1. Introduction

Considerable literature is available on Confidence Building Measures (CBMs) as evolved and executed in the East-West context as well as Europe, in search of stable peace. The basic assumption behind the CBMs has been that the given conflict is intractable and complex, but it has to be managed and contained from becoming sharper and intensified. CBMs were basically initiated as war avoidance measures, but they gradually acquired a more positive content in the sense of being crafted as stages and instruments of conflict reduction, conflict resolution, peace and security. Institutional definition for this transition, from negative to positive thrust, was made in the Stockholm Confidence and Security Building Measures (CSBMs). This transition underlined the broadening of CBMs from military and security measures to those related to socio-economic and even cultural measures. The beginning in this respect was made in the Helsinki Conference of 1975 and the broader concept of CBMs was elaborated in Vienna Conferences of 1990, 1992 and 1994.
CBMs as security building measures have also been adopted in Asia. The ASEAN Regional Forum (ARF), which was set up in 1994 as a security forum for the Association of Southeast Asian Nations (ASEAN), envisaged CBMs as the first stage of regional security building measure. The subsequent stages are those of “preventive diplomacy” and “conflict resolution”, ASEAN itself contributes towards economic and cultural cooperation measures which are aimed at enhancing the overall “comfort level” amongst the members. Even after so many years of its existence, the ARF deliberations have not been able to complete the CBMs stage and advance to the next stages. The analysts and policy makers continue to debate in the ASEAN region if ARF’s CBMs have really succeeded in softening region’s security concerns.\(^3\) The broader framework of building security through military as well as socio-economic CBMs also underlined the establishment of yet another regional grouping in Asia, the Gulf Cooperation Council (GCC) which came into being in 1980.

In the South Asian context, sensitivity towards CBMs has existed for a long time, including between the two most important countries, India and Pakistan. Important aspects of CBMs between India and Pakistan will be discussed in this paper. At the regional level, the task of building mutual confidence was approached in a very unconventional manner,
through economic and socio-cultural cooperation alone. The South Asian Association for Regional Cooperation (SAARC) was built on these foundations, avoiding reference to the bilateral political and military issues of conflict among the member countries. Acceptance of the broader base of CBMs was inherent in this approach. But not many in South Asia are convinced the SAARC has yielded desired results. The blame in this respect is generally put at the door of the two most powerful members of SAARC, India and Pakistan, who are caught in an intense and persisting conflict between them leading to four wars and future prospects of even a nuclear conflagration. It is, therefore, useful and relevant to look at the role of CBMs in India-Pakistan relations.

2. Indo-Pak CBMs: Contents and Categories

India-Pakistan relations being characterised by antagonism due to the roots and process of partition, every possible agreement, arrived at between the two countries, whether ultimately it was honoured or ignored and violated, deserves to be treated as a CBM. In this context the canvas of the Indo-Pak CBMs has been very broad-based covering almost every important area of mutual engagement. It has included CBMs in the military field, covering both conventional and nuclear issues. In the area of conventional military activity, India's offer of a "No-War Pact" made in the late forties could
be treated as the first move, howsoever politically oriented it was viewed on Pakistani side. Nehru told a press conference on 6 February 1950:

We have offered Pakistan a joint declaration on avoidance of war. I am prepared to say that, whether Pakistan agrees to that declaration or not, we will not have an aggressive war. We will not have a war unless we are attacked.\(^5\)

However, in the technical sense of the term, the CBMs, affecting military moves, were initiated soon after the 1965 war between India and Pakistan.\(^6\) The direct communication link between the Directors General of Military Operations of the two countries was in place even before the outbreak of the next Indo-Pak war of 1971. This arrangement was reinforced in June-July 1984 but, at that time, the idea of "keeping the border tension free" and exchanging advanced information on "movement of troops" could not be finalised. Recalling this arrangement, General Arif, the Chief of Staff appointed by President Zia of Pakistan, says:

The Directors General of Military Operations of the two countries telephoned each other on a few occasions. The movement of troops close to the border was at times reported to the other side and the sector commanders across the Line
of Control between Azad Kashmir and Indian-occupied Kashmir met to discuss local pinpricks.  

