

Confidence Building Measures between Pakistan and India: The Way Forward

Muhammad Shamsad

Ph.D. Researcher at Pakistan Study Centre, University of the Punjab, Lahore,
Pakistan.
Email:

Amjad Abbas Khan

Associate Professor at Pakistan Study Centre, University of the Punjab, Lahore,
Pakistan.
Email: amjad.psc@pu.edu.pk

ABSTRACT

The study has made an attempt to explore the areas on which Pakistan and India have initiated Confidence Building Measures (CBMs) to assure regional stability, peace and strategic balance in contemporary scenario. This research study deliberates upon the pitfalls and shortcomings in implementation and continuation of CBMs between the two rivals. Across the globe, South Asia is defined by the state of animosity between Pakistan and India. Despite several efforts throughout the history, the both states are entangled in prisoners' dilemma. As the result they have missed several ripped moments for the peaceful conflict resolution to ensure sustainable peace. After the recent incidents of Pulwama and revocation of Article 370 and 35-A from Indian constitution, both states are focusing on hostile posturing vis-à-vis each other. It is pertinent to understand that all peace efforts failed in the region but every effort to derail peace is always successful. It appears as if domestic politics of India revolves around war jingoism, hostility, hatred and religious fascist nationalism. That is why; it has shown reluctance towards the sincere observation CBMs so far.

Keywords: Pakistan, India, CBMs, Kashmir, Security, Region, Peace.

CBMs: A Theoretical Perspective

CBMs are of different nature; they can be tacit, understood, unannounced, informal, private or public and possess the efficacy to create the atmosphere of mutual cooperation and coexistence (Chatterji, 2005). The Henry L. Stimson Centre of Washington D. C has described communication, constraint, transparency and verification as the four major types of CBMs. It explains that Communication includes hotlines, regional communication centres and consultations which work for minimizing the tension between the concerned states. Constraint measures work for decreasing deployment of military troops on borders and for providing prior information of military movements. Transparency makes the parties able to

generate openness for pre-notification and information exchanged. Verification is observed through written agreements, treaties, independent observations and inspection to reduce vulnerability and mistrust of goodwill (Harman, 2013).

Michael Krepon divides the process of CBMs into three different stages. The first stage is Conflict Avoidance Measures in which the concerned states take some specific measures to avoid “unwanted wars and unintended escalation”. Signing and implementing the ‘Agreement on air space violation and for permitting over flights and landing by military aircraft’ of April, 1991 by India and Pakistan is the most relevant example in this connection. Second stage is known as Confidence Building that is supposed to be more difficult stage in this process as “it involves difficult transition from conflict avoidance to confidence building”. Example of Kashmir issue can be quoted here to understand the process. Kashmir issue has made difficult for Pakistan and India to travel from CAMs to CBMs. Third stage is strengthening the peace which is the result of the success of CAMs and CBMs (Salik, 2010). Pakistan and India are still passing through the second stage and both are making efforts to achieve peace and prosperity. That is why Pakistan and India have been stick to CBMs for resolving their issues ranging from territorial disputes to the economic ones that may cause an improvement in the lifestyle of the public. They can reduce the severity of militant attacks in the region, grant life security and equip the public with the new trends of learning.

CBMs: The Scope

Confidence Building Measures (CBMs) are well recognized concept to resolve various issues in the modern world. These measures can be beneficial for the comity of nations to formulate rules and regulations regarding the protection of the borders, political and economic spheres. So many nations are indulged in this process to attain peace not only for national level but for the regional and international levels as well. Same is the case with Pakistan and India; they are, too, making efforts to get rid of their regional issues through the effective CBMs. Both the countries have initiated a number of CBMs on different issues. But, CBMs on Kashmir issue, socio-cultural exchange, border security and exchange of prisoners and fishermen and water issues are active; others are facing a kind of dormant phase between contemporary Pakistan and India. Kashmir dispute, the apple of discord between Pakistan and India, is being tried to be solved out through these measures in a peaceful way. People from both states are getting more and more chances to exchange visits for socio-cultural promotions. The major focus is being paid towards border security through these measures to avoid a great loss of lives on both sides. CBMs on exchange of prisoners and fishermen are a witness of the security to life. Currently, the issue of water is the burning one between both the nations. Efforts are being made to make the Indus Waters Treaty effective by using the tool of CBMs. Most probably, the two states are quite optimistic to achieve the solutions for their mutual and regional issues through these Confidence Building

