CONFIDENCE BUILDING MEASURES (CBMS) IN SOUTH ASIA WITH PARTICULAR REFERENCE TO INDO-PAK RELATIONS (1991-2001)

Dissertation submitted to the Jawaharlal Nehru University in partial fulfilment of the requirements for the award of the degree of

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RUDRA PRASAD SAHOO



CENTRE FOR POLITICAL STUDIES
SCHOOL OF SOCIAL SCIENCES
JAWAHARLAL NEHRU UNIVERSITY
NEW DELHI – 110067
INDIA
2002



GENTRE FOR POLITICAL STUDIES

CERTIFICATE

Certified that the dissertation entitled "CONFIDENCE BUILDING MEASURES (CBMS) IN SOUTH ASIA WITH PARTICULAR REFERENCE TO INDO-PAK RELATION(1991-2001)" submitted by Mr. Rudra Prasad Sahoo, in partial fulfillment of the requirements for the award of the Degree of Master of philosophy, has not been previously submitted for any other degree of this or any other university. This is his own work. Responsibility for the quality and contents of this work lies with the authors.

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Prof. Rakesh Gupta

(Chairperson)

Rascostfort

CHAIRPERSON

Centre for Political Studies School of Social Sciences Jawaharlal Nehru University New Delhi-110067 Prof. Aswini Kumar Ray (Supervisor)

Dedicated to My Parents

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INTRODUCTION

South Asia's recent history has earned it the reputation of being conflictridden, a hot-spot, a region of high tension where war is possible. This is the reality,
nobody can ignore. Because South Asia especially the India and Pakistan (the two
important actor's of this region) relation is characterized by conflictual relationship.

These conflicts involved long standing dispute over substantive issue including
territory. Protagonist have frequently resorted to see deterrence or coercion rather
than assurance and cooperation as the most reliable method for promoting their
interests. As a result, the region is highly militarized. The two leading actor of
international system have adopted "nervous" military doctrine and force postures and
angoing arm races which is a threat to each other's security on the one hand and a
threat to entire humanity on the other.

In addition to this, in South Asia more particularly in India and Pakistan, instability in domestic affair is more. Here the definition of threat is ambiguous. And these states face multiple threats with a real or perceived interstates competition. Regardless of conscious policy decision that may be taken, there a serious problem of crisis which may at any time produce unintended and uncontrolled escalation. So in such case the need for a meaningful CBMs to minimize this danger is thus most urgent. CBMs should also adopt to that extent that they effect the willingness of protagonist to adopt conciliatory position on substantive dispute. And another positive aspect of CBMs is it can facilitate conflict resolution in this region. There are a series of methodologies suggested for evolving a regional and global cooperative security

framework which of course, still remain essentially rooted in a conventional national building measures is the best suitable one. CBMs are seen today as the most potent instrument for resolving all type of dispute.

So Confidence building measures (CBMs) is a relatively new development in the field of international relation. The term 'CBMs' may have been coined by western strategic experts during their attempts to deal with the crisis situation in Europe in the 1975. It was at the Helsinki Conference that the term CBMs came into common usage. It describes mutual agreements between potential adversaries for reducing the risks of intended war, especially the risk of surprise attack. Today, the question of CBMs is debated at various multilateral and bilateral fora, ranging form the talks on arm limitation and arm reduction to negotiations on preventing regional conflict.

No doubt, the competition in Europe has slowed down in the mid-1980. And after the disintegration of former Soviet Union the bi-polar world hostility remain out of globe. But the exponent of CBMs have observed the hostile situation in South Asian region. The competition between China, India and Pakistan, which critically impinges on the terror and trend in Asian security. It has compelled strategic experts to focus far more sharply on these states of the South Asian region. So it was in this context policy maker and National leaders of these countries realized the need of CBMs. They found it, as a most suitable medium to realised the need of CBMs. India and Pakistan the two hostile neigbours now given special attention to CBM to bring trust and tranquility to this region.

After heightened tension in 1990, India and Pakistan agreed to implements CBMs at the urging of the United States. In 1991, CBM, was experimented although the political impact and effectiveness of CBMs have been disputed. It was found that CBMs gradually gained currency in the subcontinent. CBMs recognized not only for their potential utility, but also as a mechanism to move the bilateral dialogue process forward. However, in the mean time the nature and scope of CBMs in Indo-Pakistan case had undergone a considerable change. While earlier all dispute between two countries were resolve through official dialogue. Only the government official and machinery involve in decision making level. Even that also cease in the earlier days of 1990. No government of these two countries were interested to initiate a process to solve the problem. So it was in this phase of history, the official of two countries took more pain and come strait forward openly, for resolving all issue through constructive dialogue. Which is more famous as Track-I channel in diplomatic parlance. Prime Minister Nawaz Sharif of Pakistan and his Indian counterpart Mr. Chandra Sekhar rise a great interest to open the door of dialogue which is more relevant and facilitate a one step further to implement CBMs more successfully in this region.

In addition to this a new initiative had focused on cultural interaction and people to people contract. It is more popular as track -II channel of diplomacy. For the first time, the non-official of both these countries have got a chance to influence the decision maker who are in the official positions. Despite this, people of these countries will share their emotion, hope and vision and thought by interacting each other in different walk of life. It pave the way to integrate more in emotionally that

they have common identity, test and similarly. They will revive the post cultural heritage of undivided India. And they will work for development of both countries more in a integrated approach rather then in isolation.

Again, the "National Security" in this period got a new currencies in the hand of strategy Analyst. The expansation of the concept "national security" witness the different look with inclusion of many non-military threats. National security does not means safeguard the country from the external attack but security from within. It means food security human security etc. Security means a minimum of living, good education and good environment to survive. So these ideas added new spice to the old idea of "National Security". This idea much more given a warning signal to any democratically elected government got of the world to implement. Because inorder to hold the power, any party must look after these basic needs of the people. So in such situation India and Pakistan also try their level best to implement these ideas in their own sphere.

Indeed India and Pakistan focused on welfare oriented work rather than on spending unnecessarily in accumulation of weapon. In this time. Because statistics shows that expenditure on military spreading much more in South Asia, in initial year in comparing to other region of the world. And it was also found that less than 2% of South Asia gross domestic product could finance the regions most urgent human development.

Pakistan, again took the initiative with a new proposal on non-proliferation on South Asia by capitalizing on the international community's concern about NPT.

Prime Minister of Pakistan Mr. Nawaz Sharif in June 1991 suggested five power meet, with USA, former Soviet Union, China, Pakistan and India as a Participant. He expressed this idea while speaking at National College of Defence at Rawalpindi but India rejected this proposal later.

A new vista open is the trade to bring these two hostile country on the path of cooperation. They have forgot their old animosity and tie in a net of economic cooperation with each other to solve all market related problem. In such a situation, democracy also got currency in all over the world, so also India and Pakistan. But the dream of democracy by enchanting democratic ethos and value in thought cannot serve the real purpose, until and unless it will practicable in reality.

But 1998, India' Nuclear test and Pakistan's counter nuclear test further halted the peace process. And South Asia enter into a new age of nuclear politics. Again their position is not clear. So it is a matter of great concern for both the parties that they have not maintained consistency in their relation. There is a large gape in thought and practice.

Even though CBMs, is a long process and the temporary setbacks should not erode its credibility. At this stage it becomes imperative to find and give chance to new set up of CBMs, which are in existence but have not been given trial in this region. May be, these initiative will bring new hope in the face of millions of people who are residing in the two states. Pakistan's earlier stand, before 1991 was that CBMs was a suspicious move by Indian, that they are leaving "core issue" like Kashmir out of discussion is still hunting as a ghost in Pakistan decision making table.

Despite this, why CBMs process not bringing a conducive atmosphere to this region. Experience and evidence form other region of the world show that CBMs can provide physiological benefit of increasing confidence between to adversary. It can improve security by helping in preventing on intended or accidental conflict. CBMs can also help to create a climate of expectation more conducive to conduct negotiation in underline issues and to normal inter state competition. CBMs are not new to either India and Pakistan. But they are becoming much more urgent as nuclear weapon state slowly but steadily enter their military urgent. The problem is that although various CBMs have been agreed they are not always relied upon intimes of conflict.

It is in the context of South Asia's post nuclear evolution that this work tries to highlight the nature of existing South Asian CBMs and to evaluate their effectiveness to bring peace in this region.

The concept or subject like CBMs and its application in South Asian context has received insufficient attention in early days. Much work has been done on CBMs but a substantial part of the research effort of Henry L. Stimson Centre has devoted to CBMs and its effectiveness in South Asia region.

"Global Confidence Building New Tools for Troubled Regions", (1999) edited by Michael Krepon, Michael Newbill, Khurshid Khoji, Jenny S. Drezin have analysed the CBMs in South Asian context with special reference to Indo-Pak relation. Here this book not categorically emphasized on economic CBMs. This has also sideline the area like role of media and NGO in bringing confidence between two countries. If measure should be taken in such area perhaps CBMs will bring new hope of living and setting all dispute

through bilateral negations. Here no attempt has been made to make a comparison between CBMs use in European context and that of South Asian region. Another think to note is an indigenous CBMs should be used and apply to changing need and situation of South Asia region rather than just follow the European experiment made by expert of strategist analyst. This book has failed to give a full picture of South Asian region and use of CBMs as a whole, only a glimpse has been found in Indo –Pak context. Where as South Asia is not India and Pakistan, five other sovereign nation constitute South Asia. This must need re-examination and throw introspection in understanding South Asian context.

In Michael Krepon and Amit Sewak edited book "Crisis Prevention, Confidence Building and Reconciliation in South Asia" (1996) gives a clear picture about CBMs, what does it mean and also emphasis the type of CBMs use in Indo – Pak context and given a slight emphasis on CBMs in Indo- China relation. Even these books focus the media role in Indo –Pak relation. But the measure chunk of this book is that they have not evaluate the influence of CBMs in Indo- Pak context. It also focus to the effectiveness and relevance of CBMs in South Asia.

Mending Fences, Confidence and Security Building Measures in South Asia (1996) edited by Sumi Ganguly and Ted Grenwood also focus on major issue relating to CBMs in South Asia. A small but growing body of literature exists on the role and utility of Confidence and security building measures in South Asia. A brief review of this literature show to a discussion of the finding of the present study. One thing that has not been previously available in the literature in realistic appraisal of the limitations and possible values of confidence and security building measures in South Asia that draw

from the experience elsewhere- notably the US-Soviet, European and Middle Eastern context. They must consider the actual historical and political context of South Asia as is found today, not as authors would wish it to be. This volume fills that void. It begins with a systematic treatment of the security contexts seen from India and Pakistan and China and added speculative chapter that asks what if anything might have been different in the past if Confidence and security building measures had been in place in the years of the regions major conflicts. The experience of confidence and security building measures in the USA-Soviet relationship, In Europe and in the Middle East are treated next with explicit efforts to draw lessons for South Asia. Finally each of the categories of confidence and security building measures are examined in turn to assess the potential, value and limitation of each for the Sino-Indian and Indo-Pak relationship. Along the way the spatial issues related to the gradually emerging nuclear capability of India and Pakistan are also addressed.

Another book 'Confidence Building Measures in South Asia, (1999) edited by Deepankar Banerjee highlighted many possibility of CBM in the world and the region. This book categories different issues written to CBM, into four sections. Section One, deal with concept and context. Here the topics are described the central question what the CBM is to achieve. Discussion that followed this paper was lively and reflected the many different viewpoints. No clear definition of CBM emerged for clarification of when these are effective. Yet, the views were that it was a neglected area of study in south Asia. There was no clear understanding of what they could achieve or even as to what these really were. A major task ahead must be to educate the elites and the decision-makers on

their utilities and values. In democracy policies are evolved through consensus and it is possible only when there is knowledge and understanding.

Section second of this book highlights the CBMs lesson from around the world. This paper goes on to explain the uses of CBMs in Latin America and West Asia and the lesson that can be drawn for South Asia. The story is far from successful there. Failures have been more pronounced in the region than success. Deep distress and lack of faith characterizes the west Asian environment. Terrorist act continue to be perpetrated by both sides at regular intervals. Yet open conflict has been avoided.

A steady and persistent dialogue against great odds has developed greater understanding of each other's cause.

Section third examines in some detail role of CBMs in south Asia. Elliot Tepper makes a distinction between CBMs seen both as a product and a process and emphasizes the importance of the latter. For, this if the process is positive and evolves in the right manner, appropriate products are bound to emerge. He examines the possibilities of SAARC to develop such a process, notwithstanding its structural constraints. Possibly an overtly positive formulation, nevertheless one that will pave the possibilities. Last two chapters also deal with experience of two countries. The Final section, address the role of civil society in building CBMs. Chapter were reflected dealing with the media, the private business sector and the of role of NGO.

Discussion on the role of NGOs focused on the definitional and conceptual conundrum. Not a productive approach but the relative newness of NGOs makes it imperative that we consider these matters carefully. Recent constraints imposed on the

foundations of civil society and NGOs in India and Pakistan in particular, do not bade farewell for their function in the near future. But, all were in agreement that greater non-official involvement was important to make CBMs work, in the region. Developing and implementing CBMs require a comprehensive range of activities. From understanding and clarifying its possibilities, to educating the public and the decision makers, to evolving the technical parameters, sustained through a steady process of dialogue and discussion leading to agreement and finally their implementation. This lengthy process then needs to be supported and sustained by public opinion through its long and tortuous journey.

A recently published book "The Challenge of confidence building in south Asia (2001) edited by Moonis Ahmar testifies, that there is a growing readiness to propose substantive ideas to break the cycle of negativity and violence that afflicts the region. There is little to be gained by slamming the existing record of negotiating and implementing CBMs in South Asian region, and the contributions of this important volume restrain from doing so, CBMs is not the panacea for all evil or ill. They are a means to an end, and that end can not be reached if political and military leaders don't Wish to go there.

Here the expert describe peace can be made not by dramatic gestures or meeting between top leaders, but by the power of incrementalisation. Only through detailed agreements in peripheral areas that can be sub stained over the long term can be learnt and institutionalized. There are many reason to be dispirited about the absences of proper confidence building measures in South Asia. This book is meant to be a text book for the policy makers and analysts and students and military personnel

who are interested in under standing the problem of conflict resolution and bring a path of peace through confidence building measures. Section 1 of this book has given full flagged analysis of the so called idea of confidence building measures in a theoretical perspectives and also analyses its merits in a practical situations or stand points. And put forth or put forward some suggestions to bridge gaps in theory and practice.

The section -2, deals with perspective on CBMs and how it will bring or generates confidence among the South Asia countries.

