

INDIA - PAKISTAN

India & Pakistan are known as 'Conjugal Twins'. Shashi Tharoor calls Pakistan as 'Brother Enemy'; so far one of the most challenging area for India's diplomacy. Acc. to Shashi Tharoor, India-Pak relations reflect open conflict & simmering hostility. He further states that in dealing with Pakistan, we have exhausted all ideas. India tried Bus Diplomacy, Cricket Diplomacy, Designer Diplomacy, Nuclear Deterrence but nothing works.

Stephen P. Cohen, in his book 'Shooting for a Century' mentions, there is no hope for improvement in relations in coming ³⁰ ~~100~~ years as they are involved in 'Paired-Minority Conflict'. An extreme version of distrust as one side considers other as biggest enemy & itself as the victim.

Acc. to David Malone, relations have not changed since 1947, from where they started rather they got deteriorated.

Stephen P. Cohen mentions them as 'mutually-hating Stalemate'. Rivalry is not limited to the bilateral level & spilled to the region where it has

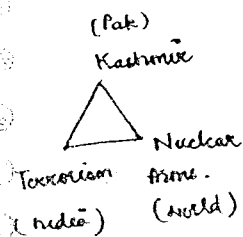
Ind & Pak
Afgh - Ind - Russia

Ideology
(2 nation theory)
↓
super power conflict
↓
vested interests
(Pak army)

army with a
state, not a
state with
army.

impacted the integration of South Asia. In other areas where we see increasing trends towards regional integration, in South Asia we see Reverse Regionalism.

It was once an integrated unit & partitioned later. Since then Nations are finding ways to assert their different National Identities, despite the enormous similarity in the history & culture.



CAUSES OF CONFLICT

From Pakistan's point of view Kashmir is real cause, India thinks Terrorism is main issue from International community's point of view Nuclear arms race is main issue. As to Stephen P. Cohen, Kashmir, Siachen, Suez, water Issue, trade are not causes but consequences; it means even if we resolve Kashmir, which we can't, but doesn't mean relations would improve. The reason is real causes lie elsewhere -

1. Two Different Ideas

Idea of India & Idea of Pakistan

X

The two ideas are inherently antagonistic, one can't coexist with other. So far, idea of Pakistan i.e. religion as base of nation was challenged when Bangladesh was created. Idea of India still survives & challenges Jinnah's Two-Nation Theory.

Acc. to Shashi Tharoor, it is most important to preserve 'Idea of India'. Pakistan can destroy building, kill people. So far it has not been able to fulfill its objective of killing of spirit of India. Mumbai has shown resilience with this idea a number of times.

2. Vested Interests in Both sides
- primarily in Pakistan.

In context of Pakistan where army is biggest threat. It is said that other states have army but Pakistan army has state. Other states army protect people, & is for defence & security, whereas in Pakistan army maintains political privilege & also gives Economic benefits.

Mumbai -
Economic Centre
to prove International
Comm. weakness
in Idea of India
∴ Develop
stakes of China,
Russia, USA to
pressure Pak

Pakistan army has given bigger harm to people of Pakistan, than India. Because of army democracy could not take roots in Pakistan. Pakistan once had a potential to be leader of Muslim World like Turkey. However it has destroyed its own prospects.

internal
cohesion

It lacks cohesion, suffers from Ethnic challenges, communal violence & has become an ex^gpl of 'Hobbesian Anarchy'. It is a failed state.

3. Weak National Identities

where countries have to emphasise differences from Pakistan's side comparison in size & capability is source of Insecurity

4. External power in South Asia

Conflict b/w USA & USSR, where US found Pakistan as important factor in its conflict against Russia. Later Pakistan gained importance in China's South Asia policy. Because of these 2 states, Pak Army became beneficiary of military & Economic Aid.

MAJOR ISSUES IN CONFLICT

In composite Dialogue Process, the two countries have identified eight issues where they need to talk on 2+6 framework (Functional Approach)

-2009.

Composite Dialogue continued uninterrupted till till 2008. There were four rounds, & fifth round of talk was in progress. There was significance improvement in areas - confidence building measures were put into place - bus & rail routes started, judicial committee to address the issue of civilian prisoners & fishermen there was 550% jump in trade in 4 yrs, which was 344.59 million USD in 2003-04, & became 2.23 billion USD in 2007-08.

The two countries joined Anti-Terrorism Mechanism

Areas in Composite Dialogue

1. Kashmir
2. Peace & security (Nuclear CBM)
3. Siachen
4. Sir Creek
5. Tullbul Navigation or Nullah Barrage

6. Terrorism & drug trafficking
7. Economic & commercial cooperation
8. Promotion of friendly relations in various field

The Dialogue process remained disrupted as India took hard step till Pakistan doesn't address India's concern of Terror Attack, there is no question of dialogue.

However, because of international pressure, the two decided to restart the dialogue, declared in SAARC Summit Thimphu in 2010 known as 'Thimphu Spirit'.