Measures. In the following, the most important areas of Confidence building Measures, between Pakistan and India, are elaborated one by one

Kashmir Conflict

First and the foremost, Kashmir Conflicts the most important area where Pakistan and India have shown interests on and off to develop a consensus to solve it through Confidence Building Measure. With the beginning of the new century both sates focused on this major issue but reluctance from either side worked as a hurdle. But from the side of Pakistan, President General Pervez Musharraf tried his best to conduct dialogues with New Delhi for regional peace and security. On the occasion of the parade of 65th Pakistan Day in 2005, General Pervez Musharraf encouraged both India and Pakistan to show flexibility, courage and honesty based intentions for resolving the most complicated disputes including the Kashmir issue. While addressing the nation, he highlighted that under circumstances, when Kashmiris were suffering from the loss of property and lives, there should be a progress towards its solution. He perceived the importance and effectiveness of CBMs between Pakistan and India in these words; “If progress is not made on the resolution of the real problems, the confidence-building measures will lose their impact” (Dawn, 24 March 2005).

In an interview to CNN-IBN Musharraf opined that Pakistan and India should resolve the Kashmir issue through mutual agreements rather than involving the third party or parties. These views were the result of the statements of the then American President George Walker Bush in which he clarified that US would not facilitate the Kashmir dispute but would continue to suggest Pakistan and India to get rid of the apple of discord as soon as possible. Further, Musharraf added that CBMs were working ‘reasonably well’ but “conflict resolution part” was not so much impressive with its work (Dawn, 10 March 2006). Same response was observed in 2008 when Shah Mahmood Qureshi, foreign minister of Pakistan, briefed to his counterpart Parnab Mukherji that Kashmir was a bilateral issue and should be resolved through the mutual understanding of India and Pakistan after examining the regional situation deeply. He further clarified that that both the countries should not look for third party as a mediator rather they should pay heed to resolve the issue via successful composite dialogues (Dawn, 27 November 2008).

Some of the factions in Kashmir welcomed the government of Pakistan People’s Party (PPP) in Pakistan in 2008 because they were expecting the historical approaches of PPP towards the solution of the issue. But, President Asif Ali Zardari’s statement that “Kashmir cause should not become an impediment to normalization between India and Pakistan” changed the views of the Kashmiris about the policy of PPP to deal with the issue. Some days after the statement, Zardari adopted defensive techniques to explain his statement for gaining popularity within Kashmir. Overall, PPP did nothing special to resolve the issue but got successful in “internationalizing the issue” (Shafiq, 2015). The Indians

have perceived the Kashmiris as militants that have restrained the process of dialogue between Indian government and the Kashmiri leaders. That is why; the Indians have shown their attentions diverted towards Pakistan. The situation of the dialogue between Pakistan and India is quite different. Time and again the Indian politicians showed their inclination towards initiating dialogue with Pakistan that was responded quickly and positively. The example of Prime Minister Nawaz Sharif can be quoted here who welcomed the offer of dialogue in 2013 for resolving the major issues including the Kashmir dispute. Unfortunately, Pakistani leadership has been responding positively “but the Indian response invariably has either been mute or half-hearted” (Cheema, 2014).

When Nawaz Sharif came into power, a large group of the scholars and thinkers perceived that India and Pakistan were going to enjoy the cordial relations. No doubt, during Nawaz’s tenure Pakistan and India signed a large number of agreements relevant to the economic uplift, socio-cultural interaction and promotion of political culture. But, when Nawaz started prioritizing the Kashmir issue, the Indian political elite showed aggression in shape of violation of border and in emitting the annoyed statements to bring the relations to the lowest ebb. When Sartaj Aziz, an adviser to Prime Minister on foreign affairs, assured the Pakistani support to the Kashmiris in every sphere in 2016, Indian Foreign Minister Shushma Sawaraj said, “Pakistan's Prime Minister Nawaz Sharif must understand that "Kashmir can never become a part of Pakistan" (Dawn, 24 July 2016).