Sections -3, South Asia and military issue deals in this chapters. It also suggests and express the role of military CBMs in INDO- Pak context. Section -4 CBMs and significance Issues. It fully narrated the rule of track II diplomacy in de-escalating tension between two revelry. Here a chapter deals with the rules of civil society in South Asia, it analyse civil society of both the countries how much vibrant and effective to bring a new atmosphere of peace has been elaborated. Sections-5 more or less it discuss the rule of CBMs on resolving the dispute on threat Which is arising from different field. Particularly from environmental side. It also explain how trade and economic will bring an optimistic note. The increasing support base in the civil society will rather force policy designers of both the countries (India and Pakistan) to procreate modalities for a lasting implication of interaction throw a good trade partnership. Sections-6, this section deals with a general understanding on developmental field. How modern technology is solving complexity of problem occurring in daily life. Through technology accidental and miscalculation of war can be remove and CBMs have also a rule to play in such an context is ecplain here. Despite this, river water sharing is an another special area which

can bring enough confidence to solve bi-lateral problem between India and Pakistan is also explain here. Last Chapter, address the role of CBMs in resolving non –military threats to society. And last chapters deals with the features of CBMs in South Asia. Here it express need for a domestic CBMs regime in South Asia. It has also given a full insight to an indigenous CBMs.

Besides all these works, there are a significant amount of literatures which deals CBMs in South Asia and its special reference to Indo –Pak relations found in different journals from time to time. The main motive behind the present study is to give a comprehensive analysis of implementation of CBMs in South Asia particularly in Indo-Pak context (1991-2001) and its relevance is the measure thrusts. It may be asked in spite of all these measures, why CBMs has not prove any satisfactory results.

This study is an analysis of the various problems and situation in South Asia more particularly Indo-Pak case, which are responsible for unsuccessful results of CBMs. It argues first of all why South Asia has been focus as one of the trouble spots for security point of view. Secondly, It raises its fingers that's why CBMs has not got any fruit full results in pasts and last but not the list what should be done to make CBM more effective instrument to solve Indo-Pak problem in particular and South Asia in general to bring new dawn for future day. Every body is looking to South Asia which is a zone of hostility a region of high tensions where war can not be avoidable at any movement at any time. So the changing situation must guided by available opportunity. So in the right time, right direction is the correct choice to avoid such a terrible and horrible situation to bring peace and tranquility is the lasting solution for this regions.

This work therefore consists on five chapters-----

Chapter -1, deals with conceptualization of two wards CBMs AND South Asia and their functioning as a tension reduction mechanism. It gives a brief understanding about the history and evolution of concept like CBMs in Easts, it's application to South Asia to bring prosperity to the regions. A brief narration of cases of CBMs also found in South Asia.

Chapter-2, It covers type of CBM's use in Indo-Pak context. Numbers of CBM's are existed still now to give a safe vision to both the nuclear states. However, there are numbers of issues are also unresolved and it also signifies how others idea and dispute which were not resolve earlier will bring to the traps of CBM's and measures should be hardly tactically to solve all issue bilaterally.

Chapter-3, This chapter concern with the whole idea of how CBMs will be or is relevant to this regions. If a mechanism which will not bring right direction for the purpose it is use, what is the value of using that techniques. So objective or good can be realize when such concept will give relevance to the situation.

Chapter-4 In this chapter a critical assessment of CBMs and it implication in South Asia region in general and Indo- Pak relation in particularly from a period of 1991-2001 is fully evaluates.

Chapter-5 Conclusion, Lastly, a brief summary cover of CBMs in South Asia and it actual practice in last decades.

Chapter – I

CONCEPT & CASES OF CBMs IN SOUTH ASIA

The concept like CBM is a beckon of hope and challenge in conflicts ridden region in the world. CBMs are sensitive moves that can spark the chain of reaction at various levels. But the main motto of CBMs is to create a condition for the management of conflicts and bringing confidence and trust among the two actors or rivalry. After the Second World War, every country realized its consequence and no one is interested to opted for it full-fledged war. But domestic compulsion and external threat are the common factors, which is forced nation state to prepare for war. There are some conflict found in every nock and corner of the world which is flashed first everyday, which witnessed in daily news. It is also marked that conflicts, which are deeply rooted in history, will take generations to get resolved. Such conflicts thrive on mutual distrust. While rational leadership on both sides believes that the time has come to resolve the conflicts, it is not able to carry the peace process because of mistrust. Therefore there is a need to begin the process with a series of trust making or confidence building measures. CBMs are measures that help to decrease the level of tension between the states and seek to promote co-operation between them. Such action may be taken by governmental as well as non-governmental level.

The concept and practice of CBMs in its contemporary usage and application have evolved from East-West détente, which come into being in the 1970s. It found practical expressions and embodiment in the HELSINKI final act, signed on 1st August 1975 by 33 European nations. The efforts of USA and Canada to hold the first conference on security and co-operation is a milestone in bringing trust process in Europe. The act contains inter ally, military related measures for reducing the risk of surprise attack. Surprised attack may occur through miss-calculation and

misunderstanding of each other's intention. This measure which have reduced the tension and solved the problem came to be known as CBM¹ The Stockholm document (1986), the Vienna document (1990) and the Vienna agreement 1992 considerably broadened the scope of CBMs.²

CBMs:- A definitional point of view

In simple sense CBMs may be defined as specific steps, prescribed by treaty or determined otherwise, undertaken for the purpose of generating confidence that the action of one party don't have the purpose of harming the security of another party.

One of the official definition of CBMs describes them as "measures designed to enhance mutual knowledge and understanding of military activities to reduce the possibilities of conflict by accident, mis-calculation or the failure of communication and to increase stability in times of both normal circumstances and crisis. Some definition stress on adversarial relationship, that they are designed to ameliorate.³ A congressional research study service say that CBMs are steps intended to increase mutual confidence in the benign intention of a potential adversary."

Broadly speaking, CBMs are measures use to alleviate tension between states. In the Norwegian statesman Johan Jordan Holt's famous definition CBMs are "arrangement designed to enhanced... Assurance of mind and belief in the trustworthiness of state and the facts they create." 5

A more positive attitude may be found in a UNO sponsored comprehensive study on CBMs according to which the goal of CBMs is to contribute to reduce or in some instance even eliminate

¹ Augustine P. Mahig & Fidds M.N.C UNO report 1987 CBM in Africa

² Michael Krepon, 'Conflict Avoidance, Confidence Building and Peace Making' in Michael Krepon, Michael Newbill, Khurssid Khoja, Jenny S, Derezian (ed) *Global Confidence Building NewTtools for Troubled Region*, St. Martin press, New York, 1999 p.2.

³ ibid. no.1.

⁴ibid.

⁵Navanita Chadha (thesis- Confidence building proposal in South Asia's nuclear issues in 1980s J.N.U/SIS, 1990 pp. 15

the causes of mistrust, fear, tension and hostilities. A second goal is to reinforce confidence where it already exist. Confidence building should facilitate the process of arms control and disarmament negotiation including verification; facilitate the settlement of international dispute and conflict.

The traditional concept of CBMs is reflected in the often-cited definition by Hoelst and Melander (1977), which states that "confidence building involves the communication of credible evidence in the absence of feared, threats by reducing uncertainties and by constraining opportunities for exerting pressure through military activities."

Trust is based upon mutual presumption of innocence, which is a pre-requisite of confidence. So confidence-building measures administer properly and under favorable condition may lead to trust and eventually grow into confidence building measures.⁷

Bringing confidence is consisting of many factors. CBMs which has been adopted and which are being formulated pertain primarily to the military domain. They may contain certain element like arm control. But they don't amount to disarmament–measures, nor do they assume the function of latter. However as a measure it creates a favorable condition for negotiations to promote progress and co-operation between two or more countries.⁸

A review of these measures reveals both towards broadening of the aggregate measures and the scope of covered military activity. It is applied to Europe where military measures are considered as important area where agreement has been reached. This latter trend is manifested in the fact that measures specified by 1986, 1990 and 1992 document, which is politically binding.⁹

⁶ Tara N Baral, 'perceptions of small states on confidence building in South Asia' in Moonis Ahmar (ed), *The Challenge of Confidence Building in South Asia*, Har Anand Publications, New Delhi, 2001 p.188.

⁷ Ibid opp.cit no. 3 p.10.

⁸Ibid. op.cit p.19.

⁹ ibid. opp.cit no. 2 p.2.

Finally, CBMs have been viewed as catalysts towards grater political accommodation and achieving more controversial forms of arm control agreement such as force reductions. In addition to military CBMs, non-military, cultural, economic CBMs also helps in a greater extent to bring peace and prosperity in the conflict-ridden region or between two hostile country. South Asia is also one of the region. CBMs also implemented in South Asia to resolved the dispute. So the term South Asia need a closed door analysis in this regard.¹⁰

The term-South Asia

The term South Asia has been a construction of British colonialism. What the British meant by South Asia was the Indian sub-continent, which included Burma, Nepal, Tibet and Srilanka; these territories were essentially buffers for ensuring the safety of the British Indian empire. A wide range of factors may foil our logical attempts at understanding the interstate competition in South Asia, within the confines of conventional wisdom, which seeks to exclude China from the territorial framework of South Asia.¹¹

In terms of its post 1947 political divisions, it is not clear by China's Tibet stands simply excluded from the conventional conception of the South Asian region. From the point of view of its historical legacy as also its current policy towards and involvement with the South Asian states, China occupies a central place in the security thinking and policy of most of the South Asian country. Another point to be noted here is that Pakistan and Bangladesh were not born until 1947 and 1971 respectively. They remained part of British India as was the case with a few other states of this region. Also, they have divergent national security profile and priority. They have different strategic

¹⁰ Ibid

¹¹ Swaran Singh "Controlling Inter-state competition through CBMs", *In (P.Sahadevan ed.) Conflict and peace making in South Asia*, Lancer's books, New Delhi, 2001, pp 166-167

perception, policies and capabilities. States such as Maldives and Bhutan have too little military and economic strength. But they are coming under the net of South Asia region. So these two countries have no strength to influence the tone and tenor of competition in South Asia. So now the countries, which constitutes South Asian region, are India, Pakistan, Bangladesh, Srilanka, Nepal, Bhutan and Maldives. 12

These countries are fighting against each other on the ground of border dispute, water sharing crisis and ethnic problem. They always blame India for its big brotherly attitude as well as India's geo-strategic location in South Asian region. Still Pakistan always creating tension in India's borderline by sending militant to disrupt the political stability in India. The main reason is the political elite of Pakistan divert the attention of their citizens demands for political and economic issues and they accuse India by rising the Kashmir as the sole issues for which Pakistan is always asking for

Why CBMs is necessary in South Asia

Even though most of the conflicts occurred in South Asia is between India and Pakistan but reality is that South Asia is constituted of seven sovereign nation states each with its own hopes and aspirations. But each tied in someway or the other to this larger adversarial relationship and is affected more or less by it. This is one of the reason why regional co-operation has lacked sustainability and has made so little progress to date. 13

There are also other security related issues. Bhutan and Nepal are locked in a stalemate over a large floating population, now most of the Bhutanees living as a refugee in eastern Nepal no country

¹²Ibid. ¹³ ibid

wants to own. Their fate lies in limbo for the present, largely ignored by the region and the world. But hoping that this will just go away as an illusion. The numbers are too large and deprivation is extensive. Who can assure that prolonged frustration and lack of hope will not lead the young to an uprising in the future as has happened in so many places around the world.

There is also incipient violence in much of India's north-east which now more than ever spill out into Bhutan, Mynammar and Bangladesh. It has not led to any increased tension in India-Bhutan relations, as both perceive themselves victims and there is enormous good will between the two states on which both can rely for the present.

In the case of Indo-Bangladesh, this same thing happens. Recently merciless killing to Indian Jawan by Bangladeshi force added a new dimension to the hostile relationship with our neighbor. Earlier Chakma refugees and water-sharing issue remain unresolved which create tension between these two countries from time to time. 14

India-Sri Lanka relations although good in the recent time but India was worst victim of LTTE in between 1980-90. It was a greatest tragedy that India lost a popular Prime Minister who is assassinated by this extremist terrorist group. Even sometimes there is a tussle between Sinhali and Tamil. This some time create instability in bringing peace between both countries. 15

And Indo-Pak relation is a bitter experience. The problem is an unending process and the major war India fought in past is only with Pakistan. Even today they have not learnt the art of good neighborly living. They cannot accommodate in the line of peaceful settlement of dispute.

¹⁴ Statement of Government of India on CBMs between India and her neighour annual report 1991, Ministry of National affair. P. 20. ¹⁵ Ibid.

Lastly India's relationship with Nepal is very cordial. They accommodate each other in the art of peaceful co-existence. India is the one of the important country, which invests bigger amount in Nepal for her all round development. But once Nepal's idea of zone of peace created some problem between two countries but still these two countries always need each other's help in time of need.

Other countries in this reason also make much cordial relation to develop their all round development. But border problem, ethnic crisis, narcotic and drugs trafficking and Mafia underworld network are the major hurdle that these countries are more or less experienced. So this is the picture of relationship between the countries of the South Asian region.

What are the solutions then? Must the region continue on its slide to the bottom of the heap in all aspect of human development? Should conflicts be the norm and civil violence be the daily routine activity through out the region? Much as the voice would suggest the answer must be an empathetic no. Then what?

There is democracy too in all of South Asia (except recently Pakistan has military regime). The recent set back in one country, is not to be lamented because it has lost hope at least in the eyes of its own people. There is freedom or press in all countries and in some countries it is really vibrant. Civil society has increasingly found a voice and has worked out a space for itself, however constraint it may be. Government, as well as women folk are emerging as a force all over the region, which is a positive sign or improvement of relations between India and its neighbours. ¹⁶

The question is how much South Asia could evolve and grow if conflict would be eliminated and regional co-operation succeed in distributing goods and bringing peace and mutual understanding. So an attempt be made to explore the area for developing co-operation in the region

¹⁶ ibid.

and overcome the many hurdles in the way through an approach of CBMs. These may now show the way to end the conflict of the region and bring peace and prosperity. Yet if there is political will and determination, then CBMs will definitely provide a way to avoid conflict.

Cases and History of CBMs in South Asia

Bangladesh, Pakistan, Nepal, Srilanka and Bhutan, five of the seven states of South Asia have common land borders with in India. India being at the center shares ethnic, religious and cultural affinities with all it's neighbor.

The three major river systems – the Indus, the Ganga and the Bhramputra by cutting across the boundary of India, Pakistan, Bangladesh and Nepal have further exacerbated the tension between them resulting from disputes over water sharing. Although India in 1996 concluded key water sharing treaty with Nepal and Bangladesh and the Indus water treaty between Pakistan and India has stood the taste of time for nearly four decades. Indo-Bangla conflict, Indo-Nepal and Indo-Pak conflict dominated the region and the second half of the 1970 and the early of the 1980. The late 1980s, witnessed the eruption of two major conflicts, one between India and Srilanka over the Tamil factor and the other between India and Nepal over the interpretation of the Indo-Nepali's friendship treaty concluded on 31st July 1950.

But after 1990, there have been various positive sign having far reaching implication for the betterment of relation between India and its neighbors.

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Indo-Bangla relation: -

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Common wisdom suggest that Bangladesh's approach towards CBMs in South Asia cannot be different from that of other smaller South Asian region. Bangladesh believes that conflict between



India and other smaller country of the reason would be counter productive to peace and stability in the region. Therefore Bangladesh given much effort to build an indigenous CBM in South Asian region. The major taken by Bangladesh is first, she has looked upon issue of CBMs through an institutional approach. Towards this, Bangladeshi initiative in understanding a broad range of cooperative interaction under the banner of SAARC (South Asian Association for Regional Cooperation) probably need no further explanation. Second is Bangladesh believes in building CBMs by putting special emphasizes on the element of negotiation. Thirdly Bangladesh see CBMs not as an end in itself but as a means to resolve other conflict and issue.