ISSUES -

KASHMIR ISSUE

→ Besides the ideological conflict, Kashmir also has geo strategic significance as a buffer zone & geo Economic significance because of its hydro power. Kashmir is witnessing reversion of geography.

← reversion of geography.

Options for resolution of Kashmir issue -

There have been a no. of proposals -

1. UN Proposal

UN has given many proposals. The first was based on line of thought of Nehru.

Pakistan did not agree to withdraw its forces, which was the UN's proposal. Plebiscite to take place to know will of people of Kashmir.

Pakistan's condition was that India should also evacuate. This option has lost relevance because of demographic changes that have happened since then.

2. Certain sections say or think on line of Maharaja Hari Singh that Kashmir should be made an independent territory, however this is not possible due to presence of big giants like India, China & Pakistan.

There is a proposal that like Switzerland it should be given a permanent neutral status.

This again is not possible due to level of distrust.

3. To give administration of Kashmir to UN under UN Trusteeship

4. Musharraf Formulae

i) During Agra Summit, 2001

- official talks should start

centrality of Kashmir should be accepted

any proposal unacceptable to Pakistan, India

& Kashmir should be taken off the table

any option acceptable by all to be taken forward

ii) December, 2006

• Demilitarisation of entire Kashmir public places

• autonomy or self governance

allow movement of people & trade through LoC

joint supervision & management of territory

c. Manmohan Singh's Formula

Approval of Musharraf's line of thinking; the

suggestion was to make LoC a soft border,

continue dialogue, resolve the disputes like

Siachen, Sir Creek

6. Interlocutor's Report's suggestion was -
- greater autonomy to J&K
 - better Economic integration with PoK
 - consultative mechanism b/w people from both sides of Kashmir
 - Govt try to win trust of people of Kashmir

There has been a movement in line with Musharraf & MMS's thinking which includes -
 start of road link b/w Poonch & Rawalakot
 Srinagar & Muzaffarabad ; opening of trade
 at LoC

Atal Bihari Vajpayee held that problem of Kashmir has to be solved in context of 'Insaniyat ke Daire mein' he suggested -
 Insaaniyat, Kashmiriyat & Zamaniyat

SIACHEN ISSUE

- literally means Valley of flower
- it is the biggest non polar glacier.

Siachen became cause of dispute in 1980s when Govt came to know that Pakistan is granting Visa for mountaineering in this region.

Siachen

Trust deficit

India took pre-emptive action in name of operation Meghdoot & estb. control on strategic heights. Since then region is under India's control. It is a classic example of Trust Deficit b/w the two countries.

India spends Rs 3 crore per day & send amt. by Pakistan to maintain their armies.

As Mani Shankar Iyer writes, frost bite kills more soldiers than guns & artillery.

More than 100 Pakistani soldiers died in recent avalanche. It is impacting fragile Ecology of region. Former Army Chief, Pakistan held that we should demilitarise Siachen.

Present PM, also supports de-militarisation, make it mountain of peace where joint research & explorations can take place.

Stephen P. Cohen calls it fight b/w two bold persons for a comb. Indian army wants - first de-locate, then authenticate, demarcate & then de-militarise. We can't trust Pakistan assurances. If we demilitarise first & Pak

is able to gain control of strategic heights in the region, we'll not get it back. Pakistan had taken such initiative in Kargil.

LoC is demarcated till the last point NJ9842 in Simla Agreement. After this point, it suggests that LoC moves Northwards but does not suggest North East or North West. India wants it should move towards west, this would keep Siachen in India's sphere. Pakistan wants it to move East.

SIR CREEK ISSUE

Pakistan supports 1914 map which makes boundary adjacent to Gujarat boundary known as - GREEN LINE. India supports 1925 map which makes mid channel a boundary known as RED LINE. Polders are also existing along red line implying that 1925 map was agreed India supports THALWEG PRINCIPLE, acc. to which water bodies to be divided from mid channel, for Pakistan Thalweg Principle applies for navigable waters & it is a marshy land. for India it is navigable during high tides.

It is an Economic Loss because they can't utilize their marine resource. It is a humanitarian crisis because fishermen are caught. There is a danger because UN may declare it is an International Body.

2009 was
the UN time
limit given to
solve.

WATER ISSUES

It is predicted that water will replace Kashmir as a major cause of dispute. In recent past, radical elements in Pakistan society have started talking about water wars, 'if water will not flow, blood will flow,' certain myths are -

- Indus Water Treaty is not favourable to Pakistan.
- India uses water as strategic weapon;
- India takes away all energy of water & all useless water comes to Pakistan.

→ In recent times, two countries had gone for neutral expert arbiters in case of Bagalhar Dam & for arbitration in case of Kishenganga. Dispute on Talbal navigation project is one issue in composite dialogue. The two countries have Indus Water Treaty as water sharing arrangement -

INDUS WATER ARRANGEMENT :

- Indus system has been divided into two parts - three Eastern rivers - Ravi, Beas, Sutlej are entirely for India's use & three western - Indus, Jhelum & Chenab have been given to Pakistan.