Nuclear Issue

Soon after the inception of Pakistan and India in August 1947, the Indians tried their best to undo the whole process. For that purpose, they terrified the newly emerged Pakistan by challenging its border security especially. India initiated nuclear program in early 1950s and established Bhabha Research Institute in 1956. In this way, India became the first South Asian state to have a research reactor ‘with enriched uranium supplied by the United States’ (Shamim and Farooq, 2018). Later on, India conducted its first nuclear test with code name ‘Smiling Budha’ in reaction of China’s nuclear test of 1964. The purpose behind that nuclear test was to counter the threat of emerging China and Pakistan. In case of Pakistan, Zulfikar Ali Bhutto was the first leader who announced to assure nuclear capability for Pakistan for maintaining the regional balance of power. Pakistan signed an agreement with France in 1974 to construct a nuclear processing plant. During late 1980s Pakistan had almost got nuclear technology but it was refrained to public. All the secrets were explored from both sides in 1998 when India tested its nuclear weapons on May 11 and 13 in Pokhran, Rajasthan. In reaction, Pakistan tested its nuclear missiles on May 28, 1998 in Chagai, Balochistan (Shamim and Farooq, 2018).

The purpose of Pakistan’s nuclear program is to deter all forms of external aggression for the promotion of regional peace, national progress and prosperity.

Confidence Building Measures between Pakistan and India: The Way Forward

Since its inception to 1974 (when India tested nuclear missiles) Pakistan's nuclear program was completely peaceful under 'Atoms for Peace'. But the reciprocal response, from the Indian side, has created insecurity for Pakistan. Currently, Indo-US strategic partnership has furthered fuel to the fire and has brought the regional security to the brink of destruction (Einhom and Sidhu, 2017). Therefore, Pakistan and India have signed a number of agreements to restrict nuclear proliferation to assure the regional security. They signed an agreement with the name 'Agreement on the Prohibition of Attack against Nuclear Installations and Facilities' on December 31, 1988 according to which they were bound to inform each other about the nuclear installations and facilities on 1st January every year. The agreement was enforced on January 27, 1991. Political elite from both the states diverted attention towards making the agreement in 2001 when Indian Parliament was attacked by the terrorists. In addition to that, nuclear tests of India and Pakistan in May, 1998 and military show down in Pakistan in October, 1999 brought New Delhi and Islamabad on the table of dialogue and agreements. The series of agreements assured that Pakistan and India have no chance to indulge in the nuclear war that can deteriorate the regional peace and security (Global Security Organization, 2003).

In this age of globalization, prevention of nuclear proliferation among the developing states is conditioned with long term strategic interests by avoiding the wars. The role of big powers, in this respect, cannot be ignored who have tried hard to make CBMs more and more effective. As far as the efforts of these powers in South Asian region are concerned, they have minimized the threat of nuclear war especially between Pakistan and India. An end to Kargil conflict in 2001 and avoidance of war in 2002 after the attacks on Indian parliament could be achieved through the facilitation by United States and United Kingdom (Chapter III, n.d). The years 2001 and 2002 put Pakistan and India on back-foot for almost 6 years to restore the friendly relations after 'Lahore Accord' and they signed Missile Notification Pact in October 2005. Suba Chandran analyses these different but plausible causes in the following way:

“The official faith, especially amongst the civilian and military bureaucracies on deterrence makes them believe that [nuclear] CBMs are not high priority. Both countries believe nuclear deterrence exists and view the Kargil conflict and the 2002 border confrontation as a proof of this” (Dalton, 2013).

As noted by Tony Dalton that Musharraf's statement in national and international conferences reflected that he was absolutely not interested in dealing the disputes through military. During a press conference in 2006, Musharraf argued that “there is no military solution to our problems. The way forward is through diplomacy”. On the hand, Indian Prime Minister, too, was agree to avoid a nuclear war and suggested peaceful ways to resolve the issues. It was a signal

towards the development of cordial relations. But a series of events, primarily the cross-border firing, attack on Indian consulate in Afghanistan by the militants and Bombay attacks of November 26, 2008, proved hurdles in the way of measures for peace-building (Dalton, 2013). Pakistani foreign minister Hina Rabbani Khar and her Indian counterpart S. M Krishna participated in Ottawa Dialogue in December, 2011. Both the ministers focused on the continuity of CBMs in South Asia. Through their speeches they tried to clear the impact of cruise missiles and ballistic missiles on the regional security. They directed their respective governments to begin again the process of effective dialogue through which they could avoid the nuclear war in the days to come. Additionally, the ministers suggested that nuclear technology should be used for the development of the agricultural, medical field and security based operations of nuclear power plants (Council on Foreign Relations, 2011).