So it should be remembered that whatever CBMs Bangladesh seeks to establish, it see 'India as an important factor in it. And this is true not only in its case, but also in the case of the other smaller countries of the region. Thus if Bhutan or Nepal wants have transit route across Bangladesh then the initiative will definitely depend on India as such facility needs traversing its territory. Thus by logical conclusion, it is India, which can play a significance role in creating confidence among its smaller neighbors. ¹⁷

Some major taken by Bangladesh towards its neighbours is a path breaking effort towards achieving these objectives. This can be narrated in a nutshell below.

The signing of Ganga water treaty between India and Bangladesh on 12th December 1996 is signed for thirty years treaty on sharing the Ganga water. This treaty has paved the way for cooperation between two countries by promoting good will and reducing tension between them. The major irritation between the two countries has removed by this settlement. The co-operation between

¹⁷ Shahedul Anam Khan & Abul Kalam Azad, 'Confidence building measure in South Asia-Bangladesh Dipankar Banerjee' (ed.) *Confidence Building Measurer in South Asia*, R.C.S.S Colombo, 1999, pp.129-131.

two countries are manifold, not only between India and Bangladesh but also in the entire region. According to the accord New Delhi and Dhaka will consult each other in case the level at Farakka drop below 50 thousand coquets in the dry season to make adjustments on an emergency basis, in accordance with the principle of equity, fair play and no harm to either party. 18

On 6th January 1997 Delhi and Dhaka agreed to activate a joint working group to combat insurgency in the north-east and Chitagang Hill tracts. The agreement was reached during a meeting between Bangladeshee Prime Minister Sheikh Hasina Wajed and her Indian counterpart H.D.Davegowda during the later's visit to Dhaka. Foreign secretary Farooq Sobham said both side agreed to have regular exchanges of visit by home secretaries for better co-ordination in controlling border insurgency. The tribal refugee crisis between Bangladesh and India ended on February 27, 1998 and end of the 12 years old problem. With return of 2000 people from south Tripura camps of India to Chitagang Hill tract, the repatriation completed the return of refugee in 6 phases. In July 1997 a joint committee of experts formed on sharing water of the Testa river. It also agreed to remove bottleneck in the Ganga water treaty implementation. India and Bangladesh resolved to work to "root out terrorism" and increase "bilateral trade" that they signed in April 1998. The two countries also decided to pay special attention to develop their transport link. ¹⁹ Apart from India, Bangladesh has initiated an interest in foreging closer relation and develop CBMs with other South Asian countries in non-military level.

Cases of CBMs-Nepal with its neighbors: -

In June 1997 India and Nepal signed three pacts during Prime Minister Mr. I.K.Gujral's visit to Kathmandu. India has granted Nepal a transit route that will connect the Himalayan kingdom with

¹⁸ V.N. Kanna, in foreign policy in India, Vikas Publication 1997, New Delhi pp. 139-152.

¹⁹ Ibid.

Bangladesh. This will help Nepal to imports and exports goods through Bangladeshi Chitagang Point. Also the two countries signed a power trade agreement to promote participation of the private sectors in developing hydropower projects in Nepal.²⁰ In a memorandum of understanding on civil aviation, it was agreed that the designated airlines of the both the countries will not only have additional point to fly to, but the capacity of the passengers has also been increased to 6000. Both the countries also exchanged the instrument of ratification of the Mahakali treaty signed in 1996. It was further decided that the home secretaries of the two countries would meet on regular basis to discuss security concerns matters in view of the recent misuse of Nepalise soil by Pakistan's intelligence agencies (ISI) for anti-Indian activity. ²¹ In July 1997 Nepal and India joint working group on border management agreed to strengthen the existing mechanism along the borderline between two countries. This group also agreed to recommend measures to enhance technical co-operation between the law enforcement authorities. And also suggested improving channels of communication between security agencies and district authority of the two countries.

As a small state, Nepal's position in the international system is also conditioned by a number of factors. A statistic change has occurred in the concept and character of international relation. The Nepalise people like the people of other countries has once again treated with multiple loyalty and overriding domains of power at several level. So they mostly ensure with individual security legitimized by the principle of human rights, sub-national or national security recognized by the credo of national self-determination, state security pre-supposing the sovereignty of the state underlined in international law and the united nation charter.²²

²⁰ A.K. M Sabur "Challenge of Confidence Building Measure in South Asia a Bengalashei perspective", opp.cit no. 6. p. 1-6.

21 V.N. Kanna, opp.cite no. 18 pp. 126-138.

²² Ibid.

So, regional security establishes through the polling of state sovereignty for common benefit, and common security embodying all the elements for the creation of a just and legitimate global order, is an urgent reality. These security constraints are interrelated, implying that even interdependence in this sense implies that continued survival, stability and prosperity of this nation rest on the sustained good will and co-operation of others. So knowing this all, Nepal cannot deal with the problem without collectively addressing basic issues of land and water management in this region. So some initiative which are taken by SAARC in bringing measures between Nepal and its neighbors for peaceful co-existence is a major break through and highly praisable one.

CBMs from Srilankan point of view

On January 21, 1997 India and Pakistan make a historic agreement with a view to bringing the political difference by signing an agreement to boost bilateral, economic co-operation. Lakshman Kadirgaman the then Srilankan external affairs minister described the agreement is a CBMs and said it would help to generate flow of investment between these two countries. Mr. Kadirgaman said through New Delhi had agreed to reduce tariff and quantity restriction on about 80 export items from Srilanka out of 192 items. He has been assured by Mr. I.K.Gujral the then prime minister of India that the list would be expand gradually. During Mr. I.K.Gujral visit to Colombo, both countries signed another agreement on scientific and cultural exchange programs. The above mentioned attempt further increase the CBMs process in South Asia. It can be attributed to a regionally well planned policy and the treaty made by government of different countries of this region.²³

The ongoing Sri Lankan ethnic problem is an inter-state conflict with serious inter-state implication, particularly between India and Sri Lanka. Here CBMs should be applicable at two level

²³ ibid. opp.cite no. 18 pp. 153-169.

to bring a conducive atmosphere for peace. First relation between two major combatants of the ethnic conflict—the Sri Lankan government and the L.T.T.E. And Second relationship between Sri Lanka and India.

There were two occasions in the year 1989-90 and 1994-95, where Sri Lankan government and the LTTE could come for direct peace talks. In this time there were no third party mediators in the conduct of negotiation. On both the occasions the talk collapsed and no attempt were made to bring the parties back to the negotiation table as there was no third party to play the rule.

The two sides have taken initially a different position. What Prabhakaran basically says is that congrial atmosphere through CBMs has to be created before the resumption of talks. But the government has taken a different position. Lakshman Kadirgaman the then Srilankan external affairs minister has expressed readiness for immediate peace talks but rejected the idea of introducing any CBMs before the resumption of peace talk. He said we tried CBMs in 1994-95 without success. So it is necessary to evolve gesture of good will and trust in order to sustain the process. It can start as an externally driven move, but real peace has to come from within. Confidence building is of course a two way process and both parties should reciprocate in order to make it a more meaningful exercise. Here this should be remembered that Norway is planning to submit a proposal calling for reciprocal measures as a confidence building exercise. Such an exercise is of utmost importance to sustain the peace process in a meaningful manner.²⁴

CBMs & Bhutan- A birds eyes view

India's relationship with Bhutan falls into a special category. It is governed by the 1949 friendship treaty. With Bhutan too, India has an open boarder and Bhutanese national have the right

²⁴ V.P Dutt, *India's foreign Policy in changing world*, Vikas Publishing House New Delhi 1999 is 130.

to the same treatment in India (except for political rights) as Indian national, right to work, right to travel, right to residence. The relationship between India and Bhutan is characterized by frequent high level political exchange which act as CBMs and help in resolving any outstanding issue.²⁵

CBMs A New deal for Maldives

As regards the South Asian States, geographical factors, economic consideration have largely determined the patterns of interaction with the countries in the region. While Maldives ties with countries like Nepal, Bangladesh are recent rather in substantial, with Pakistan they have registered a mark substantial growth. With Sri Lanka and India on the other hand the linkage are overarching. Maldives and India's relations are free from controversy. There are issues on which the Maldivians has been akin to the other neighbors of the region rather than that of India. Maldives apparently, supportive on CBMs proposal which will bring peace to the region. Such a response can be perceived as a manifestation of a small state to maximize its maneuverability, in concrete with others, vis-à-vis the powers in the Indian Ocean, which have the pressure exerting capability in term of power and resources.²⁶

CBMs between India and Pakistan:

The importance and context of CBMs in conducting the inter-state relation has grown in recent years. The international environment has become more responsive to the contribution of CBMs in safeguarding peace. India's relation with her neighbors vary in accordance with the political

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²⁵ Sumit Ganguly and Ted Greenwood (ed.) Mending Famces, Confidence and security building measures in South Asia (Boulder West view 1996 p 232)

dynamic of each bilateral relationship. Consequently the nature of CBMs introduced in each instance is different there by highlighting the fact of regional specification. ²⁷

India and Pakistan have negotiated CBMs to reduce the tension and threat of war, by increase communication between military and political leaders and encouraged cross boarder cultural and economic interaction. This process has been most evident in the aftermath of war India and Pakistan have fought in the past.

CBMs, between India and Pakistan stand different from CBMs with other South Asia countries. Despite the fact that some of India's smaller neighbours have similar bilateral problems (borders dispute, ethic problem etc). But these have not affected the process of evolving CBMs, between India and its small neighbors. Pakistan has obviously been by far the most difficult country to deal with in comparison to other South Asian country...

As regards is the track record of Indo-Pakistan initiative there are much agreements has been done in the CBMs like process. If we consider this then it may be the working of joint defence council during 1946-48 happen to be the first CBM process between Pakistan. There were a number of examples of how the mutual understanding of the field commanders from both sides often help in sorting out matters and restraining violent action from both sides. This in a way, laid the very foundation of CBMs. 28

2. Liaquat- Nehru Pact

The problem of displaced persons coming to India form Pakistan and those going from India to Pakistan was directly related to the problem of minorities in the two countries. Immediately after Partition, large scale riots broke out in Pakistan. Then the Prime Minister of India Jawaharlal Nehru, invited his Pakistan counterpart Liaquat Ali. Khan to Delhi to discus the

²⁷ ibid. opp.cite no.2 p.172. ibid.

Problem of minorities. An agreement between India and Pakistan, called the Nehru-Liaquat Agreement was signed on April 8, 1950. It affairmed the right of minorities in their respective countries.²⁹

Indus water treaty 1960

Perhaps the only Indo-Pak CBMs that has been truly effective is the Indus water treaty of 19 September 1960. Inspite of wars and crises, adhere to the Indus water Treaty provisions has been the norms of their understanding. Furthermore, until the dispute over the Tulbul Navigation project/Wular Barrage and India's alleged interference with the flow of the Jhelum beginning in 1987. Difference over usage of the Indus water has been successfully arbitrated by the permanent commission established by the treaty. It was mediation of World Bank which make both India and Pakistan gainer in Indus water settlement, since each country received more irrigation water as a result of the agreement.

Tashkert Agreement (1966)

After 1965 war, The Tashkent Declaration was indeed a historic document. For the first time it was hoped that India and Pakistan turn away from the part of conflict and strive to live in peace. From January 3 to 10, 1966. The Tashkent summit was held at the initiative of the Soviet Prime

Minister Alexi Kosygin and was attempted by prime minister Lal Bahadur Shastri of India and President Mohammed Ayub Khan of Pakistan. The nine point Tashkent Declaration,

²⁹ V.N. Kanna opp.cite no. 18 p66.

³⁰ Sumita Kumar Conflict prevention and confidence building measure in South Asia's in Jasjit Singh (ed). Challenge to Peace Prosperity and Security in South Asia. Indian Perspective. IDSA ICRIER project un published manuscript July 1988, pp. 46-48.

³¹Shaita Tabassum, "The role of CBMs in resolving non-military issues between India and Pakistan A case study of Indus water Treaty" in Moonsh Ahmer (ed) *The Challenge of Confidence Building in South Asia.* Har Anand Publications New Delhi, 2001 pp.396-392.

contained that India and Pakistan will restore to normal and peaceful relations between themselves and to promote friendly relation between their people. 32

Rann of Kuthc Agreement (1968)

The Rann of Kutch is situated on Gujarat-Sindh border. The Rann was a part of native of Kutch and with the accession of the state to India it naturally became a part of India. But Pakistan never accepted Kutch accession to India. The claim of Pakistan was that the area about 3500 square miles north of 24th parallel, was actually belong to Sindh and should have been given to Pakistan. India refused to accept this proposal. An armed clashed occurred in April 1965, when two divisions of the Pakistan Army cross the border and occupied a part of the Rann of Kutch. India had not anticipated this aggression and fighting went on.³³ As a result of the mediation by British prime minister Wilson, fighting came to an end. It was also decided to refer the dispute to a tribunal comprising three arbitrators. The award of the tribunal came in 1988. About 90% of the Ram of Kutch was allotted to India and remaining part went to Pakistan.

Shimla Accord (1972)

The significance of Shimla accord is bilateral approach to solve all the disputes that lies between. India and Pakistan. On July 2, 1972, India and Pakistan sign this agreement which promise to bring new hope in Indo-Pak relations. They had agreed each other they will solve all issues bilaterally including Kashmir issue. Another provision stipulated that both countries. would observe "non-interference in each other's internal affairs. Neither in letter nor in spirit the similar agreement has been observed.³⁴

³² V.N. Kanna opp.cite no. 18 p.83.

³³ Ibid. p.80. 34 Ibid. p.92.

Salal Dam Agreement (1978)

In 1970 India proposed to construct a dam over river chenav upstream of Raisi in the Jammu & Kashmir. Pakistan opposed the construction of dam. On the waters of river channels, Because it was allotted to Pakistan under the Indus-Basin water treaty. That's why Pakistan objected on the design and storage capacity of dam. To solve this dispute, both countries engaged themselves through a series of bilateral discussion. There were two rounds of talk held between India and Pakistan on the Salal dam issue. So the last building block approach help to bring CBMs in this case. Both reach an understating without the mediation of third party. In 1968, Salal dam agreement got its final touch with Sir article, which provided the exact location, full bondage and storage level, storage capacity improvable court level of the spillway and spillway gates level of power intakes and outlet works. This agreement also further highlighted that India would not make any further change in the future design of the plan. 35

Joint Commission 1983

In March 1983, the two countries agreed to set up a joint commission to increase cooperation in the field of trade, industry education, health culture tourism information and scientific fields. The two countries reiterated their determination to develop peaceful relation on the basis of mutual cooperation and both side taken important decision to allow the commercial exchange of newspapers and periodicals as well as posting of more new agency correspondents in each others country on a reciprocal basis. ³⁶

³⁵ V.N Kanna opp.cite no. 18 p.153.

