawthorn  
Major-General

For the United Nations Commission for India and Pakistan:

Hernando Samper  
M. Delvoie

*Text of the Tashkent Declaration*

January 10, 1966

Tashkent

The Prime Minister of India and the President of Pakistan, having met at Tashkent and having discussed the existing relations between India and Pakistan, hereby declare their firm resolve to restore normal and peaceful relations between their countries and to promote understanding and friendly relations between their peoples. They consider the attainment of these objectives of vital importance for the welfare of the 600 million people of India and Pakistan.

I

The Prime Minister of India and the President of Pakistan agree that both sides will exert all efforts to create good neighborly relations between India and Pakistan in accordance with the United Nations Charter. They reaffirm their obligation under the Charter not to have recourse to force and to settle their disputes through peaceful means. They considered that the interests of peace in their region and particularly in the Indo-Pakistan Sub-Continent and, indeed, the interests of the people so India and Pakistan were not served by the continuance of tension between the two countries. It was against this background that Jammu and Kashmir was discussed, and each of the sides set forth its respective position.

II

The Prime Minister of India and the President of Pakistan have agreed that all armed personnel of the two countries shall be withdrawn not later than 24 February, 1966, to the positions they held prior to 5 August, 1965, and both sides all observe the cease-fire terms on the cease-fire line.

III

The Prime Minister of India and the President of Pakistan have agreed that relations between India and Pakistan shall be based on the principle of non-interference in the internal affairs of each other.

IV

The Prime Minister of India and the President of Pakistan have agreed that both sides will discourage any propaganda directed against the other country, and will

encourage propaganda which promotes the development of friendly relations between the two countries.

#### V

The Prime Minister of India and the President of Pakistan have agreed that the High Commissioner of India to Pakistan and the High Commissioner of Pakistan to India will return to their posts and that the normal functioning of diplomatic missions of both countries will be restored. Both Government shall observe the Vienna Convention of 1961 on Diplomatic Intercourse.

#### VI

The Prime Minister of India and the President of Pakistan have agreed to consider measures towards the restoration of economic and trade relations, communications, as well as cultural exchanges between India and Pakistan, and to take measures to implement the existing agreements between India and Pakistan.

#### VII

The Prime Minister of India and the President of Pakistan have agreed that they will give instructions to their respective authorities to carry out the repatriation of the prisoners of war.

#### VIII

The Prime Minister of India and the President of Pakistan have agreed that the two sides will continue the discussion of questions relating to the problems of refugees and eviction/illegal immigrations. They also agreed that both sides will create conditions which will prevent the exodus of people. They further agreed to discuss the return of the property and assets taken over by either side in connection with the conflict.

#### IX

The Prime Minister of India and the President of Pakistan have agreed that the two sides will continue meetings both at the highest and at other levels on matters of direct concern to both countries. Both sides have recognized the need to set up joint Indian-Pakistani bodies which will report to their Governments in order to decide what further steps should be taken.

The Prime Minister of India and the President of Pakistan recorded their feelings of deep appreciation and gratitude to the leaders of the Soviet Union, the Soviet Government and personally to the Chairman of the Council of Ministers of the U.S.S.R. for their constructive, friendly and noble part in bringing about the present meeting which has resulted in mutually satisfactory results. They also express to the Government and friendly people of Uzbekistan their sincere thankfulness for their overwhelming reception and generous hospitality.

They invite the Chairman of the Council of Ministers of the U.S.S.R. to witness this declaration

*Text of the India-Pakistan Agreement on the Promotion of a Friendly  
Relationship (Shimla Agreement)*

2<sup>nd</sup> July, 1972.  
Shimla,

1. The Government of India and the Government of Pakistan are resolved that the two countries put an end to the conflict and confrontation that have hitherto marred their relations and work for the promotion of a friendly and harmonious relationship and the establishment of durable peace in the subcontinent, so that both countries may henceforth devote their resources and energies to the pressing task of advancing the welfare of their peoples. In order to achieve this objective, the Government of India and the Government of Pakistan have agreed as follows:

(i) That the principles and purposes of the Charter of the United Nations shall govern the relations between the two countries;

(ii) That the two countries are resolved to settle their differences by peaceful means through bilateral negotiations or by any other peaceful means mutually agreed upon between them. Pending the final settlement of any of the problems between the two countries, neither side shall unilaterally alter the situation and both shall prevent the organization, assistance or encouragement of any acts detrimental to the maintenance of peaceful and harmonious relations;

(iii) That the pre-requisite for reconciliation, good neighborliness and durable peace between them is a commitment by both the countries to peaceful coexistence, respect for each other's territorial integrity and sovereignty and non-interference in each other's internal affairs, on the basis of equality and mutual benefit;

(iv) That the basic issues and causes of conflict which have bedevilled the relations between the two countries for the last 25 years shall be resolved by peaceful means;

(v) That they shall always respect each other's national unity, territorial integrity, political independence and sovereign equality;

(vi) That in accordance with the Charter of the United Nations, they will refrain from the threat or use of force against the territorial integrity or political independence of each other.