Issue of Peace and Border Security

Accordingly, regional peace and border security are supposed to be the basic need for states to flourish and grow independently to approach the latest trends of progress. In this age of perfection, specialization and latest technology it is quite impossible for the states to negate the importance of measures which can ensure peace and stability. The world has become a global village where states are supposed to be dependent upon one another. So, when a state gives birth to the threats and issues at national level it disturbs the peace of its neighbouring countries too. Same is the case with South Asian region that consists of 8 countries including Pakistan, Sri Lanka, India, Bangladesh, Bhutan, Nepal, Maldives and Afghanistan. But India and Pakistan have got focus of the world as their traditional rivalry has caused a colossal damage to the regional security. The rest of the regional powers do not share any particular issues to fight with one another. Additionally, the involvement of three 'giants' Russia, US and China has brought the relations between these two states to the lowest ebb (Lyon, 2006).

Pakistan and India have tried their best to restore the cordial relations through resolving the issues relevant to regional and border insecurity. With the beginning of the 21st century, Musharraf was the initiator of this peace-process. An Indian newspaper writes that Pakistani President General Pervez Musharraf offered the Indians a conditional ceasefire along the Line of Control (LOC) first time in the history of both countries. Musharraf discussed the sympathetic condition of Kashmiris with the delegation of the Indian parliamentarians in a conference organised by the South Asia Free Media Association in August, 2003. These 50 Indian delegates got impressed by the way the President had discussed almost all the burning issues of that time between India and Pakistan during 90 minutes' interaction. In this discussion the main focus of Musharraf was the Indian atrocities committed on Kashmiris. That is why, he offered conditional ceasefire. He said, "If India stops atrocities, human rights violations, releases political

prisoners and creates an atmosphere, then, may be, we can facilitate a ceasefire (in Kashmir)” (The Hindu, 13 August 2003).

Trade, Travel, Tourism and Social Exchange

By the same token, cross LOC facilities like trade, travel, tourism and social exchange have been helpful in defining the directions for Pakistan and India to review their strategies with reference to the solution of their complicated issues like Kashmir. So, in the beginning of the 21st century, New Delhi and Islamabad followed the people-centric approach rather applying the state-centric approach to facilitate the public in the mentioned areas to a greater extent. For that purpose, Pakistan and India began a series of CBMs which resulted in solving a number of minor issues (Akhtar, 2012). A bus proposal floated from the side of India in 2001 that was revived in 2003. Two countries restarted a fortnightly Srinagar-Muzaffarabad bus service in 2005 and an agreement was signed in 2006 for inaugurating bus service linking Pooch and Rawalakot. Later on, these fortnightly services were converted into the weekly services in 2008 that led to remove a blend of misconceptions about each other (Akhtar, 2012).

These CBMs got importance with the inauguration of bus service and trade facilities in 2005 and 2008 respectively as these measures worked to change the dynamic of the life of various conflicts. Many people on both sides appreciated the efforts of the concerned governments to carry on the process to assure peace and prosperity. These measures caused a big change in the life of the public. But, from the side of governing authorities these measures were being ignored. Though, these measures could not provide quick and final solution to the problems but “they were supposed to serve as a precursor to a lasting one” (Bukhari, 2017). Saman Zulfiqar observes that the direction of the process of Indo-Pak dialogue after Bombay attacks in 2008 diverted towards trade, investment and people-to-people contact while ignoring all the political issues. During the resumption of dialogue Pakistan ignored to mention the issues like Kashmir dispute and water issues. But, the same avoidance could not be seen from the Indian leadership who have been exploiting the situation in Kashmir and have been blocking financing of Diamir Bhasha Dam in multilateral institutions (Zulfiqar, 2013).

In this way, economic CBMs between India and Pakistan are gaining more importance, yet there is a dire need to materialize these. The Director General level border talks on September 12, 2015 got a little success in attaining the motives behind. Director General of India’s Border Security Force, D. K Pathak and his Pakistani counterpart Maj-General Umar Farooq Burqi signed a “Joint Record of Discussion” and the agreements on some new CBMs with a particular purpose of the security of border and the public was not involved to be entertained through exchanging sporting and cultural values. All the prominent media personnel did make stress on the need for giving the public an opportunity to remove hatred and psychological enmity to strengthen the regional peace (Noorani, 2015).