³⁶ Uma sing "India and Pakistan Relation in Historical Perspective," "World Focus, New Delhi Oct, Nov. Dec, 2001 vol. No.2

Again an Understanding watch reach on non attack on each other's nuclear installation 1985. But the actual agreement was signed in December 1988. In January 1986, the two countri reach an agreement to increase their trades and expand air services by increasing their frequent and deploying bigger aircrafts, strengthening telephone links in Amritsar-Lahore route. Introduce direct dialing. In 1989, India and Pakistan reached an agreement on non-patrolling to content to reduce terrorism, drug trafficking and smuggling and illicit broader crossing. In 1990 India propose a package of CBMs which was discussed by foreign secretaries of these two countries. This include military and non-military measures like exchange of information and an agreement on non-violatio of air space by military air craft.³⁷

So this is the brief analysis of concepts and cases and history of existing CBMs in South Asia It broaden the horizon of CBMs and it's uses and applicability in this region are elaborated in more detail here. More particularly South Asia is a region needs special attention to bring an experience and mature CBMs. Because it has been fashionable to say CBMs in South Asia in the framework of western model evolved in European context. This is primarily because western analyst have done much of the theoretical work on CBMs. Nevertheless, South Asia has a tradition of evolved in guidelines to control inter-state rivalry; they are different from European CBMs both in their character and origin. In brief, the major future of South Asian region is as follows:

First, even though the CBMs in South Asian Context exist much before the arrival of western model, in South Asia it can be traced to the joint defense council established on 1946 and later on, many informal CBMs have been evolved over the years.

³⁷ Shaita Tabassum, "The role of CBMs in resolving non-military issues between India and Pakistan A case study of Indus water Treaty" In Moonsh Ahmer (ed) *The Challenge of Confidence Building in South Asia.* Har Anand Publications New Delhi, 2001 pp.396-392.

Second, South Asian CBMs have by nature, been more broad based and politically oriented as compared to legalistic arrangement in Europe. Third, on like the European example, the evolution of CBMs in South Asia had no linkage with the global politics of equation between super powers. This is because of competition among South Asian States is never seen as detrimental to the very survival of global power; it has gradually grown far more autonomous and self-controlled.³⁸

CBMs are no doubt path breaking efforts to bring peace in South Asian region. As mutually expressed by parties in conflicts, CBMs remain rooted in local strategic culture and traditions. They can't be imposed from outside, howsoever perfect may be their model. At the same time, since the evolution is a continuous process, the success of South Asian CBMs will have to learn the European experience of the 1970s and 1980s. It assumes importance because of the nuclearisation of the region and continuing competition between India, China and Pakistan for nuclear supremacy.

³⁸ Swaran Singh, "Controlling Inter-state competition through CBMs, *In (P.Sahadevan (ed.) Conflict and peace making in South Asia, Lancer's books, New Delhi, 2001*, pp 169-172

Chapter-II

TYPES OF CBMS FOUND IN SOUTH ASIA WITH SPECIAL FOCUS ON INDO-PAK CONTEXT:

In 1990, it was marked that the competition in the European political theatre had slowed down and finally the collapse of the former Soviet Union has confirmed that the United States as the world's only super power. Nevertheless, the competition is more or less visible in different regions of the globe. Among those regions, South Asia is a region projected as a dangerous flash point, where conflict is going on between two most portent adversaries namely India and Pakistan. So it was in 1991 people all over the world embarrassed and inclined towards "more democracy". There is also demand in South Asian regions irrespective of the geographical size, interested to celebrate the democratic ethos and principle, there by prevailing a greater interaction among nation states. They have a vision of peaceful coexistences and progress.

In the year 1991, India and Pakistan took a new mood to settle all dispute bilaterally by the means of CBMs. "CBMs which stood as a major instrument in bringing peace to this region is more or less given a new opportunity to the leader of both nations to sit across the table and solve the various issues through mutual understanding. Even though this process is not new but a new look has been provided to this old idea where the conservative frame of mind has been given a back seat. CBMs can take the form of a general understanding between nations and may emerge in the form of a formal agreement. So there are different types of measure taken to strengthen the bilateral ties."

¹ Swaran Singh, "Controlling Inter-State Competition through CBM" in P. Sahadevan (ed) Conflict and Peace Making in South Asia, Lancer's books, New Delhi', 2001. p-166.

Types of CBMs:-

"Confidence building is not really a new phenomenon in South Asia in general and between India and Pakistan in particular. Since independence India and Pakistan have signed many agreements with an aim to generate confidence between them. Among these agreements perhaps and the most notable are; Liaquat-Nehru pact (1951), Indus water treaty (1960), Tashkeat Agreement (1966), Rann of Kutch Agreement (1968), Shimla Accord (1972), Salai Dam Agreement (1978), and the establishment of joint Commission (1983).

The main conflict between India and Pakistan revolves around the Kashmir dispute. Despite the advent of so many CBMs, the normalization still seems some what of an illusive pursuit. Since the end of the 1971 Indo-Pak war, many CBMs have been adopted with a pronounced emphasis upon military CBMs. But other CBMs also use to defuse tension² CBMs may be divided into various types and under each one could consider broadly the role that would be most appropriate. The measures that seem to be mostly used are as follows.

(A)/Transparency Measures

According to Depanker Banerjee, "All steps that help to make the other side less fearful of sudden rise to military capabilities; such as, defense spending, equipment holding, technological research, future military acquisition and defense policies. Governments in both countries (India and Pakistan) in South Asia are very reluctant to provide information on security issues. Yet, much can be fathomed from official pronouncements, interviews, parliamentary proceedings and investigative newspaper

² Pervaiz Iqbal Cheema, "CBMs and South Asia", in Diparkar Banerjee (ed) Confidence Building Measure in South Asia, RCSS, Colombo, 1999. p. 32.

reporting, penetrating analysis by competent experts could make of possible to get information within existing constraints and contribute to transparency."³

Some of the transparency measures between Indo-Pak are:-

- 1. Publication of annual defense report.
- 2. Public negotiations for arms procurement by both India and Pakistan.

B. Communication Measures:

Ability to communicate across borders at different levels continues to lagging behind in the region. Efforts could include field commanders actually confronting each other who may be able to speak directly with each other and clarify issues. It might also include highest political leaders, who may directly be a ble to diffuse situations. The issue is that such measures have to be reliable, capable of being used and actually utilized on a regular basis in order that they develop into a regular practice. These measures are essentially of two types. One, by government and security forces, providing communication between various official. And the another civil society contact and communication between businessmen, artist and other. The latter have enormous potential, which have not yet been tapped in the region.⁴

Measures taken by India and Pakistan in this sphere after 1991 was as follow:-

³ Dipankar Banerjee, "Confidence Building Measures in South Asia: Role of Research institutions" Moonis Ahmar (ed). *The challenge of Confidence Building in South Asia*, Har Anand Publication New Delhi, 2001, pp-87-88.

⁴ Michael Krepon, Khursid Khoja and Michael New Bill, "Confidence –Building Measures in South Asia: New Dangers, Missed opportunities and Future imperatives "in Michael Krepon, Michael New Bill Khurshid Khoja, Jenny S. Dnerzin (ed.) "Global Confidence Building, New Tools for Troubled Regions, "St. Martins Press, New York 1999. p-172.

The director general of military operation of both the countries establishing direct communication link or hotline following the 1971 war. The Director General of Military Operation (DGMO) hotline has been used intermittently and often ineffectively. But it was not effectively used in 1990 regarding crisis in Kashmir. It was only in August 1992, India and Pakistan agreed that the Director General of Military Operation (DGMO) would converse weekly over the hotline. The DGMO hotline continues to be used once a week at on assigned day and time but the information conveyed appears to be of functionary in nature.⁵

- 1. Direct communication links are also in place between sector commands:-
- 2.Establishment of a hotline between the Pakistan Air force and the Indian Airforce (1993)
- 3. Communication between the Naval Vessels and air craft of the two Navies at each others vicinity (May 1993).
- 4. Establishment of a hotline between the two prime ministers after Male Summit (1997).
- 5. People to people contact; track II diplomacy, NGOs and dialogues between various non governmental groups like Neemrana initiative or India Pakistan forum started in 1991.

C. Declaratory Measures :-

Enunciating policies clearly and repeatedly, either through written understanding or through unilateral measures, help to clarify mutual positions, removing uncertainties and

Ibid, opp.site no. 3 p. 88.

the very fact of their articulation tend to create confidence.⁶ The value declarations have to be made by credible people and designed without prejudice or restraint. Officials and leading political personalities and those holding high office must act in a rational manner". Statements must accept from notable persons of high integrity in society who have high credibility can also be very effective.⁷

- 1. "The Tashkent Declaration of 1966, facilitated by the Former Soviet Union, formally concluded the 1965 war. It stipulated that relation between India and Pakistan shall be based on the principle of interference in the interact affairs of the other". But its Implementation in has been limited.⁸
- 2. The Simla accord 1972 which came aftermath of the 1971 war, obliged both countries to renounce the use of force as a means of settling long standing disputes.
- 3. An agreement on the non attack of nuclear facilities was signed by Indian prime minister Rajiv Gandhi and his Pakistani counterpart Benazir Bhutto in 1988. It was ratified in 1991, and implemented in January 1992. The agreement requires an annual exchange of lists detailing the location of all nuclear related facilities in each country. The measure further pledges both sides not to attack the listed facilities. When lists were exchanged in 1992, each side reportedly left off one enrichment facility.

⁶ Ibid, opp.cite no.2, p.33.

⁷ Ibid opp cite no. 3, p. 88.

⁸ Sony Peva Bhaktuni, Matthew C.J. Rudoloph, and Michael New bill, "Key development in GBM, between India and Pakistan," opp. cite non-4 p. 194.

⁹ Ross Masood Husain, "Promotion of Greater Inter-governmental Inter-institutional and Inter people Understanding in South Asia "Freidrich Ebert Stifting, Islamabad. P. 47.

4. A joint Declaration on the prohibition of chemical weapon was concluded in August 1992.

D. Notification Measures:-

"This major are use as an early warning of intentions and conduct of military activity, such as, missile tests, troop deployments, military exercises and other activities in close proximity to the other that may be perceived as threatening by the other, helps to reduce tension and prevent in necessary escalatory responses.¹⁰ Substantive preparatory work on these measures will usually be required and think tanks have much to contribute towards this".¹¹

- 1. An agreement on prior notification of military Exercises was completed on April 1991. Notification is required for exercises involving 10,000 or more troops in specified location. Exercise, at the crops level must be held 45 kilometers away from the border. At the division level, exercises must be held 25 kilometers away from the border. No military activity is permitted with in 5 kilometers of the border.
- 2. The Lahore declaration committed India and Pakistan to prior notification of ballistic missile fight test. This agreement was honored when India and Pakistan carried out missile flight tests in April 1999.

E. Doctrinal Measures.

It consist of jointly evolving doctrine and military deployment ideas through an exchange of views and dialogues." Evolving doctrines can as well as done outside official

¹⁰ Ibid. opp.cite no. 8, p.-192.

¹¹ Ibid. opp cite. No. 3. p 88

circles that accepted official position, in particular will have to be high quality researcher and policies should be formulated outside the establishment. Particularly those who are engaging high quality research and policy making should have to formulate these measures. Again think tanks working together can do a lot in this direction and play a major role.¹²

F. Consultation Measures:-

For example, routine border in meeting in which activities could be exchanged such as patrolling programme and other. Or Biannual border meetings between countries to exchange information, are important activities. Such consultations between think tanks, which are often quasi official, can also be very helpful.¹³

Consultation and agreements on Nuclear risk reduction measures between India and Pakistan will be an important and immediate issue that may have to be addressed in the present situation. This is an entirely new area in South Asia and there is not a great deal of expertise found among the military. Specialist think tanks and outside support will be a vital ingredient on this process.

G. Good will Measurement:

Various military goodwill measures are sometime visit of different guests and expert, and dignitary from each other country can boost the good measures. Example of such type of measures are:

1. Participation of military and civilians officials in various seminar in both the countries. (1993)

2. Invitation of Guest speakers at each others national defence colleges.

¹² Ibid. opp cite. No.3 p. 89.

¹³ Ibid. opp cite. No.4 p. 193.

- 3. Participations and visits of various sports teams & cultural exchange programmes.
- 4. Code of conduct for treatment of diplomatic personals. (1992)

H. Border Security measures.

1. The Karachi Agreement of 1999 established on 800 mile Cease Fire Line (CFL), obligated troops to keep a distance of 500 yards from the line, and sought to freeze force levels around the CFL. After the 1965 and 1971 wars, the CFL were reestablished, albeit with some changes. The goal of freezing force levels at the line was all illusionary. 14

- 2. The 1960 indo-pakistan agreement on border dispute.
- 3. The Rann of kutch on the Gujrat- sindh border was the scene of early hostilities before the 1965 war. India and Pakistan had long disagreed over the demarcation of their border in the area. After the war, however, both sides agreed to refer the case to binding international verification in order to limit tensions and remove an irritant to relations. The result was the Rann of kutch tribunal Award. Unfortunately, there was no ruling on the demaration of Sir Creeck, a disputed area that remains a source of friction.

4.An agreement of the violation of air space signed on April 1991, and ratified on August 1992, stipulated that combat air craft are not to fly within 10 kilometers of each other's air space. Unarmed transport and logistics aircraft are permitted up to 1,000 meters from the border, flights within this range from supply on rescue missions are permitted if advance notice is given. There have been claims that the air space agreement

¹⁴ Ibid. opp cite. No.2 p. 34.

has been violated on a number of occasion, but both sides appears to be interested in maintaining the accord.¹⁵

I. Water Disputes Treaties:-

The 1962, Indus water treaty broker by the World Bank, helped to resolve an major resources distribution problem between India and Pakistan, under the terms of the agreement, the two countries agreed to cooperate in the management and sharing of rivers in the Indus basin, including regular data exchanges, routine constitution and arbitrations of any disagreement and assurances not to interfere with, one in any way change the agreed distribution of water resources. The World Bank agreed to help administer and guarantee the installation of the water management infrastructure needed to make effective use of the rivers. Despite some minor disagreements, the river sharing arrangement has worked well and has survived inspite of several work and period of high tension.

J. Military Socialisation:-

Military socialization can be considered as one type of confidence building measures. "Yet, military socialization between the two major military establishment of India and Pakistan in the region is virtually non existent. For a considerable degree of political trust among states has to prevail before military socialization can be initiated. Perhaps a beginning could be made by linking such interaction to a specific point security concern (sec. Cross border smuggling or international terrorism) which could involve

¹⁵ Ibid. opp cite. No.2 p. 34.

¹⁶ Ibid. opp cite. No.4 p.-193

joint planning follow up operation with lasting results are those which arise from joint experiences in situations such as the exchange of official from military academic and staff collages"¹⁷

The major draw back of the concept CBMs is that it is a subjective notion and it has no accurate definition to define to the problem between India and Pakistan in particular and south Asia in general is that, it focusing a divergent security threats not only from historical point of view but also geo political and cultural front.