2. Both Governments will take all steps within their power to prevent hostile propaganda directed against each other. Both countries will encourage the dissemination of such information as would promote the development of friendly relations between them.

3. In order to progressively restore and normalize relations between the two countries step by step, it was agreed that:

- (i) Steps shall be taken to resume communications, postal, telegraphic, sea, land including border posts and air links including over-flights.
- (ii) Appropriate steps shall be taken to promote travel facilities for the nationals of the other country.
- (iii) Trade and cooperation in economic and agreed fields will be resumed as far as possible.
- (iv) Exchange in the fields of science and culture will be promoted. In this connection, delegations from the two countries will meet from time to time to work out the necessary details.

4. In order to initiate the process of the establishment of durable peace, both the Governments agreed that:

- (i) Indian and Pakistani forces shall be withdrawn to their side of the international border.
- (ii) In Jammu and Kashmir the line of control resulting from the cease-fire of December 17, 1971 shall be respected by both sides without prejudice to the recognized position of either side. Neither side shall seek to alter it unilaterally irrespective of mutual differences and legal interpretations. Both sides further undertake to refrain from the threat or the use of force in violation of this line.
- (iii) The withdrawals shall commence upon entry into force of this Agreement and shall be completed within a period of 30 days thereafter.

5. This agreement will be subject to ratification by both countries in accordance with their respective constitutional procedures and will come into force with effect from the date on which the Instruments of Ratification are exchanged.

6. Both Governments agree that their respective Heads will meet again at a mutually convenient time in the future and that, in the meanwhile, the representatives of the two sides will meet to discuss further the modalities and arrangements for the establishment of durable peace and normalization of relations, including the questions of prisoners of war and civilian internees, a final settlement of Jammu and Kashmir and the resumption of diplomatic relations.

Sd./-  
(Indira Gandhi)  
Prime Minister  
Republic of India

Sd./-  
(Zulfiqar Ali Bhutto)  
President  
Islamic Republic of Pakistan

Simla, the 2nd July, 1972.

The Agreement was ratified on July 28, 1972 and came into force from August 4, 1972.

*Agreement on the Prohibition of Attack Against Nuclear Installations and Facilities*

December 31, 1988  
Islamabad

The Government of the Islamic Republic of Pakistan and the Government of the Republic of India, hereinafter referred to as the Contracting Parties, reaffirming their commitment to durable peace and the development of friendly and harmonious bilateral relations; conscious of the role of confidence building measures in promoting such bilateral relations based on mutual trust and goodwill; have agreed as follows:

1. (1) Each party shall refrain from undertaking, encouraging or participating in, directly or indirectly, any action aimed at causing the destruction of, or damage to, any nuclear installation or facility in the other country.  
(2) The term "nuclear installation or facility" includes nuclear power and research reactors, fuel fabrication, uranium enrichment, isotopes separation and reprocessing facilities as well as any other installations with fresh or irradiated nuclear fuel and materials in any form and establishments storing significant quantities of radio-active materials.
2. Each Contracting Party shall inform the other on 1st January of each calendar year of the latitude and longitude of its nuclear installations and facilities and whenever there is any change.
3. This Agreement is subject to ratification. It shall come into force with effect from the date on which the Instruments of Ratification are exchanged.

Done at Islamabad on this Thirty-first day of December 1988, in, two copies each in Urdu, Hindi and English, the English text being authentic in case of any difference or dispute of interpretation.

[Signed:]

Humayun Khan  
Foreign Secretary  
Islamic Republic of Pakistan

K.P.S. Menon  
Foreign Secretary  
Republic of India

*Agreement Between India and Pakistan on the Advance Notice of Military Exercises*

6<sup>th</sup> April 1991  
New Delhi

Whereas Pakistan and India recognize the need to jointly formulate an agreement at the Government level on giving advance notice on exercises, manoeuvres and troop movements in order to prevent any crisis situation arising due to misreading of the other side's intentions.

Therefore, the Governments of Pakistan and India jointly decide that:

1. Their Land, Naval and Air Forces will avoid holding major military manoeuvres and exercises in close proximity to each other. However, if such exercises are held within distances as prescribed in this Agreement, the strategic direction of the main force being exercised will not be towards the other side, nor will any logistics build up be carried out close to it. The following will constitute a major military manoeuvre/exercise for the purposes of this Agreement:

a. Land Forces

1. India-Pakistan International Border

Concentrations of Corps level (comprising two or more divisions) and above.

2. Line of Control and the area between the Manawar Tawi and Ravi Rivers.

Division level and above.

b. Naval Forces: Any exercise involving six or more ships of destroyer/frigate size and above, exercising in company and crossing into the other's Exclusive Economic Zone (EEZ).

c. Air Force: Regional Command level and above.

2. Both sides may not conduct exercises of Land Forces at Divisional level and above within five kilometers (Kms) of the areas specified at Paragraph (1).a. (1) and (2).