The proposal for the so-called confidence building in the nuclear field was first made by Pakistan in 1977-78, when it asked for getting South Asia declared as a "Nuclear Weapons Free Zone", with a view of getting India locked into a non-proliferation regime. Here again, the objective need for CBMs in the nuclear field was accepted when the proposal of non-attack on each others' nuclear installations was first made by India in 1985 and the formal Agreement to this effect was signed in December 1988 between India's Prime Minister Rajiv Gandhi and his Pakistani counterpart Benazir Bhutto in Islamabad. In the course of discussion on these issues between the two Prime Ministers at the SAARC Summit in Islamabad (December 1988), Benazir Bhutto had also assured her Indian counterpart that Pakistan would detach itself from any more involvement in the insurgency in the Punjab, but the military and its ISI did not let her do so.  

In economic field, trade and transport links have constituted the largest area of confidence building. The Indus Water Treaty signed by the two countries in September 1960 was a landmark international decision, which had its roots in the bilateral arrangements between them for sharing canal waters concluded in 1948 and 1959. The US, through the
World Bank, played a very significant role facilitating the conclusion of this Treaty. In the socio-cultural field, the Nehru-Liaquat Agreement of April 1950 on rights of minorities, properties of migrants and their religious freedom and control of hostile propaganda was the most comprehensive document. Subsequently, the two sides have also taken measures towards cultural exchanges and facilitation of movement of people across the border. Holding of cricket matches and other sports activities are also part of such cultural exchanges.

Political issues have been most sensitive and conflictual between them but history of the past more than fifty years of their relations is full of attempts, howsoever partial, insincere and failed, made to resolve these issues. Various understandings and agreements towards resolving the Kashmir issue and border disputes may be mentioned in this respect. India and Pakistan also tried from time to time to have a 'no-war pact', which got virtually incorporated into the Shimla Agreement between them of 1972. There have also been occasions of attempted cooperation between India and Pakistan on serious issues of regional security, such as during the Soviet military intervention in Afghanistan in the eighties. There is a strong possibility of meaningful bilateral cooperation between them even now, if General Musharraf can distance himself from Jihadi terrorism in Kashmir. The attack on Indian parliament on December 13, 2001, by the Jihadi has created a
real challenge as well as opportunity for Pakistan's military regime to show that it is prepared to pursue a constructive engagement towards India. There is broad consensus in India that any threat to the stability and integrity of Pakistan will have serious adverse implications for India in the present context.

While the CBMs have generally been initiated at the state level, increasing activity is evident between the two countries during the past decade or so at the non-government levels, between the peoples of the two countries. The Neemrana dialogue instituted with the US support and participated by the chosen representatives of both India and Pakistan may be mentioned here as an example. Through this dialogue, various policy papers for better relations between India and Pakistan have been prepared. The purpose of such dialogues is to encourage engagement between non-governmental and professional bodies, as well as individuals between the two countries so that constituencies of mutual trust and confidence can be built. The states in South Asia, India and Pakistan in particular, do seem to have been much influenced in initiating policy moves by the activities at the Track-II levels. In the Neemrana process, while Pakistan has allowed its former senior civil servants and military officers to participate within a tight brief, Indian government has seldom taken any note of this process. At the state level, initiatives
have been mostly taken for CBMs in the bilateral context, as this is the most viable and sustainable level. But there are also occasional instances of unilateral initiatives. There have also been multilateral forms of CBMs, like those evolved within SAARC, affecting the two countries.

In functional contents of the CBMs between India and Pakistan, a great deal of emphasis has been placed on communication measures and rightly so, because breakdown of communications precipitates and even complicates conflicts and crises in relations. The Indo-Pak CBMs have also been aimed at enhancing transparency between the two countries. The establishment of Joint Commission in 1983 between them was aimed at having periodic contacts and consultations. Both India and Pakistan have also occasionally agreed to measures and gestures of good-will towards each other, such as offer of help during natural disasters, or permission to senior military and non-military officers to participate in each others' conferences and seminars.

3. **The Outcome**

If CBMs have to become a first step towards security cooperation and peace building, they have not only to be conceived properly but also defined and implemented sincerely. In Indo-Pak relations CBMs put in place from time to time have failed to transform the overall thrust of antagonism
between them though, to be technically correct, one may say that their outcomes have been mixed. India and Pakistan have witnessed partial and periodic successes as well as total disasters of their CBMs.

