

Military Confidence Building Measures in the India-Pakistan Context

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A GENERAL PERSPECTIVE

Military confidence building measures (CBMs) are as old as conflict itself and were no doubt invoked in ancient and medieval times for the same reasons as they are invoked today. To provide a measure of reassurance to belligerents so as to prevent conflict from breaking out. And in the process, allow time and space for the initiation of talks, negotiations and discussions towards resolution of differences. In some cases the momentum is driven by internal forces seeking change, and in other cases propelled by external actors who for reasons of their own do not wish to see conflict breaking out. Needless to say, the measures are most effective when initiated in combination with other moves in a wider framework at conflict resolution.

Modern CBMs in the international context are associated with the Cold War setting and are often cited as the basis for implementation within the India-Pakistan context. While there is little doubt that many lessons can be learnt from that experience, the India-Pakistan confrontation has a dimension that merits address in its own way. The nuclear status of the two countries introduces an altogether different dynamic to any earlier equation. In this context it is useful to examine what CBMs in the Cold War confrontation managed to achieve. While no one really knows the answer definitively there is a general feeling the efforts were worthwhile. Some strategic thinkers are of the view that CBMs helped prevent war by stabilising deterrence. Others argue that the CBM process was really a method by which the Western bloc successfully influenced security thought in the Soviet bloc of countries to its advantage as things turned out. There is another section of thinkers who argue that beyond a point CBMs impeded the prospects of reconciliation and peace because they induced a sense of complacency. A thought possibly that there was hardly much point investing in the tortuous process of resolution

of the disputes when there was reasonable assurance that stable peace would be ensured anyway. Even so there can be little doubt that some benefits did accrue. Firstly, there was much inter-action between various actors on both sides which even if it did not always lead to solutions or agreements, afforded opportunities for understanding one another's points of view and quite often revealed convergence of positions. Secondly, there was occasion for introspection and review of one's own positions, assumptions and strategic goals. And thirdly, there was an increased awareness that the other side's security was in many ways linked to one's own.

A HISTORICAL PERSPECTIVE OF THE INDIA-PAKISTAN SITUATION

Non-Military CBMs

In the India-Pakistan context, despite the depth and intensity of antagonism between the establishments of the two countries and the fact that they have resorted to war against each other, there have been many initiatives for the maintenance of peace, promotion of better understanding, and some degree of cooperation both at the official and non-official levels. In the immediate aftermath of a traumatic and bloody partition, a number of contentious issues were addressed satisfactorily. Namely, the transfer of official assets, prevention of an even larger exodus of refugees, protection of the rights of minorities, property compensation to refugees, maintenance of places of worship, resolution of some territorial claims, and so on. The Indus Water Treaty is one of the most important non-military CBMs in place. There are other agreements like the one setting up a joint commission to strengthen good neighbourly relations and to promote cooperation in a number of areas like economics, health, science and technology, sports, travel, tourism and consular matters. Agreements have also been signed for easing visa difficulties and police reporting, opening telephone circuits between selected cities, reopening of the railway route in the Rajasthan/Sind sector, ending of double taxation on each other's airlines, and so on. In August 1992 both countries agreed on a code of conduct for the treatment of diplomatic and consular personnel. This was reaffirmed by the Foreign Ministers of the two countries in July 1994. The Shimla Agreement of 1972 and the Lahore Declaration of 1999 are landmark CBMs that incorporate non-military as well as military CBMs.

The unfortunate reality is that despite such an impressive array of non-military CBMs, actual implementation has been tardy and often overtaken by events like the Kargil war in mid 1999, the military mobilization on the border in 2002 or terrorist attacks against innocent civilians in various parts of India. It would appear that there is almost a deliberate effort by vested interests to undermine implementation. The real challenge therefore has always been and will continue to be, to ensure that the CBMs agreed upon are protected from the compulsions of domestic politics in the two countries.

Military CBMs

The Karachi Agreement of 1949 may be classified as a military CBM because despite some basic infirmities it provided a sound basis for resolution of misunderstandings on the then Cease Fire Line (CFL). At least till August 1965 when Pakistan sought to change the status of Jammu and Kashmir (J&K) through infiltration of armed groups. In 1960 the two sides reached agreement on ground rules to be observed along the international border and this has generally held.

The terms of the Shimla Agreement of 1972 following which the Line of Control (LOC) in J&K was delineated, had all the ingredients of an effective CBM, and generally held till 1989 when Pakistan sponsored insurrection was initiated in the Kashmir Valley. A telephonic communication linking the Directors General of Military Operations (DGMOs) of both sides was established and has been in regular use particularly since 1987. This has stood the test of time and even in times of extreme tension proved useful. It has often been instrumental in preventing local situations from boiling over. Examples that can be quoted from personal experience are the possible misunderstandings that were addressed during the conduct of Exercise Zarb-e-Momin in 1989/90 by Pakistan, and Indian troop deployment in 1990/91 in the Punjab to deal with the terrorist menace in that state. Similar communication links in the Baramula/Murree and Rajauri/ Kotli sectors were put in place but remained unactivated for various reasons.