3. Both sides will provide notice regarding exercises of Land Forces as follow:

a. All exercises/concentrations at Divisional level in areas specified at Paragraph (1).a(2).

b. All exercises/concentrations at Corps level within a distance of seventy five Kms in areas specified at Paragraph (1).a. (1) and (2).

c. All exercises above Corps level irrespective of the distance.



4. Both sides will give fifteen days prior notice when formations with defensive roles are moved to their operational locations for periodic maintenance of defences.

5. The schedule of major exercises with troops will be transmitted in writing to the other side through diplomatic channels in advance as follows:

- a. Air exercises at Regional Command level and above. -- Fifteen days
- b. Divisional level exercise, and major Naval exercises involving six or more ships of destroyer/frigate size and above, exercising in company and crossing into the other's EEZ.
- c. Corps level exercises -- Sixty days
- d. Army level exercises -- Ninety days

Provided that the above provisions relate to the commencement of moves of formations and units from their permanent locations for the proposed exercises.

6. Information on the following aspects of major exercises will be intimated:

- a. Type and level of exercises.
- b. General area of the exercise on land, air and sea. In respect of air and sea exercises, these will be defined in latitude and longitude.
- c. Planned duration of the activity.
- d. Number and type of formations participating.
- e. Any shifting of forces from other Commands/Corps/Strategic formations envisaged.
- f. The move of strategic formations, particularly armored division, mechanized divisions, air assault divisions/reserve infantry formations and artillery divisions/air defence artillery divisions.

Provided that in respect of major Air and Naval exercises, only the information at Paragraphs (a) to (c) need be intimated.

7. In case some change in exercise area/grouping of participating formations from the previously notified composition is necessitated, the country carrying out the exercise will intimate the details of changes so as to reach the other country at least thirty days in advance in respect of Corps level exercises and above, and fifteen days in advance in respect of divisional level exercises and Naval exercises. In respect of Air exercises, if minor changes to the previously notified details are necessitated, an advance notice of seven days will be provided.

8. Any induction/concentration of additional troops of a division size force and above, within one hundred and fifty kms of areas specified at Paragraph 1.a.(1) and (2), for internal security duties and/or in aid of civil power will be notified to the other side at least two days before the start of their movements, whenever possible. In case of immediate movements, information may be passed on Hot Line to the Army Headquarters of the other country. The force so employed will not move forward their logistic bases/installations and armor/artillery.

9. Each country will be entitled to obtain timely clarification from the country undertaking military manoeuvres/exercises concerning the assembly of formations, the extent, direction of the exercise and the duration.

10. The Naval ships and submarines belonging to the other country are not to close less than three Nautical Miles (NMs) from each other so as to avoid any accident while operating in international waters.

11. Combat aircraft including fighter, bomber reconnaissance, jet military trainer and armed helicopter aircraft will not fly within ten kms of each other's airspace, including the Air Defence Identification Zones (ADIZ), except when such aircraft are operating from Jammu, Pathankot, Amritsar and Suratgarh air bases on the Indian side, as well as Pasrur, Lahore, Vehari and Rahimyar Khan air bases on the Pakistan side, in which case they will maintain a distance of five kms from each other's airspace. Unarmed transport and logistics aircraft including unarmed helicopters and Air Observation Post (AOP) aircraft will be permitted to operate up to 1000 meters from each other's airspace including the ADIZ.

12. Aircraft of either country will refrain from buzzing surface units and platforms of the other country in international waters.

13. This Agreement supersedes all previous understandings in so far as the above points are concerned.

14. This Agreement is subject to ratification. It shall come into force with effect from the date on which the Instruments of Ratification are exchanged.

15. Done at New Delhi on this sixth day of April, 1991.

Shaharyar M. Khan  
Foreign Secretary  
For the Government of the Islamic Republic of Pakistan

Muchkund Dubey  
Foreign Secretary  
For the Government of the Republic of India

*Agreement between India and Pakistan on prevention of air space violations and for permitting over Flights and landings by Military Aircraft*

April 6, 1991

New Delhi,

## **Preamble**

States parties to the present Air Agreement, Recognising the fact that both the Indian Air Force (IAF) and the Pakistan Air Force (PAF) aircraft operate near each other's airspace. Aware that despite best efforts by both sides, violations of each other's airspace have occurred from time to time. Desirous of promoting good neighbourly relations between the two countries. Conscious of the fact that renewed efforts should be made to avoid unnecessary alarm.

Have agreed to enter into the following Air Agreement.

### **AIR Violations**

#### **Article - 1**

Henceforth, both sides will take adequate measures to ensure that air violations of each other's airspace do not take place. However, if any inadvertent violation does take place, the incident will be promptly investigated and the Headquarters (HQ) of the other Air Force informed of the results without delay, through diplomatic channels.

#### **Article - 2**

Subject to Articles 3, 4 and 6, the following restrictions are to be observed by military aircraft of both the forces:- Combat aircraft (to include fighter, bomber, reconnaissance, jet military trainer and armed helicopter aircraft) will not fly within 10 kms of each other's airspace including ADIZ. No aircraft of any side will enter the airspace over the territorial waters of the other country, except by prior permission.