Currently, many analysts and authors argue that economy, social context and media interaction are the key factors behind the promotion of peace and confidence building measures. The increase in bilateral trade, socio-cultural exchanges and an 'effective perception building mechanism' are the most important element in this regard. But, there are some hurdles in initiating these steps as corridors of power in New Delhi are manipulated by the supporters of Hindutva, the BJP. State media also supports the ideology of BJP and its negative perceptions restrict the prospects of bilateral trade and socio-cultural connectivity. Making the CBMs, in this respect, successful there is a need to adopt the prudent media policy for becoming more responsible over becoming more popular (Mohal, 2018). If one looks on the other side of the picture, he will find that Pakistani media is doing something favorable for the success of CBMs to promote people-to-people contact. On socio-cultural level, the Indian T. V channel 'Zindagi' has been launched from Pakistani side after the Indian ministry declared a ban on Pakistani programs. In addition to that, Pakistan has always been encouraging to show Indian soaps and shows (Effendi and Choudhry, 2016).

Issues of Prisoners and Fishermen

In similar fashion, exchange of prisoners and fishermen between Pakistan and India is the fertile area to initiate CBMs to provide life security to more and more people for creating an atmosphere of goodwill gestures. Atmospheric CBMs includes the release of political prisoners, cultural and sporting exchanges and assistance to the states who become victims of natural disasters. They are either unilateral or reciprocal. Deep study of Pakistan-India relations reflects that before Bombay attacks of 2008, India had experienced more atmospheric CBMs as compared to Islamabad that was far ahead of India in initiating more goodwill gestures than New Delhi. Under the consideration of these atmospheric CBMs, India released 60 political prisoners and 70 fishermen in 2003. While commenting on the occasion of release Indian Prime Minister Atal Bihari Vajpayee remarked that the Indians had extended the hand of friendship towards Pakistan and expecting the same from the side of the Pakistanis (Dawn, 19 August 2012).

President of Pakistan Pervez Musharraf and Prime Minister Zafar Ullah Jamali welcomed these gestures of goodwill. In 2010, Manmohan Singh repeated the history goodwill when he offered help for the victims of floods. In response of this offer, Asif Ali Zardari, then President of Pakistan ordered to release fishermen. In 2012, Pakistan released hundreds of Indian fishermen and a spy who had been prisoned for nearly 30 years (Dawn, 19 August 2012). Dawn notes that Interior Ministry of Pakistan announced the release of 337 fishermen in 2013 excluding one prisoner who was part of the list of 338 because of the doubts about his nationality. A few days later, the number in the list was increased up to 365 including 340 fishermen and 25 crew members of the Indian vessels (Dawn, 23 August 2013). Prime Minister Nawaz Sharif continued the tradition of showing goodwill gestures to build good relations with neighbouring states particularly

Confidence Building Measures between Pakistan and India: The Way Forward

India. In 2014, before his visit of New Delhi, Nawaz ordered the release of 151 fishermen with their boats. It was first time that any nation released the boats of fishermen too and Pakistan had decided to take a lead in this regard. Spokesman of Indian Foreign Ministry, Syed Akbaruddin told CNN-IBN that Pakistan had notified the Indian ministry of its goodwill gestures in shape of releasing the prisoners. Additionally, he said, "It's always good to welcome back our prisoners who have been in custody for some time" (Dawn, 25 May 2014).

With the arrival of Narindera Modi in the political scenario of South Asia, the perceptions of national and international media go changed. All the prevailing goodwill gestures started losing their importance and place in producing the atmosphere of peace and security in the region. CBMs were going to be ignored. In the year 2015, when Pakistan and India talked about the release of fishermen and political prisoner, the fourth pillar exaggerated the facts and blamed Pakistan and India for using fishermen as bargaining chip (Greater Kashmir, 22 June 2015). It was 2017 when Inter-Services Public Relations (ISPR) informed that government of Pakistan had decided to release Indian soldier Chandu Babulal Chohan. Chohan had been captured by Pakistan Army while crossing the LOC intentionally when he was stationed at Indian held Kashmir on September 29, 2016. When Chohan was handed over to the Indian authorities most of the national and international anchors named it as a 'good-step' from the side Pakistan to further the peace process for attaining the regional security particularly to the life of the public (Dawn, 21 January 2017).