Among those CBMs which can be put into the category of partial and periodic successes, the best worked one was the “Nehru-Liaquat Agreement on Rights Of Minorities”, signed in April 1950. It was an enlargement of and in continuation of the “Inter Dominion Agreement of December 1948 on the same subject. This Agreement might not have completely succeeded in ameliorating the plight of the minorities and migrants. However, the sincerity of the two governments to cooperate in this difficult area was not in doubt, perhaps because of the nature of the humanitarian cause espoused under the Agreement and the political will and administrative commitment of the leaderships which were involved in it. Similarly the Indus-Water Treaty of 1960 on the utilisation of the waters of the Indus system of rivers was also a successful agreement that is being implemented sincerely even now. One of the critical components of this Agreement was that the World Bank got directly involved in it and the US exercised its best influence on its conclusion and execution. Thus there was a visible and mutually acceptable role of the external factor, the third party in it. However, this Treaty did not have any
direct impact on moderating the prevailing security antagonism between them, though the US had so expected.

In any objective assessment, the Shimla Agreement of July 1972 should be treated as a positive landmark in the Indo-Pak bilateral relations. It not only ensured peace between the two countries for at least 27 years, until the 1999 episode of Kargil intrusion by Pakistan, but also provided stimulation to various confidence-building measures. If the two countries could work towards realising the vision laid out in its Preamble, the face of the subcontinent would have changed in the most remarkable manner. The Preamble said:

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

Because of such sentiments mutually expressed by the two countries, the Shimla Agreement has since continued to remain the most important reference point between them for any positive initiative. Following this agreement, the two
countries agreed on a number of issues including humanitarian (resulting from the war of 1971) measures, commercial cooperation, transport and communication links, postal and travel arrangements etc. between 1972 and 1976.

Among the important successful CBMs, one may also include the Agreement on the prohibition of Attacks against Nuclear Installations" signed in December 1988. The initiative towards this agreement was taken in 1985, it came into force in 1991 and was ratified in August 1992. Since then both the sides have been annually exchanging the list of their respective nuclear installations. India and Pakistan have fought generally civilised wars in the past and they may be expected to honour this agreement if and when armed hostilities break out between them. It is more relevant now when the two countries are nuclear weapons powers. Any lapse or violation of the Agreement of 1988 now may prove to be catastrophic to the subcontinent as a whole. In January 1994, India proposed to extend this agreement to "include population centres and economic target" so as to make wars virtually irrelevant between the two countries. Pakistan has not found it possible to accept this proposal so far.

The Indo-Pak CBMs that have failed to live up to their promise are numerous and varied. Four of them may be mentioned here to illustrate the point. The very first was
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proposed by India as early as in 1994. This no-war proposal went through various formulations proposed and initiated by both the sides subsequently, but without any success. During the past fifty years of rhetoric around no-war proposal between 1949 and 1999, India and Pakistan have had four wars.12

During one of these wars, in 1971, the CBMs related to direct communication between the Directors General of Military Operations were in place. They could talk to each other directly to diffuse a potentially dangerous situation, but this did not avoid the 1971 war. The direct communication lines were not used due to heightened tensions and suspicions on both the sides, and if at all such lines were used, only junior officers, who did not have any decision making power, attended such telephone calls and ignored their significance. The officers knew that even if they tried to prevent military encounters, there were no takers of their efforts at the political level. The communication channels established and proved subsequently also cover military exercises between them. These channels technically work and messages are exchanged as we noted in General Arif's statement (n.9). They were also evident during 1987 and even recently with the building of tensions on the border between the two countries in October 2001-January 2002. But no one feels assured that these channels can really be relied upon for de-escalation of tensions and avoidance of potential conflict.
Attempts towards diffusing Indo-Pak antagonism get activated and vigorously supported by outside powers when common regional security threats precipitate. This was evident during the Sino-Indian conflict of 1962, when the Western powers pushed India hard to make compromise on Kashmir and accommodate Pakistan’s claims as far as possible. Pakistan did not find it prudent to accept some of the most generous territorial adjustments offered by India to resolve the Kashmir issue, nor did it endorse the “arbitration” option offered by India under the US/UK pressure. A similar threat to regional security was perceived when in 1979-80, the Soviet Union intervened into Afghanistan. The US again became active to get India and Pakistan together. India offered all possible assurances to Pakistan to maintain peace and be cooperative, but no attempt was made by Pakistan or the US to get the Kashmir issue addressed positively. Pakistan even declined to relocate its troops from its eastern (India) to the northwestern (Afghanistan) border and insisted on securing enlarged US assistance to raise forces for the Afghan operations as a “frontline state”.