Unarmed transport and logistics aircraft including unarmed helicopters, and Air Observation Post (AOP) aircraft, will be permitted upto 1000 metres from each other's airspace including ADIZ.

### **Aerial Survey, Supply Dropping, Mercy and Rescue Missions**

In the event of a country having to undertake flights less than 1000 metres from the other's airspace including ADIZ, for purposes such as aerial survey, supply dropping for mercy missions and aerial rescue missions, the country concerned will give the following information in advance to their own Air Advisors for notification to the Air HQ of the other country:-

- a. Type of aircraft/helicopter
- b. Height of flight within Plus/Minus 1000 ft.
- c. Block No. of days (normally not to exceed seven days) when flights are proposed to be undertaken.

d. Proposed timing of flight, where possible.

e. Area involved (in latitude and longitude).

No normal clearance would be required as the flights are being undertaken within own territory.

### **AIR exercises near Border**

#### **Article - 4**

In order to avoid any tension being created, prior notice be given with regard to air exercises, or any special air activity proposed to be undertaken close to each other's airspace including ADIZ, even though the limits as laid down in Article 2 are not likely to be infringed.

### **Communication between IAF and PAF**

#### **Article - 5**

In matters of safety and any air operations in emergency situations, the authorities designated by the respective Governments should contact each other by the quickest means of communications available. The Air Advisor shall be kept informed of such contacts. Matters of flight safety and urgent air operations should promptly be brought to the notice of the other side through the authorities designated by using the telephone line established between the Army Headquarters of the two countries.

### **Operations from Air fields close to the Borders**

#### **Article - 6**

Combat aircraft (as defined in Article 2 a. above operating from the air bases specified below will maintain a distance of 5 kms from each other's airspace:-

a. Indian side

(1) Jammu.(2) Pathankot.(3) Amritsar.(4) Suratgarh.

b. Pakistan side

(1) Pasrur.(2) Lahore.(3) Vehari.(4) Rahim Yar Khan.

### **Flights of Military Aircraft through each other's Air space**

## **Article - 7**

Military aircraft may fly through each other's airspace with the prior permission of the other country and subject to conditions, specified in Appendix A to this Agreement. Notwithstanding paragraph 1 of this Article, each country has the sovereign right to specify further conditions, at short notice, for flights of military aircraft through its airspace.

### **Validity of Agreement**

## **Article - 8**

This Agreement supersedes all previous understandings in so far as air space violations and over flights and landings by military aircraft are concerned.

## **Article - 9**

This Agreement is subject to ratification. It shall come into force with effect from the date on which the Instruments of Ratification are exchanged.

## **Article - 10**

Done at New Delhi on this Sixth day of April 1991.

(Muchkund Dubey) .....  
Foreign Secretary  
For the Government of the Republic of India

(Shaharyar M. Khan)  
Foreign Secretary  
For the Government of the Islamic Republic of Pakistan

### **Appendix A**

#### **Conditions for grant of Flight Clearance for Military Aircraft of both countries**

1. The side requesting permission for their military aircraft to fly through the air space of the other country or for landing(s) by such aircraft at airfield(s) in the other country, will approach, the respective Air HQ through their Air Advisor for clearance to undertake the flight, at least seven days before the scheduled date(s) of the flight(s). If, due to unforeseen circumstances, this notice is less than seven days, the other country would, as far as possible, make all efforts to accommodate the request. The following details of each flight will be intimated to the concerned Air

Headquarters:-

(a). Aircraft type.(b). Aircraft registration number.(c). Aircraft call sign.(d). Name of the Captain of the Aircraft.(e). Number of the crew.(f). Cruising level.(g). General nature of cargo carried and number of passengers who are on board the Aircraft.(h). Purpose of the flight.(j). Standby aircraft number and call sign.(k). Name of Standby Captain and air crew.(l). Flight plan for outbound and return legs including air route, Flight Information Region (FIR) entry/exit points and times, Expected Time of Arrival (ETAs)/Expected Time of Departure (ETDs) and flight levels etc.(m). Type and quality of fuel required at various air fields landing.

2. All flights approved will be valid for 3 days within plus/minus three hours of the given time schedule of each day provided flight details remain unchanged. Any subsequent changes of the flight plan will require fresh clearance from Air HQ for which advance notice of 72 hours will be essential.

3. Routes to be followed by aircraft will be specified by respective countries at the time of requesting flight clearance.

4. The aircraft will not fly below 8000 ft or over 40,000 ft Above Ground Level (AGL).

5. The concerned Flight Information Centre of the other country will be contacted by the transiting aircraft during the flight before entering the airspace of the other country.

6. Flights, across each other's airspace will normally be completed between sun rise and sun set. Over-flights by night may be permitted, on specific request, under special circumstances.

7. No war-like material e.g. arms, ammunition, explosives, (except escape aid explosives), pyrotechnics (except emergency very light pistol signal cartridges), nuclear/fissionable material, Nuclear Biological and Chemical (NBC) materials, photographic material (whatever or not installed), electronic devices other than required for the normal operation of the aircraft, may be carried in the aircraft.