The terms CBMs became popular in Indo-Pak content in the spring of 1990, when the two countries were in the verge of going to war on the Kashmir issue. "The timely intervention of the United States through Robert Gates, the deputy National Security Adviser averted the escalation of the crisis between New Delhi and Islamabad. Following the Gate mission in 1990, India and Pakistan agreed to adapt a number of CBMs in order to seek better communication at the military level". On April 6, 1991 India and Pakistan signed two agreement, when they were considered as land marking CBMs in establishing trust and confidence in their relation. ¹⁸ This was the first agreement on giving advance notice of troop monitoring and military exercises. Its aim was to prevent misunderstanding between the two countries because of military exercises and to establish better communication links between their military commendation. The second was the accord on preventing air space violation

¹⁷ Ibid. opp cite. No.9 p.37.

¹⁸ Moonis Ahmar Act-"South Asia- A Search for Solutions, Confidence Building Measure Between in India and Pakistan" World Affair vol. 4, oct. dec. 2000, p. 34-38

by their air crafts. Apart from this agreement between India Pakistan also reached in the following sphere, military and non-military CBMs. 19

A. Military CBMs

Here the confidence building measures taken by Pakistan and India can give a detail analysis in military level form 1991 to 2001.

1. Advance notice of troop movements first agreement on military Exercises. (1991) A series of CBMs negotiated at military level in 1991, by foreign secretaries of both these countries Muchkund Dubey (Indian foreign's secretary) and Shaharyar Khan (Pakistan Foreign's secretary) negotiated a series of CBMs. The most prominent of which was the "Agreement on advance notice of military Exercises, measures and troop movements" 20

Main future of this agreement

- 1. Land naval and air forces of the two countries will avoid holding major military maneuvers and exercises in close proximity to each other. However, if such exercises are held within distances as prescribed in the agreement, the strategic direction of the main force being exercised will build up and carried out close to it.
- 2. Major military manover were detained as exercises of land forces that included concentration of troops near the international border line on exercises of division level near the line of control (LOC).

²⁰ Amitach Motta, "Militaty and Nuclear CBM in south Asia: problem and prospect", opp cite. No. 3, pp. 205-206

3. Both sides are expected to give fifteen days notice when formations with defensive roles are moved to their operational locations for periodic maintenance of defenses

4. The scheduled of major exercises with troops has to be transmitted in writing to the other side through diplomatic channels, fifteen days in advance, for air exercises; thirty days in advance for army exercise, depending on the nature of the exercise.

5. Information that needs to be communicated to the other side include type and level of exercise, general area of the exercise; planned duration of the activity; and any shifting of forces from command formation as envisaged.²¹

There has been no violation of this agreement:-

B. Air Space Violations (1991).

In 1991, Dubey (Foreign Secretary of India) and Khan (Pakistan Foreign Secretary) also signed the "Agreement on prevention of Air violations and for permitting over flights, and landing by military Aircraft. The agreement seemed to have been rooted in the realization that the Indian air forces and Pakistan air force operated routinely near each other's air space and that violations of each others space has occurred periodically. The salient features of the agreement are as follows."²²

1.Both sides agreed to take measures to ensure that violation of each others air space will not take place. However, if an inadvertent violation did take place, the incident would be promptly investigated without delay, through diplomatic channels.

²¹ Ibid, opp cite no. 18, p. 207.

²² Ibid, opp cite no. 18, p. 207.

2.Combat aircraft would not fly with in 10K.M. of each other's air space. No aircraft of any side would enter the air space over the territorial waters of the other country, except by prior permission. Unarmed transport and logistics aircraft would be permitted up to 1000 meters from each others space.

3. In the event of a countries having to under take flights less than 1000 meters from the others on space, for the purposes such as aerial survey, dropping of mercy missions and aircraft rescue mission, the country concerned is obliged to give the following information to their own air adviser for notification to the air Head Quarters (HQ) of the other country: the type of aircraft, helicopter; height of flight with in plus/minus 1000 it; block number of days when flights are proposed to be undertaken; proposed timing of flight; and area involved.²³

4.Combat aircraft operating from the following bases are expected to maintain a distance of 5 K.M. from each other's air space; Indian side – Jammu. Pathankot, Amritsar and Suratgarh; Pakistan side – Pasrun, Lahore, Velari and Rahim Yar Khan.

5. A detailed appendix to the agreement provided the conditions for front of flight clearance for military aircraft of both countries.

There have been changes by both countries that the agreement has been violated, although the number of these violation have apparently decreased since the agreement was signed. Recently, there were a number of reported violations during the Kargil war, the most well known involved a controversy over violations by a Pakistan atlantique air craft soon after the war.²³

²³ Ibid

²³ Ibid

C. Agreement on banning chemical weapons. (1992) both contries agreed not to develop produce acquire on use of Chemical Weapon.

In the joint declaration on prohibition of chemical weapon was signed in 1992. Both country agreed not to develop chemical weapon. Despite this agreement, when the government of India joined the chemical weapon convention in June 1997 declared its prior research and development programme for chemical weapon. Pakistan declare did not any chemical stocks productions or storage facility when it joined the Chemical weapon Convention in October 1997. Pakistan's declarations have been met with skepticism.²⁴

D. Establishment of a hotline between the Pakistan air force and Indian air force (1993).

E. Communication between the navel vessels and Air craft of the two navies when they are in each others vicinity (May 1993)

From January 1994 to March 1997, foreign secretary level talks between India and Pakistan were suspended and some of the CBMs that had been negotiated in the early part of the decade fell into disuse. In 1997, new government in both countries hold out the promise of more successful dialogue between the two nations and negotiation were revived during foreign secretary level talks in later on.

F. Hotine connection between two prime ministers in 1997

The Prime Minister of both India and Pakistan decided they will exchange their actions through a hotline connection. This was signed in 1997 in Male summit.

²⁴ Ibid, opp.cite no.4 p.174.

G. Lahore declaration of February 1999

Both prime minister Mr. Vajpayee of India and Mr. Sharif of Pakistan, signed this declaration. A MOU (Memorandum of Understanding) also signed by foreign secretaries K. Ragunath and Shamshed Ahmad, which includes a whole range of CBMs. Declaratory measures, transparency measures, communication measure and notification and consultation measures.²⁵

The provision relevants to the nuclear issue, for instance, include the following commitment to:-

- 1 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 on the nuclear and conventional fields aimed at prevention of conflict.
- 2.Bilateral consultation 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.
- 3.Provide each other with advance notification in respect of ballistic missile tests and conclude a bilateral agreement in this regard.

undertake to notify each other immediately in the event of any accidental or unauthorized or unexplained incident that could create the risk of a fall out with adverse consequences for both sides on outbreak of a nuclear war between the two countries, as well as to adopt

²⁵ Ibid, opp cite no. 18, p. 209.

measures aimed at diminishing the possibilities of such actions on such incidents being misinterpreted by the other. The two sides shall identify the appropriate communication mechanism for this propose.

5. Introduce national measures to reducing the risks of accidental or unauthorized use of nuclear weapons under their respective control.

6.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 extraordinarily events have jeopardized its supreme interested.

7.Undertake a review of the existing communication links between the Director General of Military Operation (DGMO) with a view to upgrading and improving these links and to provide for batter and future communications.

8.Engage in bilateral consultation on security, disarmament and non-proliferation issues with in context of negotiation on these issues in multilateral force.

Although a bilateral agreement has not been signed to ensure that the two sides provide each other with advance notification in respect of ballistic missiles fight tests. India as a gesture of goodwill notified Pakistan about a missile test on April 1999. Pakistan reciprocated by notifying India of its test later that month.²⁶

Non-Military CBMs

A.Code of Conduct for diplomats; 1992.

49

²⁶ Ibid. opp cite no. 18, p. 209.

The two country also agree to make a code for conducting their diplomats behavior by sign an agreement.²⁷

B.Lahore Declaration--1999

India and Pakistan have adopted CBM type agreement from very early day, since they were born as two independent-rivals in 1947. It must be noted that while competing with each other for territory and strategic dominance, they have made periodic efforts to remove suspicion. But, later their "regional security became threatened severely by the involvement of extra-regional powers who tried to involve both continues in cold war. CBMs have assumed more importance today than ever before most particularly in non-military lavel CBM in Military field can be classified into the following categories: dispute settlement measures, relations-regulatory measures, cooperative measures, communicating measures and civilian protection measures. The settlement of some of the bilateral dispute between India and Pakistan has been seen as a greater measure of confidence.

In1996, the Gujral government's offers of a composite dialogue on all bilateral issues, including Jammu & Kashmir was another forward step towards building confidence. Unfortunately, the entire process could not sustain. The spirit was damaged until September 1998. Then in 1998 Vajpayeee and Nawar Sahrif reached an agreement, which underlined the need for creating an environment of peace of

²⁷ P. Sahadevan, "Changing relevance of non military CBMs" opp cite no. 3, pp. 315.

²⁸ ibid.

security and resolution of all outstanding issues including Jammu and Kashmir. Then paved the way for the resumption of bilateral dialogue in November 1998.²⁹

Unfortunately, despite this impressive array of nonmilitary CBMs, full implementation has fared badly due to on going political tensions. Thus, while there are regular telephone circuits and communication links between the major cities of India and Pakistan, direct dialing, virtually non-existent. Telephone connections have still to be made through operators, resulting in substantial delays and frustration. Travel between the two countries is even most difficult. For example, there is no direct airline connection between the two capital cities. Although the agreement on avoiding double taxation for airlines is working, air travel has suffered because of hidden restrictions impose on each government. Both the governments issue some visas for ordinary citizens to obtain tourist visas to visit the other country. Furthermore, the cultural agreement has also become a victim of a political tug of war between the two central government.

Thus despite all the proclamations on the part of the responsible governments to build confidence and despite all the agreement's failure. Both sides have continued to undermine the implementation as well as the proper functioning of existing agreements. The first task for confidence building between India and Pakistan, therefore is properly to implement existing accords. Permanent joint commissions can be

²⁹ P. Sahadevan, "Changing Relevance of Non Military CBMs" opp cite no. 3, pp. 315.

³⁰ Ibid. p. 323.

established to implement each one of these accords to protect CBMs from the vagaries of domestic politics.³¹

Economic CBMs

Confidence building measures (CBMs) have exceedingly depended on military and political textual agreements. These CBMs either have not sustained or have remained totally emasculated. The fate of many of these CBMs were dependent and determine many a times by highly unstable political regime of these two countries. In such sense, the only business of CBMs is between military generals leaders and bureaucrats. The entire civil society remain a silence spectator who have no voice in this regards.

So this is the time to explore the vital question of designing CBMs in a view form. And the best suitable initiative are promoting people contact and economic exchange and interaction.

Both these countries are largely energy imported and have faced a serious power short fall. Because of the excess industrial and residential demand over power generating capacity. More importantly in the coposition of end use sectors, the share of industry is hardly over 37.6 percent in India in 1996-97 as against 58.4% in 1950-51. This was accompanied by a steady increase in agriculture sector 17.6 to 29.6% during the same period. In Pakistan also, it has steadily gone down from 34.9%. in

³¹ P. Elhance and Moonis Ahmer, "Non-Military CBM" in Michael Krepon & Amit sewak (ed) Crisis Prevention, Confidence Building and Reconciliation on South Asia, New York, St. Martons Press, 1995, p. 144.

1991-92 to 25.91% in 1998-99 with a pari passu in domestic sector form 33.11 to 43.6%.³²

This short fall will further deepen both countries due to the on going economic liberalization led industrial strategy switching over the rural and urban families from bio-fuels to more efficient and convinced fuels.

Pakistan economic states:

Sizable gas shortfall is likely to be is expected in both countries unless some exploration and drilling operation will undertaken this short fall of approximately 7 billion cubic feet (per day in case of Pakistan and 9 BCF per day for India by 2010. That is why the option of importing natural gas from neighboring countries are being seriously preserved.

India and Pakistan have been envisaging both on shore Iran-Pakistan and off shore (Iran –India and Uman--- India) Pipe lines, However, nothing concrete has emerged because of

- i. Huge financial implications.
- ii. Geo-political consideration.
- iii. Unsure conformation of natural gas measures.
- iv. Pricing of supplied of natural gas.
- v. Third country approval of transits.
- vi. Environmental fall out.

³² Mahendra P. Lama, "India and Pakistan Economic states", <u>World Focus</u> Oct. Nov.- Dec.2001. vol. 22. New Delhi.

There have been negotiations on between India and Pakistan on the possibilities of power trading and gas pipeline passing through Pakistan. It is rationally believed that trade in prone and gas will bring mutual benefit in terms of both economic and political gains.³³

The idea of common goals on an integrated market triggered by liberalization and globalization process bring the business man of two countries to the every center stage. So in such case, the India business and industrial federations like FICCI, CCI and PHDCCI have started strictly ties with their Pakistan counter parts in a much more professional manner under the aegis of SAARC chamber of commerce and industry. India's InfoTech professional are much in demand in Pakistan in these day.

India and Pakistan will have to develop better relations through open-normal trade between the two countries, while both countries continue to make claims for recognition of nuclear powers they are 132 and 134 the respectively the 174 countries, Human development indicator list. Both are poor and morale to provide basic amenities to a vast proportion of their populations. 34

Trade and economic cooperation, which has yielded enormous potential for building confidence between adversaries, has not been pursued seriously in the case of India and Pakistan. On several occasions, some of the decisions to improve trade relations were not properly implemented. whatever the level of trade relations they have developed has had very little cooperative spirit of the beginning, both countries has

³³ Ibid.

³⁴ Mussarat Qudeen, "CBM and Conflict Resolution as Approach to South Asia Security: How Relevant and Programatics" In Moonis Ahmer (ed) *Internal and External Dynamics of South Asian Security*, Fazlessons Pvt Ltd, Karachi, 1998, p. 82.

difference, Pakistan was interested only in short term agreement. Infact, there should be a web of more and more CBMs.

Cultural CBMs

Regional conflicts have held a steady place in the history of the world. The political division of sub-continent out across ethnic, linguistic, cultural and religious linkages. This shared cultural heritage could be used to promote grater industry between Pakistan and India.

New information technologies held great potential for building a cross cultural dialogue. South Asia presents an especially favourable situation for confidence building measure. The south Asian subcontinent is comprised of people with a common cultural heritage. However, there is also a wide variety of overlapping of ethnic, religious and linguistic groups. Satellite technologies will plays an important role in providing a means of communicates information and idea sharing to foreign understudy between diverse ethnic and religious groups of people. Prints and electronic media can be used for transmitting friendly feature and facilitation message across the border on occasion like independence day, Divali, Eid days and so on.

The following suggested CBMs could further improve the atmosphere enabling the two governments to address the contentious issues with patience and perseverance. 36

³⁶ Abdul Rahman Siddqui, "CBM and the South Asian Mystique: a Fantasy," opp.cite no. 3, p. 38.