— Rivers

1, 2, 3 - Pak

4, 5, 6 - India

Don't repeat &
mistake with
Teejra.

India can use
for non consumptive
purposes as
its right of
being upstream.

Acc. to Brahma Chellany, it appears to be an equitable agreement but reality is that western rivers constitute 80% of total flow of Indus system & 20% is constituted by Eastern rivers.

India being an upper ^{riparian} riparian state has been permitted the use of western river water for non consumptive purposes for eg - Electricity @

Treaty gives rights to Pakistan, India can go for use of waters of western river only with consensus of Pakistan. Pakistan may raise objections if they think Indian projects impact their right of water. Acc. to Brahma Chellany, 'it is like giving veto power to Pakistan. Nowhere in world upper riparian state has compromised its water as India under this treaty.

India's rights are superficial as Pakistan raises objection on every Indian project.

Treaty creates permanent Indus Water Commission with Commissioner from both side to overlook if parties are adhering to their commitments

Platform could also be used for resolution of dispute. If it is unable to resolve, parties can go for arbitration.

Pakistan has raised objections on all Indian projects.

- In 1978 against Salal Dam on Chenab
- In 1987 against Tullbul Navigation - Jhelum
- 1999 on Bagalchar
- against Kishenganga Dam on Jhelum

The two countries have gone for neutral expert in case of Bagalchar. The verdict was in India's favour, recognising India's right to construction with may minor changes in design of dam.

Final award in Kishenganga when two countries approached International court of Arbitration (permanent) final award in Dec 2013, recognises -

- India's rt. to use water for generation of electricity under Indus water Treaty. Verdict is not completely in India's favour & tries to balance interest of both countries.

- However India's rights are not absolute. It has to take into consideration, concerns of Pakistan
 - India has to maintain a minimum flow of water downstream. It demanded flow of 100 cubic m/sec. The award gives direction for 9 cubic m/sec
 - This arrangement will continue for 7 years, after which two parties may go for reconsideration
- It puts restrictions on Indian designs, India will not be allowed to use 'Draw Down Flush Technique' for sedimentation except in an extraordinary situation.

TERRORISM

After defeat in three direct wars, Pakistan started low intensity warfare, a policy of giving -
 'hundred cuts to India'

Shashi
Tharoor

For the first time Pakistan accepted Terrorism as a matter of dialogue in Agra Summit. It is also an issue in Composite Dialogue.

Pakistan's narrative is, that, Terrorism in India is by dis-satisfied Kashmiris; & it portrays itself as victim of terrorism. It claims India's involvement in Baluchistan. India committed strategic mistake, 2009 Sharm-Al-Sheikh Summit of NAM at Egypt, where Indian PM accepted to include terrorism in Baluchistan of the framework of Composite Dialogue.

central Asia
& regional

Acc. to Shashi Tharoor, Pakistan uses terrorism as a part of its diplomacy, selection of commercial hubs like Mumbai, Bangalore, aims to show -

- weaknesses in India's internal security structure.
- undermine int. communities incentives to invest in India.
- to show India is a soft state.

It impacts self-confidence, confidence in state's ability to protect the people.

• Over a period of time international community has gone too much in India's favour due to its economic potential. Pakistan wants to cut roots on which India wants to nurture its superpower dream.

So far, India has not been able to evolve any sound strategy to counter Pakistan.

Options for India

- Ramp up internal security structures
- put energy in International platforms to evolve strong international laws against state's sponsoring terrorism or any act of terrorism
- strengthen - 'National Security Summit'
- explore cooperation with China
- improve relations with Iran
- work with central Asian states & Russia
- pressure USA

Afghanistan's
Elections are
internal security
threat to India
concern.

- central Asia
- regional connect?
UN,

- some scholars suggest Israeli Type Actions to take direct actions & destroy safe havens. It is not feasible for India

• TRADE ISSUE

Initially India & Pakistan were largest trading partners, but later it got changed. Legal trade became small & stagnant, whereas illegal trade is still significant

The two countries purchase goods of each other through third party making it costly for consumer. It is also a loss of revenue due to illegal trade. India has granted Pakistan, the MFN status in 1996, but Pakistan has yet not given this status. In Jan 2014, Pakistan agreed to find ways for estb. reciprocal non discriminatory market access' as certain sections in Pakistan are against use of MFN Term.

There are many impediments to trade

- Army's vested interests
- those involved in illegal trade
- protectionist Economic policy

- China supplements India
- If India some sections feel that India should go ^{slow} on Economic front to isolate Pakistan Economy
- Visa regime is restrictive
- weak trade facilitation centres;

Though in past some favourable developments happened, primarily on Energy front -

- finalisation of TAPI pipeline
- India has agreed to transfer 500-1000 MW of Electricity to Pakistan
- an integrated modern check post had been opened at Indian side of Wagah-Attari border