8. Non-professional cameras belonging to the passengers and which are not capable of aerial photography, may however be carried. Out photography at Airports or of defence installations, bridges and industries etc is not permitted.

9. Normally, both countries shall permit over flights to transit across the other's airspace along approved international Air Traffic Services (ATS) routes without the aircraft having to make, a technical halt. However, each country has the sovereign right to insist on such a halt if the country being overflown so desires.

10. Special case is to be exercised by the transiting aircraft to stay within the ATS routes and not to stray outside the limits of the route.

11. Visas for, the crew and passengers will be issued by the respective Embassy with utmost promptness.

*Text of India - Pakistan Joint Declaration on the Complete Prohibition of  
Chemical Weapons*

August 19, 1992  
New Delhi

The Government of the Islamic Republic of Pakistan and the Government of the Republic of India, reaffirming their commitment to durable peace and the development of friendly and harmonious relations; conscious of the role of confidence building measures in promoting such bilateral relations based on mutual trust and goodwill; recognizing that disarmament agreements constitute an important confidence building measure; reaffirming their respective unilateral declarations of non-possession of chemical weapons; convinced that a complete and effective prohibition of chemical weapons will contribute to the security of all States; reaffirming their respective commitment to the Protocol for Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed in Geneva on 17 June 1925 and recalling the relevant resolutions of the General Assembly upholding the validity of the 1925 Geneva Protocol; reiterating the need for the early conclusion within the framework of the Conference on Disarmament of a global convention for the complete and effective prohibition of the development, production, stockpiling and use of chemical weapons and their destruction. Hereby declare that:

1. They undertake never under any circumstances:

- a) to develop, produce or otherwise acquire chemical weapons;
- b) to use chemical weapons;
- c) to assist, encourage or induce, in any way, anyone to engage in development, production, acquisition, stockpiling or use of chemical weapons.

2. They would cooperate with each other, in finalization and adoption of a comprehensive Chemical Weapons Convention which ensures the security of all states and encourages the full utilization of achievements in the field of chemistry for peaceful purposes, especially for economic development of the developing countries.

3. They reiterate their resolve to become original States party to the proposed Convention currently being drafted in the Conference on Disarmament.

4. They would exercise their right to develop their chemical industry and related applications and products only for peaceful purposes and for the welfare of their peoples.

In witness whereof, the duly authorized representatives of the two Governments have hereto signed this Declaration and affix thereto their seals. Done at New Delhi on this Nineteenth day of August of the year one thousand nine hundred and ninety two.

Shaharyar M. Khan  
Foreign Secretary  
Islamic Republic of Pakistan

J.N. Dixit  
Foreign Secretary  
Republic of India

### *Text of Lahore Declaration*

February 19, 1999.  
Lahore

The Prime Ministers of the Islamic Republic of Pakistan and the Republic of India:

Sharing a vision of peace and stability between their countries, and of progress and prosperity for their peoples;

Convinced that durable peace and development of harmonious relations and friendly cooperation will serve the vital interests of the people of the two countries, enabling them to devote their energies for a better future;

Recognizing that the nuclear dimension of the security environment of the two countries add to their responsibility for avoidance of conflict between the two countries;

Committed to the principles and purposes of the Charter of the United Nations, and the universally accepted principles of peaceful co-existence;

Reiterating the determination of both countries to implementing the Simla Agreement in letter and spirit;

Committed to the objectives of universal nuclear disarmament and non-proliferation;

Convinced of the importance of mutually agreed confidence building measures for improving the security environment;



Recalling their agreement of 23 September 1998, that an environment of peace and security is in the supreme national interest of both sides and that the resolution of all outstanding issues, including Jammu and Kashmir, is essential for this purpose;

Have agreed that their respective Governments:

Shall intensify their efforts to resolve all issues, including the issue of Jammu and Kashmir.

Shall refrain from intervention and interference in each other's internal affairs.

Shall intensify their compositior and integrated dialogue process for an early and positive outcome of the agreed bilateral agenda.

Shall take immediate steps for reducing the risk of accidental or unauthorized use of nuclear weapons and discuss concepts and doctrines with a view to elaborating measures for confidence building in the nuclear and conventional fields, aimed at prevention of conflict.

*Text of Memorandum of Understanding between India and Pakistan*

February 21, 1999

Lahore

The Foreign Secretaries of India and Pakistan:-

Reaffirming the continued commitment of their respective governments to the principles and purposes of the U.N. Charter;

Reiterating the determination of both countries to implementing the Shimla Agreement in letter and spirit;

Guided by the agreement between their Prime Ministers of 23rd September 1998 that an environment of peace and security is in the supreme national interest of both sides and that resolution of all outstanding issues, including Jammu and Kashmir, is essential for this purpose;

Pursuant to the directive given by their respective Prime Ministers in Lahore, to adopt measures for promoting a stable environment of peace, and security between the two countries;