Again recently, the attack on Indian parliament on 13 December 2001 forced India to retaliate strongly by mobilising its troops and preparing for war if cross-border terrorism was not to be stopped from the Pakistani side. The US diplomacy became active to avoid such a conflict, as this would have
directly affected the US led mopping-up operations on Pak-Afghan border. The US, with the help of other Western countries, succeeded in forcing General Musharraf to commit himself to stopping jehadi violence in Jammu & Kashmir from the Pakistani side. It remains to be seen as to how fast Pakistani leader would be able to implement his promise. Much of the US attempts at lowering of tensions between India and Pakistan would depend upon ground reality in this respect.

The latest CBM disaster may be seen in the fate of Lahore Declaration of February 1999. This Declaration not only comprehensively defined the road map of overall cooperation and peace between the two countries, but it also accompanied a Memorandum of Understanding on avoiding “accidental” and unintended nuclear exchange between the two countries. In the Lahore Declaration the two countries agreed “to notify each other immediately in the event of any accidental, unauthorised or unexplained incident that could create the risk of ... an outbreak of a nuclear war between the two countries”. The letter and spirit of Lahore Declaration was, without any provocation, ruthlessly trampled upon by Pakistan’s Kargil intrusion only months after the signing of this Declaration. Going by the timings of Kargil intrusion, it is not far-fetched to assume that preparations and ground work for this intrusion was already on when Pakistan was signing the
Lahore Declaration. The Kargil intrusion and India’s fight to get it vacated brought the two countries close to a potential nuclear conflict between them. There could not be an uglier end of a well meaning CBM and peace building initiative between India and Pakistan.

4. Why This Frustration?

The frustrating experience of CBMs as a factor in security building between India and Pakistan is based upon many factors. Three of them may be identified here in terms of their importance. Two of them, which are generally considered as necessary conditions for the success of any CBMs namely; political will and power symmetry, are clearly absent in the India-Pakistan situation. It is difficult to concretely define and precisely measure the political will required for the success of CBMs between a set of any two countries. But one thing is obvious in relation to India and Pakistan that while India is a status-quo power in South Asia, Pakistan has remained uneasy about the prevailing structure of sub-continental politics. As early as in 1949, Nehru said:

There is no doubt at all in my mind that it is inevitable for India and Pakistan to have close relations, very close relations, some time or other in future... situated as we are, with our past, we cannot be just indifferent neighbours... ultimately we can only be really very friendly, whatever period
of hostility may intervene in between because our interests are so closely inter-linked.\textsuperscript{15}

Since then India has keenly pursued the course of building confidence with Pakistan. At times, the security agencies exercised pressures on political leadership to go cautiously in trusting Pakistan but that did not cut much ice during this period. In 1979, even the coalition government of Morarji Desai went to the extent of keeping silent on the then deposed Prime Minister Bhutto’s hanging in the interest of good India-Pakistan relations, despite opposition pressures. During Morarji Desai’s non-Congress government, India also tried to develop economic engagement with Pakistan as a CBM measure. India provided wheat seeds to Pakistan and Pakistan responded by sending help to the flood affected people in India. However, Pakistan continued to strengthen contacts with the Sikh extremists of India, and speak internationally for Muslim minority in India, while reviving the controversial Kashmir issue, contrary to the spirit of Shimla Agreement.\textsuperscript{16} A broad national consensus to have a friendly relationship with Pakistan has existed in India. We noted earlier the attempts made during Prime Minister Rajiv Gandhi’s government. Prime Minister Gujral’s doctrine of building good relations with the neighbours, particularly with Pakistan, was endorsed by the main opposition parties.\textsuperscript{17} So also was the case with Prime Minister Vajpayee’s bus journey to Lahore
(1998) and invitation to General Musharraf for Agra summit (2001). It is only after the Kargil, and in the context of growing terrorism in Kashmir (seen to be supported by Pakistan), that internal pressure is building within India against continuing with this approach. These internal pressures did play a part in the failure of Agra summit, but India still seems prepared to have a meaningful and constructive engagement with Pakistan if the latter distances itself from a subversive approach to Kashmir. Pakistan is not a serious issue in India’s internal political competition and struggle for power. Occasionally, electoral considerations have, for short time, influenced Indian decisions on Pakistan\textsuperscript{18} but the India question is extremely important in Pakistani politics, specially for the Pakistani armed forces to legitimize their continued dominance over civilian politics and national affairs.