In April 1991 both sides signed an agreement (negotiated by a defence delegation led by the author) on prior notification of military manoeuvres at specific levels within

certain distances of the border/LOC. This agreement also stipulated distances beyond which fixed and rotary wing aircraft may fly, and elaborated on exchange of communication and signals by naval craft to avoid clashes at sea.

Nuclear CBMs

With the overt nuclearisation in the sub-continent in May 1998 an altogether different dimension was added to the standoff between the two countries. It is possibly a measure of the maturity of the leadership in both countries that CBMs in this vital area were addressed as far back as 1988 when the Prime Ministers of the two countries signed an agreement on non-attack on each other's nuclear facilities. This agreement was ratified in 1991 and requires an annual exchange of lists giving the locations of all nuclear related facilities with both countries pledging not to attack the other's listed facility. It is again of some significance that these measures agreed upon have been implemented even when relations between the two countries have been under severe strain otherwise. A joint declaration on the prohibition of chemical weapons was concluded in August 1992 by which both countries agreed not to develop, produce, acquire or use chemical weapons.

A memorandum of understanding signed by the foreign secretaries of the two countries in the presence of the two Prime Ministers and appended to the Lahore Declaration of February 1999 envisaged the following:

- Engaging in bilateral consultations on security concepts and nuclear doctrines to develop confidence-building measures in the nuclear and conventional fields.
- Providing each other with advance notification of ballistic missile tests; an agreement on this has since been put in place and is being scrupulously observed by both countries.
- Undertaking national measures to reduce the risks of accidental or unauthorized use of nuclear weapons, notifying each other of any accident, and establishing a communications mechanism for the purpose.
- Continuing the unilateral moratorium on the conduct of nuclear tests.

CURRENT DIALOGUE AND INITIATIVES

After the rather turbulent and sometimes menacing situation in the aftermath of the terrorist attack on the Indian Parliament in December 2001 and the deployment of the Armed Forces of the two countries in a confrontation mode for almost a year, most observers and analysts of the sub-continent were no doubt encouraged by the initiative taken by the then Prime Minister of India Atal Bihari Vajpayee to resume a political dialogue, and the reciprocal moves by both sides to effect a cease-fire along the Line of Control. Though the political process was placed on hold while the general elections were conducted in India, the cease-fire along the Line of Control continues to hold and has become a vital military confidence building measure in itself. In many ways it really is a vindication of the view held by many of us over the years that for any meaningful measures between India and Pakistan to succeed, the basis has to be bilateral.

The political process has gained momentum following the installation of the new dispensation in New Delhi, and a number of meetings have been held to pursue what is called a composite dialogue. A number of proposals towards better “people-to-people” relationships are on the table. It is understood that 71 actionable proposals have been placed by India for discussion, ranging from mobile phone connectivity across the border to extending a diesel pipeline into Pakistan. On peace and security the most important development has been expert level talks on nuclear CBMs held in New Delhi on 19 and 20 June 2004. The joint statement issued at the end of these talks visualises that:

- The existing hotline between the two DGMOs would be upgraded, dedicated and secured.
- A dedicated and secure hotline would be established between the two Foreign Secretaries through their respective foreign offices to prevent misunderstandings and reduce risks relevant to nuclear issues.
- Both countries will work towards concluding an agreement with technical parameters on pre-notification of flight-testing of missiles, a draft of which was handed over by the Indian side.

- Each side reaffirmed its unilateral moratorium on conducting further nuclear test explosions unless, in exercise of national sovereignty, it decides that extraordinary events have jeopardized its supreme interests.
- Both countries would continue bilateral discussions and hold further meetings to work towards implementation of the Lahore MOU of 1999.
- Both countries will continue to engage in bilateral consultations on security and non-proliferation issues within the context of negotiations on these issues in multi-lateral fora.
- Both countries called for regular working level meetings to be held among all the nuclear powers to discuss issues of common concern.

Since then, talks have been held on various issues including Jammu and Kashmir, infiltration across the LOC, terrorism, scope for disengagement of forces on the “Glaciers”, and so on. As things stand, talks on these aspects have so far remained just “talks”. There does not appear to have been much movement forward. The saving grace may be that there has been no breakdown or movement backwards.

