

India-Pakistan Military CBMs project

Phase 1

Final Report

I. Introduction

The India-Pakistan military CBMs project held meetings in Dubai from 20-21 November 2011; Bangkok from 23-25 February 2012; and Lahore from 23-25 September 2012. Additionally, smaller, working group meetings took place in Chiang Mai on 21 April 2012, and Palo Alto from 30-31 July 2012. This report will summarise the main conclusions of the discussions. Appended to it is a proposal on the Siachen issue.

II. General Political Situation

The project held several discussions of the general situation, both in the region and bilaterally, and how this affects the prospects for progress on the CBM file. It was reported that the relationship between the two countries is going through a relatively positive phase. Diplomatic and business contacts are improving across a range of issues. At the same time, suspicions remain concerning each side's view of the other's objectives and alleged actions in Afghanistan, and in the area of military doctrines and deployments.

There has been another round of Track 1 discussions on both conventional and nuclear CBMs, but both sides found it disappointing. The 2007 accord "Reducing Risk Relating to Nuclear Weapons" has been renewed for another five years. However, there was no progress on other proposals to develop new CBMs. In contrast, some participants pointed to lower profile examples of confidence-building measures at work between the two countries. For example, when there was an inadvertent helicopter crossing of the LOC into Pakistan, the matter was managed quickly and effectively.

Some participants expressed fear that political, technical and doctrinal changes on both sides are compressing the time available for decision-making in a future crisis with potentially serious consequences. It was felt that crisis mitigation mechanisms beyond the current CBMs are needed. This led to a discussion of the growing interplay between sub-conventional, conventional, and nuclear issues, with many expressing the concern that they were being linked in dangerous ways which will foster escalation in a crisis. The growing pressure of the media and other societal changes could make it difficult to resist pressures to escalate in a crisis. This led to a discussion over the need to prevent rapid escalation of future crises, and over possible CBMs to this effect, which will be reflected later in this report.

Participants then noted that current political trends in each country do not favour the negotiation of far-reaching CBMs and agreements. Each government is preoccupied and is likely to remain so for some time. It was noted that the propensity on both sides to "wait and see" dissuades either from considering far-reaching changes to its doctrines or policies. Against these points, some participants indicated that sweeping changes are underway on both sides, which undermine

the "wait and see" view. It was generally agreed that there is a need to find ways out of the present situation whereby each side wants to discuss different things and feels it can wait if the other is not prepared to come to the table.

In this context, it was agreed that the role of Track 2 is not to "track Track 1" but to push ahead of it and explore ideas that cannot yet be discussed officially and develop proposals for consideration by the official level.

III. Status of Existing CBMs

The project reviewed the status of existing CBMs between the two countries. Based on presentations from the two sides, it was agreed that the main existing military CBMs are:

- DGMO Hotline
- Non-attack on nuclear facilities (1988)
- Advance notice of military exercises and maneuvers (1991)
- Prevention of Airspace Violations (1991)
- Link between the Indian Coast Guard and the Pakistan Maritime Security Agency (2005)
- Informal ceasefire along LOC/AGPL (2003)
- Joint patrolling along the international border and periodic flag meetings. Non development of new posts
- Biannual meeting between Indian border security forces and Pakistani Rangers (2004)
- Advance notice of Ballistic Missile tests (2005)

In discussions, the following was agreed with respect to each of these CBMs:

On the **DGMO Hotline**, it was agreed that this is working well, though thought should be given to making sure the interactions through this channel are both more frequent and substantive. There was discussion of how the idea of this agreement could be extended to other areas, which will be reflected in the following section of this report.

On the agreement on **Non-attacks on Nuclear Facilities**, it was agreed that this CBM is working well. It was noted that the CBM was agreed before the two sides became declared nuclear powers and some wondered if the agreement could be extended to cover military nuclear sites, thereby making it into a form of "reassurance vis a vis counterforce" agreement. The majority took the view that this is not possible in the present environment and any effort to do so now might jeopardise a useful agreement.

On the **Advance Notification of Military exercises and manoeuvres** agreement it was noted that this CBM works well, but could be improved in its implementation in several ways. There was, for example, discussion over whether the levels of notification of exercises (Division level exercises) are appropriate in light of military developments since the agreement was signed in 1991. There was no consensus, but it was suggested that the two sides could review this. Some participants questioned whether all relevant commands and officers on both sides were sufficiently aware of this agreement, particularly in the Navies and the Air Forces. It was

suggested that the two governments take steps to make sure that the requirements and circumstances for such notifications are broadly circulated and written into SOP.

On the **Prevention of airspace violations** agreement, there was a lengthy discussion of how this CBM might be improved in light of developments since it was signed in 1991. In particular, the increasing use of unmanned aerial vehicles by both sides was noted, as was the fact that both sides will soon likely be using armed UAVs. While most were reluctant to open up this existing CBM to further negotiation for fear it might be compromised in the process, there was consensus that the two countries could explore whether a separate CBM is necessary to prevent potential airspace incidents involving UAVs, drawing upon the form and content of the existing document as appropriate.