Military Level CBMs

1. More transparency on Defence budge	1.	More transparency	on Defence	budgets.
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- 2. Publication of annual calendars of Exercises.
- Increasing the number of observers including International
 Observers for military Exercises.
- 4. Allowing participation from across the border in Defence colleges.
- 5. Exchange of military Institutions at various levels.
- 6. Registration of weapons of Sales agreements with SAARC.
- 7. To promote Joint Security Studies.
- 8. No war proposal on some acceptable form.³⁷
- An agreement in principle for reduction of forces without going into details initially.
- 10. Proposal for collaborative arrangement for nuclear waste disposal.
- 11. Pproposal to freeze defence budgets for at least two years initially.
- 12. Withdrawal of troops from border areas and creating a ten miles troop free security zone.

³⁷ Ibid.

Non Military Level

A. Economic CBM:

- 1 Encourage chambers of trade and commerce contract with each other
- 2. Promoting SAPTA & SAFTA
- 3. Joint commission on agriculture.
- 4. Promoting increased trade and mutually agreed increase in the trading items.
- 5. collaborative schemes tacking two countries energy problem.
- B. Cultural and Social CBMs.
- 1. Joint Archaeological Excavations and monument preservation.
- 2. Visa relations country visa should be introduced instead of

Continuing with city visa-drop police reporting.

- 3. Visits of Tourist to Historical and religious places needs to be encouraged and facilitated.
- 4. A cultural Agreement-needs to be finalized.
- 5.Flow of books, journals and newspapers need to be encouraged start with allowing selected papers and journals.
- 6. Contact-between Medical and Scientific Institutes.

- 7.UGC of the two countries must plan joint project exchange of student and teachers initially for a short period to be extended later.
- 8. People to people consults must be encouraged.
- 9.Joint Research projects regarding minimizing the adverse effects of religious fundamentalism.
- 10. Exercising SAARC revamping it by improving to charter establishing SAARC chairs.
- 11. Establising contact between professional association.
- C. Political CBM
- 1. Inviting election observers from across the border.
- 2. Encouraging contact between parties and parliamentarian.
- 3. Holding speaker conferences.
- 4. Check adverse propaganda.
- 5. Adherence to non interference on each other internal affair.
- 6.Creating institutional linkages like judiciary etc. The need of hours is to explore different type of CBMs as long as it has not bring any fruit full result. At the same time, people of both these countries must learn the art of accommodations and so also the leaders. They must not misguided the whole masses without proper reason. So that CBMs will find proper constituency in the both the countries. Once CBMs will gain confidence

at grassroots level, then government of both countries must bound to take necessary step implement CBMs in a more meaningful way and it will certainly make CBMs a successful one.

Chapter-III

RELEVANCE OF CBMs IN SOUTH ASIA WITH SPECIAL FOCUS ON (INDO-PAK) RELATION

CBMs are usually adopted in trouble region to bring peace and stability. Then question, has automatically comes to mind regarding how do and to what extent CBMs contribute to amilorete military tension between states, in South Asia in general and Indo-Pak in particular.

Factors, that are responsible for conflict in South Asia are here mentioned below. Many smaller states in the South Asia region are not at par with Indian standard in many counts viz its size, power potential, international reputation and of course its historical importance. And it may be maintained that most of these states in this region are caught in the consequence of sectarian and destructive forces. Here, the tasks of creating confidence in conflict ridden area is very difficult. This tasks can be approached in two pronged manner. Firstly, by harnessing and cultivating positive impulse, that contribute to trust and confidence, inherent in regional situation, and Secondly, by keeping the negative and descriptive influences at bay to facilitate the first aspect of approach towards confidence building which is presently being attempted at SAARC.

The question of importance of CBM in South Asia arises because the nature of regional conflict threatening peace is essentially military. Mainly three states are involved in conflict as focal parties and create two pairs of conflict between India and Pakistan and India and China. It means that one country (India) is a common

¹ P.Sachadevan, "Changing Relevance of Non Military CBMs in South Asia" In Moonis Ahmar (ed) *The Challenge of CBMs in South Asia*, Har -Anand publication, New Delhi, 2001, p. 305.

adversary to two states (China & Pakistan), there by creating a triangular relationship based on enmity and friendship.²

This makes a definite impact on both conflict process as well as peace process. Each pair of relationship is important to the other in a manner to determine the prospect for continuing the conflict and restoring peace. A strategic competition involving India, China and Pakistan demonstrates this linkage more explicitly than any other contentious bilateral or regional issues.

Indo-Pak Conflict

Since the birth of India and Pakistan there has been continuing conflicts between these two countries. The genesis of all conflicts between these two countries can be divided into two types. First, incomplete delineation of the boundary between the two nations and second, a philosophical division on the necessity and workability of the two nation, theory inherited by religious differences.³

So, the first problem can obviously be amenable to a technical solution, while the second one can only resolve itself culturally, socially and perhaps economically. Since the latter is more serious and is unlikely to go away in a short time. It would be a good idea for the both the countries to look at CBMs and smaller conflict reservations to water down the intensity of over all conflict.⁴

This option has never been looked at seriously by either country except in 1991 and 1992 after which Pakistan has taken the position that no discussions are possible on the smaller issues unless talks begin on Kashmir. Opinion for a political solution

² ibid. op.cit no.1 p. 306.
³ Ibid.

are very limited for Pakistan leaders owing to previous politicians having used these issues as a test of patriotism, a situation in which Indian leaders also find themselves.⁵

India's military conflict with Pakistan is the central theme of any discussion on war and peace in South Asia and it also noted that antagonism between India and Pakistan is not rooted on much deeper history rather it is a mistake of our post colonial legacy and political strategy, of ruling elite, vis-à-vis, nation building have created a structure of competing relations.

This adversarial relation is just 55 year old. And their tension some time reflected as a full scale war in the early period in 1965, 1971 and also a limited war recently fought at Kargil sector.⁶

But in 1998, India and Pakistan entered a new domain of nuclear dangers and regional insecurity resulting from their decision to test nuclear weapons. The nuclear test were proceeded by Pakistan testing of the nucler capable Ghauri missile. India's government official left with no doubt that renewed flight testing of Indians medium range missile the "Agni" on improved versions would be undertaken. Nuclear testing and the flight testing of missile, design to carry weapon of mass destruction, have heightened previously existing nuclear dangers in South Asia, raised the stakes of confrontation and mandated the proper implementation of existing CBMs. The negotiation of newnuclear risk reduction measures (NRRM) specifically designed to ameliorate tensions associated with nuclear capabilities are also warranted. Hopeful steps were taken in this direction at the meeting between the Prime Minister of Pakistan Mr. Nawaz Sharif and his Indian counter part Vajpayee in Lahore in February, 1999 while later had visited to

⁵ Ibid.

⁶ Swaran Singh, "Controlling Inter state Competition through CBMs" In P.Sahadevan (ed), Conflict and Peace Making in South Asia., Lancer Book, New Delhi, 2001, p. 177.

Lahore but subsequently, it was over when Pakistani attempts to seize and hold territory across the Kashmir, which is called mini war in Kargil sector. It finished all hope and optimism.

It remains to be seen whether the government of India and Pakistan can meet the challenges of reducing the nuclear danger they created.⁷

So in such a situation CBMs assumed that dual role. In the absence of political reconciliation in this tense region, the negotiation and implementation of CBMs have been the major instrument in maintaining the peace and preventing the use of weapon of mass destruction. CBMs are easy to negotiate and implement than formal arms agreements. It is high time for India and Pakistan to realise the feasibility of CBMs as an approach for resolving conflicts. If CBMs have improved the relations between these states than it could serve the same purpose in south Asia as well. The need is to evolve internalised or indigenous CBMs for South Asia particular to Indo-Pak contest, addressing over their problems and removing mistruct inherent to the region.

Changing Focus of CBMs From Military to Humanitarian Front

A major consequences of the region's high military expenditure tremendously placed on limited resources available for social and human development programme. According to the report of *Human Development Report* 1998, about 260 million people lack access to even rudimentary health facility. And 337 million people lack safe drinking

⁷ op.cit no. 6, p.178.

⁸ Michel Krepon, Khursid Khoja and Michael Newbill, "Confidence Building Measures in South Asia: New Dangers, Missed Opportunities and Future Imperatives" in Michael krepon, Michael Newbill, Khurshid Khoja, Jenny S. Drezin (ed) *Global confidence building, New tooks for troubled regions*, "St. Martins Press, New York, 1999". P. 169.

⁹ Ibid.

water. 830 million people have no access to basic sanitary facility. Lastly 400 'million people go hungry every day.¹⁰

In such emerging circumstances of international arena the concepts of security needs to be redefined. Security, is not just security of national it is also security of all individuals in their homes and Jobs. Arms and weapons cannot provide a sure security base in today's world. A reliable security base is development on the socioeconomic and political fields should be reflected in the life of our people. Thomas P. Thorunton says that, "Joint South Asia is a sub-system of international system, it's vastness and diversity make the regional security issues pervasive and all comprehensive, the security of one each related to that of others. ¹¹

India and Pakistan need to remember the fact that today human security has become the most important element in national security and it can not be guaranted with weapons accumulation when people starves. Security does not mean General move in air conditioned, car and children are taught in windowless class rooms. When both countries have six time more soldiers then doctors, security is bound to have a negative impression. There statistics call our attention to the grand reality then elsewhere. The release of tension will pave the way for a better understanding between the two adversaries and could provide them an opportunity to allocate their resources for the upliftment of masses. 12

¹⁰ Richard Ponzio, "The Elusive Peace Divident in South Asia" in Herbert Wulf (ed) *Practical Disarmament, Breif 16 BICC Bonn International Centre for conversion*, Bonn August 2000 p.34.

¹¹ Mussarat Qudeem, "CBMs and Conflict Resolution as Approach to The South Asian Security: How Relevant and Progratics": In Moonis Ahmer (ed) *Internal and External Dynamic of South Asian Security*, Fazlessons Pvt.Ltd., Karachi, 1998, p. 71-72.

¹² Ibid.

As Mag sudual Hasan Nur Points at "where distrust high and implacable hatred are deep-rooted formal arm control measures will invariably be preceded by softening up through the application of CBMs. 13

A Polish expert, Adam Rotedeled has pointed out that while military oriented CBMs have a role to play in alleviating tensions and promoting confidence they are inherently unable, by themselves to address the underlying causes of suspicion and mistrust.14

So military CBMs cannot perform a useful and stabilising function alone in South Asia. A series of broader diplomatic arms control, disarmament measures, socioand cultural mesures must be adopted, restricting political, economic CBMs to military sphere is likely to yield only limited dividends because confidence building measures between Pakistan and India should not be confined to military and security fields.

As said by Niaz A. Naik, "the confidence building measures between Pakistan and India should not be confind to military and security fields. They must be comprehensive. They must be supplemented by confidence building measures in nonmilitary fields, like in travel and people to people contracts. 15 Similarly Heller Points out that "CBMs can play a potentially constructive role, provided that confidence building is better understood to mean both enhanced trust in the other sides intention ... and sustained faith in one's own capacity to cope with the consequences of trust which may trying out to have been misplaced. 16

¹³ Ibid.

¹⁴ ibid. op.cit no.9 pp.74-75. 15 Ibid. p.77.

¹⁶ Ibid.

A cursory glance at the statistics in different field the two countries would reveal that CBM, are more relevant to South Asia than to any other region of the world because of the following reasons: -

- Both India and Pakistan spend 2.5 percent and 4.8 percent of their respective
 GDP on defense ranking them among the top ten buyers of weapons among developing states. (According to World Developing Report, 1998).¹⁷
- India and Pakistan's combined military expenditure consists of 93 percent in South Asia's total defense spending.
- With their arm imports during 1988-92, India and Pakistan rank at the top level of arms importers.
- India has the capacity to produce fifty nuclear weapons and has tested a
 variety of missiles including the 'Agni' 2500 k.m of 1000 kilogram payload,
 medium-range ballistic missile and the Prithvi 250 k.m. of 500 kilogram payload
 short range ballistic missile.
- Pakistan has the capacity to produce eight nuclear weapons and has developed
 HATF .2 with a range of 80 kilometere, 500 kilogram payload short range missile.
- Pakistan's military spending is estimated to be 125% of the combined education and health expenditures.
- India's military spending is estimated to be 65% of its combined educating and health expenditures.

¹⁷ Ibid. opp.cite no.10, p.34.

- India has the largest number of people living in absolute poverty. (400million or 26% of the world total 1998, BICC Sources)
- India spend 3.5 % of its GNP on education and has an adult literacy rate 50% translated on real terms, this means that India has the largest number of illiterate adult (275 million in 1992) in the world.
- Pakistan spends 3.4% of its GNP on education and 45 million people or 36% of its total adult population is estimated to be literate.
- India, where life expectancy at birth is 59.7 years 3.5 million children die before reaching the age of five, while another 69.3 million on the age group remained malnourished.
- Home of the two of the ten largest land armies in the world, South Asia has also consistently ranked at the bottom of the BIC3D index. It is the only region which had a larger military sector in 1995 than in 1985. 18

India and Pakistan have enough ground to stand to work together as their problem are similar on following counts: -19

- 1. Population explosion.
- 2. High rate of urbanization leading to acute domestic conflict.
- 3. Severe environmental degradation leading to accute domestic conflict.
- 4. Growing security of water and energy.

¹⁸ ibid.

¹⁹ Sumita Kumar, 'Conflict Prevention and Vonfidence Building Measures on South Asia', in IDSA – ICRIER project on *Challenges to Peace, Prosperity and Security in South Asia* (UN published manuscript), July 1998, p. 111.

- 5. Increased migration across international borders.
- 6. Mushrooming trade in narcotics, leading to drug addiction and spread of AIDS.
- 7. Flourshing and unregulated trade in small weapons.
- 8. Terrorism and sectarian violence.

So these area must be an apprehension to build a tie between these two nations. These must be supported by CBMs in non-military fields, in cultural, in travel and people to people contacts. Similarly, Marck A. Heller has pointed out that "CBMs can play a potentially constructive role, provided that confidence building is better understood to mean both enhanced trust in other sides intention and sustained faith in one's own capacity to cope with the consequence of trust which may turn out to have been misplaced".

India has undertaken negotiation with each one of her neighbors, since mid-1991 to remove misunderstanding to stabilized economic and political relation and to formulate and implement CBMs. 20

Despite Pakistan's suspicion, India adopted a CBM approach to bring all dispute to an end. But Pakistan thought it an Indian strategy of keeping the 'core' issue of Kashmir out of the discussion. January 1991 agreement, Aug 1992 and January 1994 were the path breaking effort in this regard. 21

Military CBMs, therefore have yielded a positive out come because war has been successfully avoided despite the unresolved monitoring verification and hot line

²⁰ Moonis Ahmar, "Session from Middleast Experience" In Diparkar Banerjee (ed) The Confidence Building in South Asia, RCSS, Colombo," 1999 p. 95.

have to a large extent helped to defuse border tension and avoid outbreak of hostilities.