Have on this day, agreed to the following:-

1. The two sides shall engage in bilateral consultations on security concepts, and nuclear doctrines, with a view to developing measures for confidence building in the nuclear and conventional fields, aimed at avoidance of conflict.
2. The two sides undertake to provide each other with advance notification in respect of ballistic missile flight tests, and shall conclude a bilateral agreement in this regard.
3. The two sides are fully committed to undertaking national measures to reducing the risks of accidental or unauthorised use of nuclear weapons under their respective control. The two sides further undertake to notify each, other immediately in the event of any accidental, unauthorised or unexplained incident that could create the risk of a fallout with adverse consequences for both sides, or an outbreak of a nuclear war between the two countries, as well as to adopt measures aimed at diminishing the possibility of such actions, or such incidents being misinterpreted by the other. The two side shall identify/establish the appropriate communication mechanism for this purpose.
4. The two sides shall continue to abide by their respective unilateral moratorium on conducting further nuclear test explosions unless either side, in exercise of its national sovereignty decides that extraordinary events have jeopardised its supreme interests.
5. The two sides shall conclude an agreement on prevention of incidents at sea in order to ensure safety of navigation by naval vessels, and aircraft belonging to the two sides.
6. The two sides shall periodically review the implementation of existing Confidence Building Measures (CBMs) and where necessary, set up appropriate consultative mechanisms to monitor and ensure effective implementation of these CBMs.
7. The two sides shall undertake a review of the existing communication links (e.g. between the respective Directors- General, Military Operations) with a view to upgrading and improving these links, and to provide for fail-safe and secure communications.
8. The two sides shall engage in bilateral consultations on security, disarmament and non-proliferation issues within the context of negotiations on these issues in multilateral fora.

Where required, the technical details of the above measures will be worked out by experts of the two sides in meetings to be held on mutually agreed dates, before mid 1999, with a view to reaching bilateral agreements.

Done at Lahore on 21st February 1999 in the presence of Prime Minister of India, Mr. Atal Behari Vajpayee, and Prime Minister of Pakistan, Mr. Muhammad Nawaz Sharif.

(K. Raghunath)  
Foreign Secretary of the Republic of India

(Shamshad Ahmad)  
Foreign Secretary of the Islamic Republic of Pakistan

*Agreement Between the Republic of India and the Islamic Republic of  
Pakistan on Pre-Notification of Flight Testing of Ballistic Missiles*

*October 3, 2005*

The Government of the Republic of India and the Government of the Islamic Republic of Pakistan, hereinafter referred to as the Parties:-

Recalling the Memorandum of Understanding on 21 February 1999;

Committed to adopt appropriate measures aimed at preventing misunderstanding and misinterpretations and promoting a stable environment of peace and security between the two countries;

Have agreed as follows:-

Article 1

Each Party shall provide to the other Party, advance Notification of the flight test that it intends to undertake of any land or sea launched, surface-to-surface ballistic missiles.

Article 2

Each Party shall notify the other Party, no less than three days in advance of their commencement of a five day launch window within which it intends to undertake flight tests of any land or sea launched, surface to surface ballistic missile.

Article 3

Each Party shall issue appropriate NOTAMs and NAVEREAAs through their respective authorities.

Article 4

The bilateral Pre-Notification shall be conveyed through the respective Foreign Offices and the High Commissions, as per the format annexed to this Agreement

#### Article 5

Each Party shall ensure that the test launch site (s) do not fall within 40 kms, and the planned impact area does not fall within 70 kms, of the International Boundary or the Line of Control on the side of the Party planning to flight test the ballistic missile.

#### Article 6

Each Party shall also further ensure that the planned trajectory of the ballistic missile being flight tested shall not cross the International Boundary or the Line of Control between India and Pakistan and further, it shall maintain a horizontal distance of at least 40 kms from the International Boundary and the Line of Control.

#### Article 7

The Parties shall treat the bilateral Pre-Notification exchanged under this Agreement as confidential, unless other wise agreed upon.

#### Article 8

The Parties shall hold consultations, on an annual basis, or more frequently as mutually agreed upon, to review the implementation of the provisions of this Agreement, as well as to consider possible amendments aimed at furthering the objectives of this Agreement. Amendments shall enter into force in accordance with the procedures that shall be agreed upon.

#### Article 9

This Agreement shall enter into force upon signature by the two Parties.

#### Article 10

The Agreement shall remain in force for a period of five years. It will be automatically extend for successive periods of five years at a time unless one or both parties decide otherwise.

#### Article 11

A Party may withdraw from this Agreement by giving six months written notice to the other indicating its intention to abrogate the Agreement.

In witness whereof the undersigned being duly authorized thereto by their respective Governments, have signed this Agreement.

## FORMAT FOR PRE-NOTIFICATION

### FOR BALLISTIC MISSILE FLIGHT TESTS

The Government of ----- hereby notifies to the Government of ----- that it will conduct a flight test of a land or sea launched, surface to surface ballistic missile within the period of ..... to .....

The test launch site, the planned impact area and the planned trajectory of the ballistic missile conform to the provision of Article 5 & 6 if the Agreement between the Republic of India and the Islamic Republic of Pakistan on Pre-Notification of Flight Testing of Ballistic Missiles.