Recently, it is one of the enduring Confidence Building Measure that Pakistan and India has shown the real observance of the Consular Access Agreement May 21, 2008. According to the agreement both the states are bound to share the list of political prisoners and fishermen (violate the territorial waters of each other) on 1st January and 1st July every year. The Government of Pakistan has handed over the list to the Indian High Commission on January 1, 2019. The list is consisted of the names of 54 civilians and 483 fishermen (Business Standards, 01 January 2019).

Issues of Water

In similar fashion, water issue is a fertile area between Pakistan and India to observe the importance of CBMs having solutions for it. Water issue has been critically important for both India and Pakistan. In the past, Pakistan has been ignoring the issue but, now, it is time to take a quick action through the adaptation of peaceful ways. Pakistani leadership, particularly, needs to review its policies towards India with reference to the water dispute. Institutionalized and long term policies should be encouraged and ad-hocism needs to be done away with and medium and long term formulation of the policies is required (Kasuri etl, 2009). On the other hand, India is showing reluctance in initiating CBMs in search of solutions to the water dispute. The statement of Tariq Osman Haider clearly describes the Indian motives behind that reluctance. He states that:

Muhammad Shamshad & Amjad Abbas Khan

“On the Indus Water issue, India's tactics reflected an attitude to use its upper riparian position to circumvent its solemn obligations under the Indus Waters Treaty and to try to build up a capability to pressure Pakistan” (Hyder, 2009).

Without any biases, reluctance from both sides has caused bickering over water rights pertaining to the Indus River persist that has soared intensity between India and Pakistan. Construction of controversial Wuller Barrage in Indian Kashmir has emerged as a major dispute between these states. Recently, Indian Prime Minister Narindra Modi has made terrorism an excuse to violate the Indus Waters Treaty of 1960 in shape of building more storage dams on the western rivers. So, the failure of some of the CBMs, related to water dispute, shows that India's strategy to limited water flows to Pakistan will soar the problems of Pakistan which has already fallen victim to the climate change and still is bearing the loss of floods and droughts (Tellis, 2017). Robert Einhorn and W. P. S. Sidhu add that Pakistan is a ‘water stressed agricultural country’ that depends a lot on water for its economic, human and energy security. As a lower riparian Pakistan holds the right over the waters of the rivers which flow from Indian occupied Kashmir, Indian Punjab and Afghanistan. India has been violating Indus Waters Treaty consistently as it has built a number of dams on the rivers flowing into Pakistan. Furthermore, India has facilitated Afghanistan to build a dam that has increased economic repercussions for Pakistan (Einhorn and Sidhu, 2017).

Sir Creek and Siachin

Last but not the least, Sir Creek and Siachin are two important issues between Pakistan and India which could easily be solved through sincere observation of relevant Confidence Building Measures to secure economic and security concerns of the region. The dispute over 38 kilometer Sir Creek estuary could have been resolved in 1965 when the ‘Runn of Kutch’ Tribunal demarcated the boundary between India's Gujrat state and Sindh. But, failure of both parties has caused an irreversible loss to the interests of both. Recently, intellectuals from both countries have suggested to their governments that they should observe peaceful manners for resolving the outstanding issues rather taking a rigid stance. It will automatically lead them towards attaining economic prosperity (Hilali, 2005). Pervez Iqbal Cheema, an expert of international relations, informs that undoubtedly Kashmir has been a complicated issue between Pakistan and India but the issues like Siachen, Sir Creek and water are minor ones which can be resolved easily. He is quite optimistic that appointment of a neutral expert from the World Bank to assure compromise verdict on Baglihar Dam, completion of joint survey of Sir Creek and introduction of ‘peace-parks’ to resolve Siachen issue are the most important steps, from both the governments, to enjoy cordial relations in the days to come (Cheema, 2007).

Confidence Building Measures between Pakistan and India: The Way Forward

Nabiha Gul expresses that Sir Creek is a technical issue and requires the same approach to be solved. She views that Pakistan and India are confused on the nature of dialogue, observed on Sir Creek. They consider it as the part of political process only and ignore the international laws in this respect. It is obligatory for two states to arrive at a negotiated settlement under Law of the Sea Convention of 1982. They are supposed to act according to the description of the articles 15, 76 and 76 of the 1982 Law which emphasize the mutual settlement of the concerned disputes between two states (Gul, 2007). Gul analyses that resolution of Siachen, Sir Creek and Wuller Barrage can be supportive for changing the parameters of Pak-India relations. The solution to the mentioned discards will lead them to move forward on the more tangled issue of Kashmir (Gul, 2008). Both the states should forget their past when they had no solutions after time-taking meetings. Today, they are supposed to be active just to come up with substantial outcome.