Recently, CBMs are being persuaded at the NGO level. The track-II diplomacy facilitate the grass root participation in resolving bilateral conflict. This evaluation efforts has evoked considerable media and public attention in both India and Pakistan. The track- II process consist of a dialogue between India and Pakistan citizens form different walks of life concerning various issues that over shadow bilateral relations. These group hope to identify approaches and strategies that may contribute to a deescalation of tension²²Some high profile recurrent bilateral forum, notably the Neemrana Group initiative and the India-Pakistan People's Forum for Peace and Democracy, were launched in recent years, Track-II diplomacy differs from official diplomacy on the ground that they act in their personal capacity where as governmental officials who are in track -I candidly discussed and seek to solution to problem and issues. But the only limitation with track-II is that the recommendation are non-binding on policy makers. Here track-II can be considered a substitute to official diplomacy. Nevertheless the fact that a large and increasing number of respected citizen of both the state are participating in these for ais commendable and praise worthy. So it is really a torch bearer to bring all dispute to an end.²³

In the context of improving Indo-Pak relations enhanced economic interaction particular trade is receiving considerable attention. A large and growing section of the intelligential and business community in India and Pakistan are of the opinion that increased trade and the enlarged web of mutual links and dependences steaming from

²² J.N.Dixit, *Indian foreign policy and its neighbours*, Gyan publishin house, New Delhi, 2001, p. 109.

²³ Aurangzes Z. Khan, "India and Pakistan CBM through free trade and joint ventures," In Sony Devabbadturic (ed.), *Regional Cooperation on South Asia: Prospect and Problem*, H.L. Stimson center, occasional paper no. 32 New York, 1997, p. 37-38.

it, may lay the foundation for dismantling the wall of mistrust between both side. It may pave the way for settlement of their political disputes. At the same time, there seems to be a dearth of awareness at the public and even the policy making level in both India and Pakistan regarding trade issue and the ramification of expansion of bilateral trade.²⁴

It is also expected that consumers in India and Pakistan may benefit from enhanced competition between Industries that would cheaper product prices and provide them with a border and superior range of product at cheaper prices.²⁵

So in order to develop bilateral cooperation in the South Asian region, particularly India and Pakistan should have to use multilateral institutional framework as the best means to fulfill their goal. While political expediency has hindered the pursuit of cooperation between India and Pakistan, the establishment of SAARC(South Asia Association for Regional Cooperation) in December 1985, has paved the way for India and Pakistan to strive for a meaningful level of cooperation. ²⁶

The objective of SAARC covers wider area like, social, economic and cultural development of its member, and promote broad based cooperation between them with a view to promoting mutual faith and understanding, and bring peace and stability in South Asia. The integrated programme of action which is the core of the organisation's activities provides for cooperation between SAARC member States in twelve field. ²⁷

²⁴ Sunil Chandra, "CBM – Prospects of South Asia Security with Reterence to India and Pakistan" in B, Dilip H. Mohite, and Amit Dholakia (ed) *India and The Emerging would Order*, kalinga publication, Delhi, 2001, p. 349.

²⁵ Ibid. p.63.

²⁶ Samina Ahmed, "Military CBMs in Souht Asia possibility and Limitation", National Herald, 15 July 2002

²⁷ Sony Deva bha kture, *Regional Cooperation in South Asia Propet and Problem*, H.L. Stimon Centre, Occasional paper no. 32 1992, pp.37-38.

These fields are mention below:

- 1. Agriculture
- 2. communication.
- 3. Education and culture.
- 4. Drug trafficking and abuse prevention.
- 5. Environment
- 6. Healthy and population activities.
- 7. Metrology
- 8. Rural development
- 9. Science and Technology
- 10. Tourism
- 11. Transport
- 12. Women in development.

So the question of relevance of CBMs a matter of adoption of CBM. It should based on mutual trust and faith. Extending the bridge of confidence and trust between India and Pakistan must be a paramount policy focus. Optimization must prevail, but at the same time, the importance of political hurdles cannot be under estimated. Yet, tremendous as the political hurdles undoubtedly are, they are not insurmountable, India and Pakistan should take their clue from Europe's post-war experience. The enmities that

were so intense between Western European nations nearly 50 years ago have succumbed to a realization amongst European states that their national interests are best served in a firm and expanding co operative framework.²⁸ Economic co operation was a central point of European political assimilation process. The European Coals and Still Community (ECSO) established as a France- German CBM in 1952 into a huge regional market. And member states have developed a number of common policies, legislation etc, to make it more dynamic body.²⁹

As South Asia's two largest potential international actors India and Pakistan are found in the same position, similar to the one once occupied by Europe's adversaries. By showing magnanimity, political fore sight, courage and full commitment, the way is open for both states to transform the bitter enmity of the past into a meaningful and mutual beneficial partnership for development in future.³⁰

'Another area which need special attention of the head of both the countries is confronting the problem of natural gas. If both the countries pursue a common option to bring gas from Iran by a single pipeline then they will mutually benefit out of that and it will not borden monetarily to a single government. So in such case, private sector should be encouraged. The government, of India and Pakistan should consult each other to the maximum extent for establishing a framework which is conducive for private sector involvement particularly in attracting foreign investor by offering a special package of investment incentive and concessions.'31

²⁸ Ibid, p. 69. ²⁹ Ibid.

Hence by resorting to such a system of cheeks and balances, the problem of India's gas supplies can be guaranteed, irrespective of the state of its relation with Pakistan. This cooperation is not only technically and economically viable but also fully consistent with objectives of CBM between both state.

So the most important truth in track II, as we have, is neither trivial nor sinister. It has its own process. These are for from regular diplomacy. It also serves different purpose. Neither side in such activity has to bring any formal discussion to the table. In such type of get together no negotiation, no specification no conclusion will come. Experts, intellectuals, policy study groups and researchers of both the countries are brought together and when the experience holder share their thinking they can provide a suitable suggestion to the official channel, then it is the best boost to strengthen the CBM's process between the two countries. So the track II channel is an influential channel which facilitate a clue to the track II channel of this multi track activity.³²

The links between the two tracks are indirect but they can have their own significance. In Indo-Pakistan case, it is marked out even if he government remain aloof, private groups have a greater on incentive to seek each other out, to share their experiences and try to define the common ground between them.

³² Ibid, p. 93.

The growing participation and active investment in track II sector by the people of two countries under the committed leadership bring a new hope and a better understanding between the two contries.³³

Networking between existing track II on people to people relations will benefit all of them and provide a more solid ground to the policy choices before the authorities.

So this region has developed various types of CBM's to bring a new ray of hope for living peacefully. But recent nuclearisation and hostility are always a matter of concern to achieve peace.

Therefore, it is proper to say that CBM has no relevance at all in indo-Pak context, though it has only given a partial success.

³³ Moonis Ahmar, "War Avoidence Between India and Pakistan: I Model of Conflict Resolu+tion and Confidence Building in the Post Cold War Era", <u>Strategic Studies</u>, Islamabad. Vol. XVI (182), 1996, p. 413-431.

Chapter-IV

ASSESSMENT OF CBMs IN INDO-PAK CONTEXT

Many type of CBM are used in Indo-Pak context. Many are also evolving. Still CBM have not been successful to bring peace to the desired level between India and Pakistan. They have a dismissal track record on South Asia particularly in Indo-Pak context, there are many reason for it. Such as---

1. Political Instability ---- Political instability in Pakistan is the major hurdle that India is facing. So negotiation with her counterpart is seen in a changing scenario, Some time it is a democratically elected head of the state, in the other time it is military dictators who is ruling. Ideologically, India is a democratic pluralistic society, striving to become a modern progressive secular nation, where as Pakistan is s Islamic state, many Islamic fundamentalist organization are actively less or more involved in worst form of international terrorism. Those who are occupying the power in Pakistan have encouraged such organization by their passive silence. These fundamentalists organization are pressing a supporter of Islamic agenda, Whichever type of ruler may come to power it does not matter, they must maintain their Islamic credentials, in order to survive for a long term. They are puppets in the hands of Islamic fundamentalist. The Talibanisation of Pakistan and its espousals of policies of supporting of Islam is creating a threat to the secular character of Indian republic. ¹

Interstate intelligence agencies (ISI) of Pakistan has emerged as an important center of power in Pakistan. They are always against India. They are

¹ Annad Kumar, "Rule of CBMs in South Asia," <u>Journal of Peace Studies</u>, vol. 8 March – April 2001, p.28.

thinking that easing of tension might undermine their hold over power in Pakistan. So they are not all interesting in peace process. Kargil infiltration was the only reason behind this.²

"A U.S official recently said that if international terrorism has a home then it is Afghanistan. Actually it is both Afghanistan and Pakistan. Pakistan is the strong breeding ground for many religious fundamentalist terrorist organisations like Lashkar-I-Tayyiba and others". Terrorist and drug mafia peddlers nexus is very serious in Pakistan. Money generately come from drugs trade and it is sponsored to the terrorist to do their ugly work in Jammu and other region in a more larger extent.

In 2001 during the Ramzan day, the government of India declared a cease fire during the holy month of Ramzan. This has been extended twice. The acceptance of ceasefire by Kashmir groups like APHC(All Party Huriyat Conference) is a positive sign but their rejection by Pakistan based terrorist groups created further trouble. Jai-I-Mohammad and Lashkar-I-Tayyaba and other pro-Pakistan militant groups have carried out suicide attacks on security forces after the declaration of unilateral ceasefire by government of India. On the contrary large number of participation of local Kashmir people in recent panchayat election shows their growing desire for peace. This disillusionment with militants is obvious. "A senior leader of APHC recently said that militants uses Kashmir as a pretext to score victory over Indian govt."

² Dr. Masqudul Hasan Nuri, "CBMs in South Asia, : Practice problem and Percept" <u>Regional studies</u>, Islamabad vol. No. XIV No. 2 spring 1996, PP. 37-39.

³ Ibid.

⁴ Ibid. op.cit no. 1 p.29.

Pakistan's main motto is Kashmir

Pakistan insist, first to solve outstanding complex issues like Kashmir before going for any meaningful CBM. This approach negates the raison d'ertre of CBM. Pakistan always internationalize Kashmir issues and want a third party should mediate to resolve this dispute. And for that reason proxy war from Pakistan side raised by military in Jammu and Kashmir from time to time creating a problematic situation. Pakistan sponsored terrorist have been killing innocent people which only causes bad blood between the two neighbours and does no good to CBM.

Pakistan desire for equal status quo with India

India's security concern go much beyond Pakistan and South Asia region where as Pakistan's security concern are India's centric. As a result Pakistan's has not accepted India's call for no first use pact." Pakistan defense analyst Shirin Mazari Says that Pakistan with it's inferior conventional forces and geography cannot accept such an arrangement. "There is a time space problem from Pakistan". She says, "who is to decide who fired first in an Indo-Pak scenario?" Rifiaat Hussain professor of international relations at the Qvaid-e-razam, University in Islamabad, maintains that India's advocacy of NFO (no first use) is designed to deny Pakistan the deterrent value of its nuclear weapon. 6

Pakistan official and commentator constantly put emphasis on the need for Pakistan to maintain parity with India. This came through the Pakistan

⁵ Ibid.

⁶ Ibid op cit no. 1 p. 30.

suggestions for a "strategic restrain regime" Pakistan in South Asia. The basic theme is that how India which is roughly four time Pakistan's size interms of geographically, economy and population can be compelled to maintain parity with Pakistan In terms of its defence establishment, heinous suggestions ranged from a mutual and balanced force reduction agreement to a freeze in missile development programmes". In fact Pakistan participation in UN peacekeeping activities in a big way is also motivated to a great extent by this desire rather than on genuine desire to keep peace.

More Non-Military CBM should implement in Indo-Pak Level

Most of the CBMs that are existed today between India and Pakistan are military CBM. These are present to de-esclate tension and avoid scruprise attach between two state. But these are not so effective. That's why shift focus should be form military to non-military area. As we have found in Association of South East Asian Nation (ASEAN) Case. The member of ASEAN have a common desire to make economic progress. The spirit is not found in Indo-Pak context on particular and south Asia in general. Here Economic is not given priority over politics. Here political leaders inorder to prolong their stay in power indulge in rhetoric detrimental form of bilateral relations. India offered MFN status to Pakistan. Pakistan has not reciprocated SAARC is not taking of because of recalcitrance of Pakistan.

⁷ Ibid. pp. 32-34.

Wider Security Concern of India

India's security strategy would be incomplete with out taking China into account. Because China shares large borders with India. And India has faced aggression from China and there are many border dispute unresolved till today. Apart from this China's involvement in Pakistan's nuclear and missle development programme is too well known.

Nuclear weapons were supposed to be the grand equalizers because of the "no win" situation they would create. But they have not stopped conventional armed ventures like the Kargil infiltration. Under the cover of nuclear threat, Pakistan military may orchestrate such low scale conventional wars, to bid for power in Pakistan. Lack of army perceptible change in Indo-Pak relationship in the post-nuclear phase reputes the theory that Pakistan feels threatened and vulnerable by larger and militarily more powerful India. The Pakistan ruling elite has to change its mindset and give peace a chance by endorsing CBMs that can reduce the threat of war and pave the way for peace.

India has been accused of vitiating the atmosphere by nuclear explosion in may, 1998. However what goes under-discussed is the fact that pokhran II only revealed to the worlds, the clandestine nature of Pakistan's nuclear programme. The

⁸ Michael Krepon "The 1990: The Decade for Confidence Building Measures " <u>Strategic Digest</u>, New Delhi Vol. XXG Dece. 1995 p. 1856.

west has expressed its concern over the clandestine nuclear and missile cooperation between china and Pakistan.⁹

So military CBMs can not fully succeed if the killing of innocent people does not stop. In the case of India and china, There are real border issues. And yet their CBMs were often successful. This is possible because wherever the two sides met, they did not meet on the absurd premise that a certain number of India's and Chinese would die everyday even as CBMs progressed.¹⁰

In the case of India and Pakistan too, there is a certain kind of balance of power ever though Pakistan is way behind in military strength. Pakistan derives its strength from its expertise in covert proxy war.¹¹

"There is also some remoure that Muslim people of Kashmir are one being tortured by Indian army. This propaganda also results in the loss of lives of Pakistan. And Pakistan trend volunteers who die in encounters with India's troops, while trying to infiltrate into India on the name of 'Jehad'. Those who engineered the proxy war have little concern for their own people whom they misguided and thron on to the jaws of death." 12

The propaganda simultaneously leads to another kind of human rights violation on the India's side of the Line of Control it maims the mind of a certain section of the population of Jammu and Kashmir. Kashmir Muslim turn towards

⁹ Ibid

¹⁰ Rudranath Sanyal "Take into Confidence Hindustan Times, 12th January 2001.

¹¹ Ibid.

¹² Ibid.

militancy. Their minds usurped by the propagandist, CBMs can be transparent and successful, once the game plan of the proxy war is exposed.¹³

It is known that a section of the Pakistan press is free, uphold democracy and is anti establishment by overlooking the most important issue of loss of human lives, however even this section has give a handle to Pakistan's proxy warriors. So it most be emphasized that the cross currents that continuously stand in the way of peace and CBMs are one controlled by key individuals among the proxy warriors. If military CBMs must succeed these key individuals who are guided by their personal interests must be exposed in their homeland.¹⁴

Again the tracks II channel of diplomacy which was recently announced by Government of India in order to enhance people to people contact especially among the youth of both India and Pakistan. This announcement was made a days before the Agra summit.¹⁵

On July 4, P.M. of India has announced the following CBMs unilaterally.