Pakistan has also shown periodic interest in and commitment to CBMs with India, but its political will in this respect seems to have been vitiated by the dynamics of internal power struggle, particularly between the army and the civilian political forces. This has been evident during the periods of Z.A. Bhutto (1972-77). Benazir Bhutto admitted that she had little control over Pakistan’s India policy and was not supported by the army in building a viable trust with its larger neighbour. This kind of conflict also came to the fore between Prime Minister Nawaz Sharif and Pakistan’s army during the
Kargil conflict and in the context of General Musharraf's coup against him in October 1999.

It is widely assumed that CBMs work more-effectively in a situation of power symmetry. No such situation of balance exists between India and Pakistan. While India being better placed in the South Asian power structure has a vested interest in stabilising it, Pakistan finding itself disadvantaged wants to disturb it.

The role of Pakistan's search for power parity with India has been analysed elsewhere, as a contributing factor in the adversarial relationship between the two countries. Pakistan's sense of inferiority and deprivation vis-a-vis India was reinforced by the way India went about distributing assets between the two countries following partition and also the manner in which it could complete the task of integration of princely states. Pakistan deeply resented that its moves to get Kashmir on its side could not succeed. Even subsequently, its attempts to grab Kashmir by use of force in 1965 and during the 1990s, including the Kargil fiasco, only ended in frustration.

In 1971, India's decisive role in breaking Pakistan to help Bangladesh emerge as a sovereign, independent nation further hurt its national psyche and parity aspirations. Kashmir has in a way become an icon of revenge of 1971 on India in Pakistan's considerations. It was assumed that nuclear
equalizer achieved by Pakistan vis-a-vis India in 1998 would satisfy its search for parity and help restoration of normalcy in India-Pakistan relations. But the Kargil developments and Pakistan's recourse to cross-border terrorism defy it. The rationale of these operations has been to "bleed India through thousand cuts", and weaken it internally following the realisation that an outright military victory was not possible. General Musharraf admits that Pakistan's nuclear capabilities have made the concept of "strategic depth" irrelevant in its relations with Afghanistan. But he does not seem prepared to see if this nuclear equalizer with India can play a positive role in harmonising relations with India.

India obviously cannot erode its own capabilities and strength to satisfy Pakistan's search for parity in the interest of better and lasting CBMs between the two countries. But there is scope for India to reorient its foreign policy towards Pakistan and other neighbours in a more gentle and accommodative frame. This was evident in the "Gujral Doctrine" referred to earlier. On the specific question of Kashmir, indications of India's compromise are evident in the acceptance of a solution along the Line of Control, drawn between India and Pakistan mutually in 1972. This implies India's de jure loss of Pakistan-occupied Kashmir. India was also willing to make a further territorial concession in 1962-63 in Kashmir. Both in the Indo-Pak Joint Statement of June 1997 and in the Agra drafts, India had also accorded a priority status to the Kashmir issue in order to persuade Pakistan towards accepting a broader and
sustained approach to bilateral cooperation. However, such gestures have not evoked desirable response from Pakistan. India’s failure to maintain internal harmony in Kashmir since 1989 has naturally aroused Pakistan’s aspirations with regard to its “unfinished” agenda in Kashmir. Indications are that such aspirations will not be satisfied until it has disturbed the status quo in Kashmir and succeeded in occupying a slice of territory in the Kashmir valley.