Way Forward

Confidence Building Measures are one of the best tools in the modern world to overcome the mutual as well as the regional issues. In case of Pakistan and India, none of the state has shown inclination towards making these measures more and more productive and effective. So, there are some recommendations which can be supportive for making CBMs fruitful for India and Pakistan to attain the regional peace, prosperity, stability and balance of power. Through the deep observation and effectiveness, both the states can be on the same page for resolving the major issues, like Kashmir dispute, which have restrained their socio-economic and geo-political development to meet the contemporary standards of progress prevailing in the developed countries. They can be successful in securing their borders through implementing the decisions made after the productive CBMs. These measures can be helpful in the promotion of mutual trade and the developments, with reference to the initiatives of transportation, can be a positive sign towards exchanging cultural values. Both the states can avoid a nuclear war if they increase the number of CBMs to minimize the nuclear proliferation and the life of prisoners and fishermen can also be secured through these measures. But, Islamabad and New Delhi are supposed to act upon the following things to achieve the mentioned goals.

- 1- Both, Pakistan and India, should reflect the inclination of mutual co-operation towards making these CBMs successful rather showing reluctance in solving the disputed matters through these measures.
- 2- Various intra-state events and incidents should not have an impact on the process of on-going efforts of CBMs. Additionally, Pakistan and India should revive Joint Anti-Terrorism Mechanism that was signed in 2006; sequential to the 2004 Islamabad Accord and got failed due to Bombay attacks of 2008.
- 3- Number of meetings and conferences of high level officials from both sides should be increased to discuss the matters of conflict in more and

Muhammad Shamshad & Amjad Abbas Khan

more details that will automatically symbolize the setting up of cordial relations between the two states.

- 4- CBMs on Kashmir dispute are still facing a failure that has restrained socio-economic and religio-political developments of both countries. These CBMs are needed to be revitalized while new links should be established to reduce the risk of conflict. A wider array of economic, social, sporting and unofficial “Track II” contacts should be established.
- 5- Blame game should not be there; neither Pakistan should blame the Indians for any inconvenience at borders, visa process etc. nor should New Delhi accuse Pakistan for infiltrating Mujahedeen and for facilitating the Kashmiris through the provision of weapons.
- 6- Media should be under the manipulation of the states’ authorities. It should play its positive and productive role in briefing the achievements of CBMs after evaluating the aftermaths of their presentation of concerned reports.
- 7- Both Pakistan and India are members of the World Trade Organization (WTO), so they should practise their agreements on trade.
- 8- None of the states should disobey the agreements decided for resolving the issues of water as India has violated the Indus Waters Treaty for a number of times. It has given birth to a blend of issues that have almost tarnished the image of both nations in the comity of nations.
- 9- Pakistan and India should welcome the status of Most Favoured Nation for each other by initiating the CBMs in this regard. It will direct both the countries towards normalization of relations. The normalization will automatically lead them towards economic prosperity.
- 10- People to people contacts are phenomena that work to resolve a number of problems around the world. So, the encouragement should be there for promoting these contacts. There should be no hard and strict rules for visa processing and people from both states feel themselves secure while visiting the other country.

References

- Akhtar, Shaheen. (2012). “Expanding Cross-LOC Interactions: A Conflict Transformation Approach to Kashmir”, *Spotlight on Regional Affairs* 31, no. 1&2, p. 03-14.
- Bukhari, Shujat. (2017). “Kashmir CBMs turn 14 years old”, *Friday Times*, November 17.
- Business Standards*. (January 01, 2019). “537 Indian Prisoners Lodged in Jails, Says Pakistan’s Foreign Office”.
- Chapter III. (n.d). *CBMs between India and Pakistan A Critical Evaluation*. Retrieved from: https://shodhganga.inflibnet.ac.in/bitstream/10603/72118/7/07_chapter%203.pdf