- 1. a. 20 scholarship well be offered to students from Pakistan in Indian technical institution.
 - b. groups of Pakistan students will be invited by govt. of India to visit and tour Indian academic institutions.

14 ibid.

¹³ Ibid.

¹⁵ Ministry of External Affairs speech Strategic Digest vol. XXI, no.8 p.1036.

- c. Pakistan poets, academic writers and artists will be invited individually on group for a month long visit each as guests of the government of India.
- 2. Desirous of a permanent resolution of the problems of Indian and Pakistan fishermen who from time to time are taken to custody, the Prime Minister of India has instructed that the Indian coast guard will not in future take Pakistani: fishermen, who inadvertently transgress into our waters, in custody. Hence forth they will be turned back after due warning.
- 3. The Prime Minster of India also instructed the ministry of home affairs to take expedition action for the release of all Pakistan civilian prisoners currently in India after due process of law.
- 4. In order to encourage Pakistani imports into India, Prime Ministers has instructed the Ministry of commence to reduce tariff on 50 tariff leves. These line will be identified and instruction to this effect issue before 15.8.2001.

On 6 July 2001 another few item are announce by Prime Minster of India to generate more understanding between two countries.

The Prime Minister has instructed Director General of Military operations (DGMO) of Indian army to visit Pakistan to meet his counter part at on early date for, mutual convenience so that the process for peace along the LOC can be strengthened.¹⁶

¹⁶ ibid

India and Pakistan are committed to engaged in bilateral consultation on security concept and nuclear CBMs. In order to give meaning to this commitment, the Prime Minster has instructed that an official dialogue at the expert level should be proposed immediately. In addition to the official dialogue non official exchanges should also be encourage.17

On July 9 Prime Minster of India A.B Vajapayee announce another few CBMs, which are as follows

It is our conviction that the foundation of peace between India and Pakistan have to be laid in the minds and hearts of men and women and above all the youth of both countries. Thus travel between India and Pakistan should be made as simple and easy as possible. The Prime Minister of India Mr. Vajapayee has therefore, decided that hence forth Pakistani passport holder will be allowed to came by the road route and obtain visas at the check post at Atar. An additional check posts will be opened at munaba in Rajasthan. Similar check posts will be also be opened at designated point along the international border in Jammu and Kashmir. Administrative arrangement including those for transport will be urgently put in place so as to implement the Prime Minister decision's within three month. 18

The Agra summit come with high hope to bring all dispute to close it in the file, but in reality it has not given any fruitful result. But the summit was useful. It brought about a better understanding of the military leadership of Pakistan and also the dynamic of its motivation and decision making. At the same time, it also reveal

¹⁸ M.L. Kotru, "A Mental Block" News Time 8 April to 2000.

that the current leadership in Pakistan is not yet fully prepared to see reality, to accommodate other perspectives and thus arrive at a common ground on the search to peace, cooperation, and development.

Problem with track - II

The problem with track II has been that it doesn't seem to be leading the indo-pak dialogue any where. These tracks have been tried in the past, at the headquarters of several American think tanks. 19

The fact that every track II it would yield results if the ground realities is concern to it. The other fact is that Pakistan over the year made it obvious that it does not wish to resolve its problems with India, including Kashmir. There have been instances on the post when the two have agreed to remove some of the stumbling blocks such as Siachen, Sir Creek, the tul bul dam on the wullar barrage etc. But something always happens between the time such agreements are seemingly arrived at and the time for then execution. The truth is that Pakistan will have none of the step by step approaches, it does not believe in the mere confidence building measures; it must raise issue like Kashmir first and the solution most conform to the known Pakistani position, that as a Muslim majority state, it most become a part of Pakistan. Its commitment to empower Kashmiri people to determine their own future is at best superficial But it in the name of Azadi or right of self determination or two nation theory or Jehad, it most some how get Kashmir. ²⁰

¹⁹ Ibid

²⁰A.L RamDas, "Small beginning in Peace" National Herland, 6 February 2001.

The role of print media and electronic media should take, into consideration here. The media also needs to work in a responsible manner. It is observed that media in both the countries present new in a sensational and distorted manner to the masses. Thus reinforcing the mirror image on their minds of each other. For example on 1991-1992, a systematic attempt was made by New Delhi to use the Indian media for exposing Pakistan and highlighting that islam has not unified the country. Mini war in Kargil or the atlantique case or the demolition of Babri masque hightend tension over Kashmir and SAARC in this regard most activite and should recommend shorten suggestion so that which can facilitate the track- II and track- III process.²¹

At times the public opinion also limits the choice available to the leaders. They do not remain silent recipients of the information provided by the educational institutions. Instead they become actors or agent in their own right with in ability to reinforce the shared consciousness transmitted to them by the ruling elite. Operating in states with inherently weak political systems, the masses also develop in ability to define the parameters and contest within which the ruling elite most relate to the other side. Any attempt by a member of the ruling elite in India and Pakistan to deviate from or transcend the limits defined by the masses as agents entails the possibility of a negative reaction from them. It also carries the possibilities of political violence on political change. Hence even if elite circles entertain ideas of a non-zero sum games, they are prevented from doing to due to the fear of a reaction from the masses. They also fear that the political opponent would exploit these

²¹ Tayyaba Tanvir and Asma Pervas Khan, "Future of Confidence Building Measure in South Asia, An Alternative Approach" in Monish Ashmer (ed), *The Challenge of of Confidence Bilding*, Har Andand Publications, New Delhi, 2001 p.425.

reactions and undermine the government. Effectively therefore, elite propagating the enemy myth also become hostage to their own propaganda. They are forced to take actions and adopt position that run counter to building confidence.²²

There is still much conception about the process and it has no linkage with civil society for most of the people involved in this process constitute the elite. Thus this process remains isolated. The misconception and gap between the masses and the concept itself should be bridged as well as the process most be facilitated by track III process where the civil society is also involved. It is suggested here that track III diplomacy should be effectively emplayed by the civil society. It is marked that since the tension over the kargil heights between India and Pakistan in 1999, the two states have not played any cricket series except World Cup Cricket in May - June 1999 in England. India refused to play a test series on the Pakistan soil. Neither Sharja Cup was played, nor the two states played fund raising match for earth quake victim of Guirat in Sharja.²³

The feeling of euphoria is emotional not action oriented. At the recent example is sufficient to justify the above statement: in a conference held by the Pakistan-India people's forum some person made a ridiculous claim that they were representing the people of both the parts of undivided India.

And also some section of delegate said, what section of the people did a former minister of the notorious zulifiquor Ali Bhutto represent? such seminal have little value on strengthening people to people contract unless adequate follow up

²² ibid, op cit no. 21 p.426. ²³ ibid.

action are taken to direct the state behaviour to the desired purpose. Generally such meeting don't go beyond rhetoric and create only momentary joy.²⁴

After analyzing all most all area of discord as well as accord must be taken up. So some recommendation are mentioned here to make CBMs more effective in Indo-Pak context.²⁵

A number of pre condition most be present for the successful identification and implementation of military CBMs.

- 1. Successful CBMs require sustained negotiation with the goals of institutionalizing the most appropriate mechanism to de-escalate tensions and prevent the out break of accidental war.
 - 2. Once military CBMs, are identified and agreed open their success depends upon sustained implementations.
 - 3 Military CBM requires transparency since their objectives is to minimize misperceptions about the political will of the state parties to avoid conflict and to incrementally build mutual trust.

Political measures

Supervision should be done at the highest level in both countries to normalise the process. Effort should be made to reach an agreement on all dispute area. It will help the two parties if they will share perceptions and ascertain precisely what "minimum credible deterrence" means vis-à-vis threat perceptions in the India-

²⁴ Ibide op. cit no. 23 p.246.

²⁵ Amal Roy, "Much Beyond Rihetoric, <u>Decan Herlord</u> 13 April 2002.

Pakistan context. It is necessary because both the countries are likely to keep their nuclear weapons in near future. It would be useful to have a mutually agreeable concept of nuclear deterrence. If transparency is maintained in military spreading then it will be a one of great achievement to make CBMs working in this region.²⁶

South Asia Association for Regional Cooperation (SAARC) should be use as an effective forum of cooperation in the field of trade, education, science & technology and sustaining natural and artificial sources and resources of in coming generations.

Recently Ashma Jangir, chairperson of Pakistan women's human right commission, who was leading a Pakistani women's delegation to India expressed the opinions that "cultural exchanges and good will tours definitely help in dispelling misconceptions in the mind of people in both the countries about each other."²⁷

Finally, in is suggested that the idea of CBMs needs time to get institutionalized and to be accepted by the masses at large. As stated by Brahma challancy.

CBMs are intrinsically harmless. There are not injure the interests of any nations nor they can be impediment in the path of national objectives. The real question however, relates to how useful CBM's are in relations between adversial states

So in order to make CBMs a success, there most find out a building bridge to fill up the gap between reality and myth. People of both countries and policy maker

²⁷ Ibid.

²⁶ Ibid.

should take intiative in the direction of mutual peace and prosperity. At least, it is said that the CBMs as concept need to be institutional in order to accept in the South Asian Region.²⁸

²⁸ Salman Hyder The Statement 21st January 2001.

Chapter -V

CONCLUSION

The heavy militarisation on both sides of the boundary and the current rise to power of fundamentalist forces in both India and Pakistan and the recent nuclearization of the sub continent have all combined to create an alarming situation. This poses a serious challenges to the efforts of civil society. It is heartening to note that despite all the jingoism and against all odds a vast number of people and groups in India and Pakistan have openly opposed to the narrow, nationalistic rhetoric emerging from time to time in both countries. The combined efforts and demonstrated commitment to the quest for peace has been encouraging. So they should have to keep the agenda in take so that people on the sub continent are determined to see that they secure a peaceful future for their children and grand children.

If CBMs are truly allowed to succeed, it is important for Pakistan to come out clear and formally declare that it has indeed tried to create a balance of power with its proxy war, as long as that does not happen, it will mostly be a question of shutting our eyes and ears, avoiding the main issue of the loss of human lives in Jammu and Kashmir and waiting for a full fledged war in the future.

The history of bilateral relation between two countries oscillates in between hot and cold war. Neither state has demonstrated any real interest in sustaining negotiation that could result in the identification and sustained implementation of

tangible measures to promote mutual confidence to de escalate tension to prevent conflict situation.

Since suspicion, hostility and perception of threat continue to permits the political atmosphere military CBMs are poorly implemented, undermining their effect. The utility of military CBMs therefore remain limited since Indian and Pakistan policy makers lack the political will to build the necessary climate of trust essential for the success of any conflict prevention or conflict resolution. Time to time India and Pakistan can maintain principle on additional nuclear specific CBMs such as prior notification of ballistic missile tests.

Military CBMs become even more essential due to the absence of political reconciliation between the two geographically contiguous nuclear capable states. It is indeed important for Pakistan and India to implement military CBMs such as posting United Nation Organisation (UNO) observer along the line of control on Kashmir. Giving the high level of hostility and mistrust, however neither side will be willing to implement overly ambitious conventional military CBMs that were identified at the Lahore Summit. Agra also showed the importance of confidence building measures as the means to solve all problems lie between two countries. India has always favoured a confidence building approach as opposed to a conflict resolution approach. The former may be slow but it certainly has much greater possibility of yielding lasting solutions. CBMs can bring peace by solving the complex issue, which has arising between the two countries.

So a list of CBM is obliviously is not exhustive, but it can be built upon as we progress along the process of confidence building. The major orders in the measures effecting military and nuclear issue would be the problem of verification. This is itself would point towards political CBMs offering greater pay offs on enhancing security of each of the countries in the region.

If we see the present relation between India and Pakistan, that is caught with animosities and one locked in a circuit reinforced by ultra nationalism which has paralyzed formal diplomatic relations. So recent history says that despite the limitation of military CBMs, it seceded in avoiding an all out war between the two countries.

The CBM instituted between India and her neighbour in recent years reveals a wide spectrum. In a sense it is a reflection of the dynamic of the bilateral relationship in each instance. The geography also conditions the issues in each relationship. In certain cases, India shares a long land boundary with its neighbours; in other there are religious, ethnic or linguistic links among populations on both sides of the international border which creates the problem of tracking refugee movements and information. CBMs in such case are need to be explained and imposing an uniform pattern may be counter productive because it is not only in one to one discussion and negotiation that India is in a position to be able to respond to concern enmity each bilateral relationship.

Confidence must be enhanced on all front. Political declarations are significant but there most be supported by actions that reflect a reflected desire for just and secure peace.

India will continue its efforts at building upon the existing CBMs in a step by step and realistic manner. Effective implementation of existing CBMs payes the way for more steps in this direction. Once again, these covers a wide spectrum, depending on the political dynamic of the relationship and receptive of the other state. CBMs can use from reducing misperceptions to and improving communications. India consider it possible to visualize the movement towards reducing troops deployment by establishing the 'zones of restraints'. Once political dialogue on all issues is firmly established then any security perceptions undergo tremendous changes. Development can be possible though closer commercial and economic ties. Improving communications and travel for the people can easing restraints. For further strengthening cultural links; putting into place non-discriminatory and structural measure from curbing proliferation and contribution to global elimination of weapons of mass destruction; and eventually moving towards open exchanges of security perceptions which will lead in turn to reduction of military expenditure.

Plurality is the true test of democracy and plurality requires openness and tolerance in social policy. Accepting the concept of cooperative security and enhancing it through confidence building measures needs political residence based on democratic principles. India's initiative for confidence building are

rooted in the bedrock of these principles. Once a uniform degree of openess is established in early society, and a range of effective bilateral institutional mechanism are put into place, applicability of regional approach in the area of confidence building measures will became feasible and productive. India is committed to seeking ways and means to improve its bilateral relations with all the states including Pakistan neighborhood and shall continue assiduously to purse appropriate CBMs. In keeping with the principle of Simla Agreement which form a basis for India's conduct of inter-state relation with Pakistan.

In a nutshell the two thing jointly creating a hurdle for successful CBMs in between two countries. First is Hawkais from both sides are against the CBMs process in South Asian region because a positive change in Indo-Pak relations could hurt their vested interests, which are well served if the two neighbours remain locked on a hostile situations. And second is the concept of CBMs despite their rule in the process of conflict resolution has not been able to establish a powerful constituency in the two countries. While the hawkish and extremist elements in both countries are dead against CBMs, the advocate of this concept have failed to broaden the support base at the popular level. As a result, there is lack of knowledge and awareness at the grass root level about the need and importance of confidence building measures for India and Pakistan.

The need for building confidence between India and Pakistan is imperative in order to escape from nuclear war in South Asia. The requires better communication and transparency on both conventional and nuclear level between

India and Pakistan. And it also followed by the gradual resolution of the Kashmir issue. The Agra Summit has taken that initiative. The post nuclearisation of South Asia understand the relevance of CBMs more particularly between India and Pakistan which cannot be under estimated.

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