The question of Kashmir, which is mixed-up with Pakistan’s sense of national identity, as well as its search for parity with India have been a source of distrust and suspicion in the context of CBMs and security building efforts. Since 1972, Kashmir issue has been used by Pakistan in vitiating CBMs with India. This was evident during the periods of Bhutto, Zia, Benazir and Nawaz Sharif regimes in Pakistan. General Musharraf has made Kashmir as the key factor in India-Pakistan relations so much so that he does not recognise the value of any other CBMs against the resolution of Kashmir issue. He said so during the Agra summit.

5. The Way Ahead

The CBMs between India and Pakistan may work in a limited context of efforts towards avoiding war between the two countries. But for building lasting cooperation and security between them, both the countries must demonstrate a resolute will to recast their relations in a constructive mould.
The present security situation arising out of the US anti­terrorist war in Afghanistan has both short and long term implications for India-Pakistan relationship. Both Pakistan and India are the US allies in this war against terrorism. The US policy, therefore, cannot afford to have any major conflict between its two allies at a time when the war is not yet finished. The Taliban regime has been folded out of power and the Al Qaeda organisation based in Afghanistan has been demolished. But its roots in many other countries remain in tact and both Mullah Omar of the Taliban and Osama bin Laden of Al Qaeda are still un-traced. The US forces, along with the Pakistani troops, are engaged in combing operations to find them out and finish the remaining pockets of resistance in southern Afghanistan and along the India-Pakistan border. They therefore cannot afford any conflict between India and Pakistan at this stage; hence their efforts to reduce tensions in the subcontinent in the aftermath of the December 13 attack on Indian parliament.

In the long run, there are indications that the US may have to remain in the region for a long time. Some highly placed American officials visiting Delhi have described that the war against terrorism in its subsequent phases could be as long lasting and persisting as the cold war. Under such circumstances, the prospects for a lasting peace between their two allies, India and Pakistan, become a necessary
component in their overall regional policy. This may also prove to be an opportunity for both India and Pakistan to take their bilateral relations from a conflictual context to the context of cooperation and peace. The bilateral movement in this respect may be considerably facilitated if General Musharraf’s promised restructuring of Pakistani politics by purging it from jihadi and extremist violence becomes a reality on the ground. It, however, remains to be seen if the positive potential of India-Pakistan-US anti-terrorist coalition (which is part of the larger global coalition) unfolds itself.

One can think of and propose many innovative CBMs to be tried between India and Pakistan. But they will be of little use until the difficulties inherent in the structures and dynamics of politics identified earlier are taken care of. Simply introducing primacy of political and security issues in bilateral or regional relations in South Asia will not help much. A great deal of willingness and maturity will have to be shown by both the sides in building responsive economic and cultural constituencies. Pakistan has been extremely hesitant in these areas but it will have to shed off this hesitation and come forward.

SAARC provided an alternative for Pakistan to work on building economic and cultural cooperation with India in a regional framework, but that opportunity has not been properly
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availed of until now. Only vigorous engagement in these areas will help the people and their rulers in the two neighbouring countries to "jettison their historical baggage" of conflict and suspicion. One hopes that General Musharraf's promise to restructure Pakistani politics will go much further than religious or jihadi reforms and address itself to the task of creating a national identity that does not get bogged down to India. That would really bring positive changes in the dynamics of India-Pakistan relations.

Endnotes


9. Ibid.


11. Dixit, *op.cit*, p.316

For a reliable account of Indo-Pak negotiations during 1962-63, see Y.D. Gundevia, *Outside the Archives*, New Delhi, 1976, (Mr. Gundevia was India’s Foreign Secretary and a member of the Indian delegation at these parleys).


For Gujral’s foreign policy approach see, I.K. Gujral, *A Foreign Policy for India*, External Publicity Division, Government of India, New Delhi, 1998.


This expression was used by Prime Minister Vajpayee in one of his “musings” as well as in his speech at the SAARC Summit in Kathmandu (January 2002). Gen. Musharraf endorsed it in his speech on January 12, 2002, while presenting a bold initiative to free Pakistan’s domestic politics and foreign policy from *jehadi* violence.