Confidence Building Measures between Pakistan and India: The Way Forward

- Chatterji, Manas. (2005). *Governance, Development and Conflict*. Bingley: Emerald Group Publishing, 283.
- Cheema, Pervaiz Iqbal. (2007). "Analyzing the Pakistan-India Peace Process." *Pakistan Horizon* 60, no. 2, p. 34.
- Cheema, Pervez Iqbal. (2014). "The Kashmir Dispute: Key to South Asian Peace", *IPRI Journal* 14, no. 01, p. 05.
- Council on Foreign Relations*. (2011). "India, Pakistan, and Nuclear Confidence Building".
- Dalton, Toby. (2013). "Beyond Incrementalism: Rethinking Approaches to CBMs and Dawn." (10 March 2006) "Kashmir Involves India and Pakistan: CBMs Progressing: Musharraf".
- Dawn*. (25 May 2014). "PM Orders the Release of 151 Indian Prisoners before Delhi Visit".
- Dawn*. (August 19, 2012). "Beyond Atmospherics".
- Dawn*. (August 23, 2013). "337 Indian Fishermen Released from Pakistani Jail".
- Dawn*. (January 21, 2017). "Indian Soldier in Custody since September 29 Returned by Pakistan".
- Dawn*. (July 24, 2016). "Only Kashmiris can Decide the Future of Kashmir, Aziz Tells Sawaraj".
- Dawn*. (March 24, 2005). "Success of CBMs Linked to Progress on Kashmir Issue: President's Address on Pakistan Day".
- Dawn*. (November 27, 2008). "Peace Linked to Kashmir, Says France: Qureshi, Mukherji".
- Effendi, Maria Saifudin and Ishtiaq Ahmed Choudhry. (2016). "India-Pakistan CBM Since 1947 A Critical Analysis" *A Research Journal of South Asian Studies* 31, no. 1, p. 119.
- Einhorn, Robert and W. P. S. Sidhu. (2017). "The Strategic Chain Linking Pakistan, India, China and the United States", *Foreign Policy at Brookings*, paper 14, p. 38-40.
- Global Security Organization*. (2003). "Weapons of Mass Destruction".
- Greater Kashmir*. (22 June 2015). "India, Pakistan Using Fishermen as Bargaining Chip".
- Gul, Nabiha. (2007). "Pakistan-India Peace Process 1990-2007: An Appraisal." *Pakistan Horizon* 60, no. 2, p. 62.
- Gul, Nabiha. (2008). "Pakistan-India Composite Dialogue." *Pakistan Horizon* 61, no. 3, p. 16.
- Harman, Sophie. (2013). "Confidence Building Measures", *Encyclopaedia Britannica*.
- Hilali, A. Z. (2005). "Confidence- and Security-Building Measures for India and Pakistan." *Alternatives: Global, Local, Political* 30, no. 2, p. 196.
- Hyder, Tariq Osman. (2009). "Conflicts, Security, and Development." *The Pakistan Development Review* 48, no. 4, p. 1004.

Muhammad Shamshad & Amjad Abbas Khan

- Kasuri, Mian Khurshid Mahmud, Shireen M. Mazari, and Asad Durrani. (2009). "Pak-India Relations: Security Dynamics and Future Scenario." *Policy Perspectives* 6, no. 1, p. 23.
- Lyon, Peter. (2006). *Conflict between India and Pakistan: An Encyclopaedia*. Santa Barbara:CA, ABC-CLIO, 47.
- Mohal, Shah Nawaz. (2018). "The Necessity of Softening Clenched Fists", *Pakistan Today*, November 15.
- Noorani, A. G. (2015). "Kashmir Unity", *Dawn*, September 19.
- Salik, Naeem Ahmed. (2010). "Confidence Building Measures between India and Pakistan", *NDU Journal*, 50.
- Shafiq, Sumaira. (2015). "Pakistan's Policy towards Kashmir Dispute (2001-2014)" *Margalla Papers*, 141.
- Shamim, Syed Jazib and Muhammad Farooq. (2018). "Nuclear Proliferation in South Asia-Towards World War-III"., *Journal of Social Sciences and Humanities* 56, no. 2, p. 40-41.
- Stability in South Asia", *Carnegie Endowment for International Peace*.
- Tellis, Ashley J. (2017). "Are India-Pakistan Peace Talks Worth a Dam", *Carnegie Endowment for International Peace*, September 20.
- The Hindu*. (13 August 2003). "Musharraf Offers 'Ceasefire' along Line of Control".
- Zulfqar, Saman. (2013). "Efficacy of Confidence Building Measures in India-Pakistan Relations", *IPRI Journal* 13, no. 1, p. 116.
-