Some of the other measures that are on the table in so far as military CBMs are concerned apparently include the following; a number of these have been on the table before but were never considered seriously:

- An agreement on peace and tranquility on the LOC; building on the current ceasefire.
- New communication links between the two navies and air forces; re-establish communication links at Division/ Corps Commander level at Kargil-Gilgit, Baramula/Kupwara-Murree, Rajauri-Jhelum, Jammu-Sialkot, and so on.
- Communication links between Indian Coast Guard and Pakistani Maritime Security Agency.
- Development of links between the armed forces through exchange of visits by naval ships; seminars between academic and research institutions dealing with strategic and defence related issues; exchanges/lectures/seminars between defence training establishments; friendly sporting tournaments and joint adventure activities between the two militaries; exchange of visits by military bands.

- Periodic meetings between the two Directors General of Military Operations and annual meetings between the Vice Chiefs of the Army.

THE WAY AHEAD

There can be little doubt that most ordinary people in India and Pakistan place great hopes on the success of the current initiatives. So also do the other countries on the sub-continent (the SAARC community), countries in the extended region (Southern Asia), and the wider international community. The standoff between the two countries has not only stunted the growth of the two countries but also impacted adversely on the potential for growth in the sub-continent and the region. Hence much is at stake in the process of reconciliation between the two countries.

Having stated that, it would be fallacious to ignore or under-estimate the stake some vested interests have in ensuring that rapprochement between India and Pakistan does not succeed. It would require statesmanship of a very high order on both sides and the unqualified support of the people of both countries, for the current process to be taken to a mutually satisfactory culmination. This is not beyond the realms of possibility. However ground realities will need to be recognised and appropriately factored into the dialogue processes so as to ensure that attempts at sabotage are pre-empted. This is particularly important if the military CBMs are to be effectively implemented.

It has been mentioned earlier that the decision by General Musharraf to order a cease fire on the LOC with effect from 26 November 2003 and immediately responded to by the Indian establishment, has been one of the most significant military CBMs put in place between the two countries in recent years. It is pertinent to point out in context of our deliberations that there is a strong section of the strategic community in India that take the cynical view (not entirely misplaced) that the declaration of cease fire by General Musharraf along the LOC in Jammu and Kashmir was a clever tactical move to enable the Pakistani forces to focus their efforts without distraction on dealing with the situation on the Western front. It is no secret that the General is under severe pressure from the USA to undertake operations on the Pakistan-Afghanistan border against the Al Qaeda

and Taliban elements holed up in areas where they have strong support. Whether this move towards implementing a ceasefire was undertaken at the instance of the USA (who may also have put pressure on India to respond positively), is also a matter of some speculation. American interest and involvement is related to its desire for a stronger and more stable relationship with India and at the same time its need for assistance from Pakistan to deal with the Al Qaeda and Taliban. The declaration of a ceasefire is further perceived as a move to soften Pakistan's image as the fountainhead of jihadi terrorism and nuclear proliferation; to present itself as a reasonable and responsible state. That notwithstanding, the fact remains it is an effective military CBM.

Another aspect of some relevance is that there is great distrust of the Pakistani military led by General Musharraf within the establishment in India as also among the people at large. His role in the Kargil conflict and attempts in Agra to outsmart and score points over the Indian political leadership are still fresh in the memory of many in India. It is also of significance that the current initiatives are constantly commented upon by him as contingent on a resolution of the problem of Jammu and Kashmir. A report attributed to the General recently to the effect that once the Jammu and Kashmir is resolved to Pakistan's satisfaction the "*jehadi* elements operating from within Pakistan would have to wind up their activities and leave" only further hardens the position of the more cynical sections within India. For as long as a position is taken that any moves for better understanding and rapprochement between India and Pakistan are totally hostage to the Jammu and Kashmir issue there is little scope for progress. Hence the scepticism about the current process among many in India. It is somewhat ironic but true that in any assessment, analysis or prognosis today, Pakistan and General Musharraf are more or less synonymous. That is not the case with India where neither the Prime Minister, nor the Chief of the Army Staff has such unbridled authority and power. They are answerable to the establishment. It is in this context that an individual in the personality of General Musharraf becomes so important for the credibility of the process. We in India may draw some satisfaction from the fact that General Musharraf sees himself as Pakistan's man of destiny; and may therefore be prepared and willing to display statesmanship that someone with less pretensions would be reluctant to demonstrate. He seems to be determined to

take Pakistan to its rightful place within the comity of nations. This he cannot do without coming to terms with the situation on the sub-continent; which really means ending or at least easing the confrontation with India. Unless of course he believes that he can be successful in breaking up the Republic of India or achieving parity with India politically, economically and militarily.

The way ahead therefore appears to lie in:

- Seizing opportunities for moving forward; without trying to outsmart each other or score 'brownie' points.
- Seeing if there are any lessons we can draw from the India-China experience. Move from the easy to the difficult. Develop a vested interest in stability of ties.
- Avoiding rhetoric of animosity. Isolate vested interests.
- Recognising the reality of our nuclear status and the responsibilities it imposes on us.
- Building people-to-people relationship.