### *Agreement On Reducing The Risk From Accidents Relating To Nuclear Weapons*

*27 February, 2007  
New Delhi*

The Government of Islamic Republic of Pakistan and the Government of Republic of India, hereinafter referred to as the Parties:-

*Recalling* the Memorandum of Understanding signed at Lahore on 21 February 1999 between the two countries;

*Recognizing* that both Parties have national measures including Command and Control structures to guard against accidents related to nuclear weapons;

*Recognizing* that the nuclear dimension of the security environment of the two countries adds to their responsibility for avoidance of conflict between the two countries;

*Committed* to the objective of global and non-discriminatory nuclear disarmament;

*Conscious* of the need for adopting measures aimed at promoting a stable environment of peace and security between the two countries; Have agreed as follows:-

#### **Article-1**

Each Party shall maintain and improve, as it deems necessary, existing national measures including organizational and technical arrangements, to guard against accidents related to nuclear weapons under its control.

## **Article-2**

The Parties shall notify each other immediately in the event of any accident relating to nuclear weapons, under their respective jurisdiction or control, which could create the risk of a radioactive fallout, with adverse consequences for both sides, or create the risk of an outbreak of a nuclear war between the two countries. In the event of such an accident the Party within whose jurisdiction or control the accident has taken place will immediately take necessary measures to minimize the radiological consequences of such an accident.

The obligation of a Party to notify shall be in respect of only such accidents which may result in an international transboundary release that could be of radiological safety significance or have security implication for the other Party.

## **Article-3**

In the event of occurrence of an accident of the type referred to in Article-2 of this Agreement:

- (i) Each Party shall act in such a manner as to reduce the possibilities of its actions being misinterpreted by the other Party;
- (ii) In case of likely impact of the accident on the other party, the first Party shall inform the other Party forthwith with relevant information.

## **Article-4**

The Parties shall make use of the hotline links between the two Foreign Secretaries and DGMOs or any other appropriate communication link as mutually agreed upon between their Governments for transmission of, or request for, urgent information in situations relating to the implementation of this Agreement. The Parties may also make use of any other communication channels, including diplomatic channels depending upon the urgency of the situation.

## **Article-5**

Information obtained by a Party pursuant to this Agreement shall not be disclosed to a third Party without the prior consent of the other Party except where it concerns environment, public health or safety.

## **Article-6**

This Agreement shall not affect the rights and obligations of the Parties under existing international agreements to which they are a Party.

## **Article-7**

The Parties may hold consultations, as mutually agreed upon, to review the implementation of the provisions of this Agreement as well as to consider possible amendments aimed at furthering the objectives of this Agreement. Amendments shall enter into force in accordance with procedures that shall be agreed upon.

## **Article-8**

This Agreement shall remain in force for a period of five years. Upon agreement by the Parties, the Agreement may be extended for successive periods of five years at a time. A Party may withdraw from this Agreement by giving six months written notice to the other indicating its intention to terminate the Agreement.

In witness whereof the undersigned being duly authorized thereto by their respective Governments, have signed this Agreement.

Done at New Delhi on 21 February 2007 in two originals, in English language, each text being equally authentic.

**K.C. Singh**  
Additional Foreign Secretary  
For Government of the  
Republic of India

**Tariq Osman Hyder**  
Additional Foreign Secretary  
For Government of the  
Islamic Republic of Pakistan

## Weapon Comparison between India and Pakistan

### India Military

Total armed forces 2,414,700 (Ranked 3rd)  
Active troops 1,414,000 (Ranked 3rd)  
Total troops 3,773,300 (Ranked 6th)  
Paramilitary forces 1,089,700

### Missile

*Prithvi* Range 150 km-250 km, Payload 500 kg-1,000 kg  
*Sagarika* Range 250-300 km, Payload 500 kg  
*Dhanush* Range 300-350 km, Payload 500 kg  
*Agni* Range 2,500 km, Payload 1,000 kg  
*Agni-II* Range 2,500 km range,  
*Agni-III* Range 3,500 - 8000km, Payload 1700kg

### Aircraft

*Jaguar* Combat Radius 2,600 km, Payload 4,750 kg  
*MiG-27* Combat Radius 1,100 km, Payload 4,000 kg  
*MiG-29* Combat Radius 1,500km, Payload 3,000 kg  
*Su-30* Combat Radius 1,500 km, Payload 8,000 kg  
*Mirage 2000* Combat Radius 1,850, Payload 6,300 kg

### Military Expenditure (2007)

Spending- \$ 24.2 billion  
Spending per capita -21,  
% of GDP in 2006 -2.7

### Indian Nuclear Test

DEVICE	DATE	YIELD*
Fission device	18 May 1974	12-15 kiloton
Thermonuclear device	11 May 1998	43-60 kiloton
Fission device	11 May 1998	12 kiloton
Low-yield device	11 May 1998	0.2 kiloton
Low-yield device	13 May 1998	0.5 kiloton
Low-yield device	13 May 1998	0.3 kiloton

\*Yield is claimed



## Indian Submarine

Name (Number)	Builder	Commissioned
<i>Vela</i> (S 40)	<u>Admiralty</u>	August 1973
<i>Vagli</i> (S 42)	Admiralty	August 1974
Sindhugosh (S55)	Admiralty	April 1986
Shishumar (S 44)	<u>HDW</u>	September 1986
Shankush (S 45)	HDW	November 1986
Sindhudvaj (S56)	Admiralty	June 1987
Sindhuraj (S57)	Admiralty	October 1987
Sindhuvir (S58)	Admiralty	May 1988
Sindhuratna (S59)	Admiralty	November 1988
Sindhukesari (S60)	Admiralty	December 1988
Sindhukirti (S61)	Admiralty	December 1990
Sindhuvijay (S62)	Admiralty	December 1990
Shalki (S 46)	<u>Mazagon Docks</u>	February 1992
Shankul (S 47)	Mazagon Docks	May 1994
Sindhurakshak (S63)	<u>Krasnoye Sormovo</u>	December 1997
Sindhushastra (S64)	Krasnoye Sormovo	July 2000

## Pakistan Military

Active troops 619,000 (ranked 7th)

Paramilitary forces 302,000

Reserve 528,500

## Aircraft

*A-5* Combat Radius 600 km, Payload 1,000 kg

*Mirage III/5* Combat Radius 500 km, Payload 3,500 kg

*F-16* Combat Radius 850 km, Payload 2,000 kg

## Missile

*Haft-1* Range 60 km-100 km, Payload 500 kg

*Haft-II* Range 280 km, Payload 500 kg

*Shabeen* Range 300 km, Payload 500 kg

*Shabeen I* Range 800 km, Payload 500 kg

*Shabeen II* Range 2000 km,

*Shabeen III* Range 1350-1500 km, Payload 700 kg

**Military expenditure**

Budget \$4.26 billion

Percent of GDP 4.5 (2006 estimate)

**Pakistan Nuclear Test**

<b>DEVICE</b>	<b>DATE</b>	<b>YIELD*</b>
Boosted device	28 May 1998	25-36 kiloton
Fission device	28 May 1998	12 kiloton
Low-yield device	28 May 1998	sub-kiloton
Low-yield device	28 May 1998	sub-kiloton
Low-yield device	28 May 1998	sub-kiloton
Fission device	30 May 1998	12 kiloton

\*Yield is announced

**Pakistan Submarine**

<i>Name (Number)</i>	<i>Builder</i>	<i>Commissioned</i>
Hashmat (ex-Astrant) (S135)	DCN (Dubigeon, Nantes)	February 1979
Hurmat (ex-Adventurous) (S136)	DCN (Dubigeon, Nantes)	February 1980
Khalid (S137)	DCNI (Cherbourg)	September 1999
Saad (S138)	Karachi Shipyard	December 2003
Hamza (S139)	Karachi Shipyard	2006

## India and Pakistan Arms Control Correlations

Year	Incident	Arms control measures	Implementation	Result
1948-1949	<i>Kashmir War</i>	<i>Ceasefire under auspices of U.N. Karachi Agreement was signed. LoC was drawn</i>	<i>LoC is maintained till date.</i>	<i>Constant violation of LoC, exchange of fires, regular illegal crossing by Pakistani infiltrators</i>
1965	<i>Land Dispute in the Rann of Kutch, War in Kashmir and Punjab Area</i>	<i>Tashkent Agreement was signed under the initiation of USSR</i>	<i>Tashkent Agreement implemented, Agreement helped the two countries restore normalcy</i>	<i>Tashkent Agreement was criticised by India, took it as a surrender to Pakistan</i>
1971	<i>War in Eastern front, Bangladesh Liberation war</i>	<i>Shimla Agreement was Signed, a 'hotline' was started between the two countries</i>	<i>Shimla Agreement became a useful parameter for judging the progress of relation between India and Pakistan</i>	<i>Pakistan often desires third party involvement in their dispute, belying the spirit of the Shimla Agreement</i>
1987	<i>Brasstack Military Exercise</i>	<i>Non- Attack on Nuclear Installations (1988).</i>	<i>Both countries exchange lists on the very first day of each year</i>	<i>Helped both countries move beyond nuclear installation. Nuclear safety became a priority</i>
1990	<i>Kashmir Crisis (Spring Crisis)</i>	<i>Advanced Notification on Military exercise (1991), Agreement on Airspace Violation(1991), Joint Declaration on Chemical Weapons (1992)</i>	<i>Agreement has been implemented. Proves to be very useful</i>	<i>There is constant airspace agreement violation.</i>
1998	<i>Nuclear test</i>	<i>Lahore declaration, MoU on various Aspect (1999)</i>	<i>Lahore Declaration failed, Kargil war broke out shortly after Lahore declaration and MoU</i>	<i>Lahore Declaration and MOU is a parameter for future agreement</i>
2001- 2002	<i>Operation Parakram</i>	<i>Advanced Notification of flight Ballistic missile testing (2005), Agreement on Nuclear Safety (2007)</i>	<i>Implementation of the agreement in some way.</i>	<i>Pakistan accused India of violating the pre-notification agreement on missile testing</i>