On the agreement to establish electronic communications **Links between the Pakistan Maritime Security Agency and the Indian Coast Guard**, it was noted that the electronic links had worked well between 2005 and 2010 and been useful. Despite an agreement being signed to continue these links until 2016, they had fallen into disuse. It was noted with approval that this situation was corrected recently. In pursuance of the MOU signed between the two countries in 2005, the DG Pakistan Maritime Security Agency and DG Indian Coastguard have been meeting annually. The last meeting was held in July 2012 during which discussions were held on maritime issues, particularly working out mechanisms on inadvertent line crossers at sea (fishermen).

On the **Informal ceasefire along the LOC/AGPL** it was agreed – especially among participants with past command experience in the region – that this CBM works quite well. There was discussion of the value of formalising the CBM, but many felt that doing so would be difficult politically right now and any attempt to do so could risk the CBM itself.

On **Joint patrolling along the international border and the non-development of new border posts** it was agreed that this CBM works well. There was agreement that the re-negotiation of a broader CBM which sets some ground rules for activities along the international border which are not covered by this CBM should be explored.

On the **Biannual meeting between the Heads of the Indian Border Security Force and the Pakistan Rangers**, it was agreed that this CBM works well and should not be changed.

Finally, on the CBM on **Advance notification of Ballistic missile tests** it was agreed that this CBM should be modified to include cruise missiles (as also recommended by the Ottawa Dialogue on nuclear issues).

IV. Proposed, but not yet implemented CBMs

Several CBMs which have been proposed between the two sides, but not yet agreed, were identified. These are:

- A Prevention of Incidents at Sea Agreement;

- The development of a Pakistan Air Force-Indian Air Force Communications link and of a Communications link between the two navies;
- Exchange of military delegations and also participation of senior military officers in seminars;
- Mil-to-mil exchanges and “cultural” activities (such as: exchanges of guest speakers; visits by military bands; sports teams and adventure activities);
- Quarterly flag meetings between sector commanders along the LOC; and
- Speedy return of inadvertent line crossers.

On the **Prevention of Incidents at Sea Agreement** it was noted that this CBM was called for in the Memorandum to the Lahore Declaration of 1999. It was further noted that a separate Track Two between retired senior naval officers has worked on this for many years and developed a proposed text. This was shared with the two governments some time ago and became the basis for an official exchange between them. Our information is that the two sides had certain observations on the text, but currently the process of developing an agreement for signature seems to be stalled. There was unanimous agreement that the two Governments should revisit this issue, to find out why the process seems to have stalled and to agree and sign an agreement as quickly as possible.

On **The development of a Pakistan Air Force-Indian Air Force Communications link and of a Communications link between the two navies** it was agreed that this is necessary and that CBMs should be put in place to facilitate such contacts. It was agreed that these new communications links should not be seen primarily as “hotlines” and that the existing DGMO hotline should continue to be the primary channel to serve that purpose in the event of crisis. But these new links would facilitate the sharing of information between the Air Forces and Navies which is specific to their interests.

On the **Exchange of military delegations and also participation of senior military officers in seminars** it was agreed that this should go forward as quickly as possible. An agreement to this effect should be signed. Exchanges could start at the institutional level with Staff Colleges and National Defence University/Colleges, and then be expanded to include specific positions, such as Vice-Chiefs. Also, regular face-to-face meetings of the DGMOs could take place, to supplement their regular phone calls.

On **Mil-to-mil exchanges and “cultural” activities (such as: exchanges of guest speakers; visits by military bands; sports team and adventure activities)**, there was an in-depth discussion. It was noted that this CBM would tend to extend contacts between officers and enlisted personnel on both sides. Some wondered if this should be done at this stage at the military level before civilian cultural exchanges are on a better footing, while others felt it should be. The majority felt that such contacts should go ahead though this CBM requires further study.

On the **quarterly flag meetings between sector commanders along the LOC**, such a CBM is under consideration and has been discussed at the official level. This group believes that such a CBM will further enhance trust and provide an opportunity to address tactical issues at local levels.

Finally, on the **speedy return of inadvertent line crossers**, once again this CBM is consideration and has been discussed at the official level. This group believes that such an agreement will contribute to the building of trust, to stability, and will help alleviate the hardship experienced by those who inadvertently cross the line.

V. Siachen and Sir Creek

The project had significant discussions, and developed a proposal on the Siachen issue. The proposal is attached.

On Sir Creek, it was reported that progress has been made in recent years in the form of a joint hydrographic survey in 2007 which has established an agreed “ground truth” on the present geographical disposition of the area.

However, there continues to be significant disagreement over where the boundary should be located. India argues for a "mid-channel" approach, while Pakistan cites the "green line". It was agreed that the difference between the two will have a significant impact on progress of the delimitation of the maritime boundary. It is encouraging to note that talks have been going on between the two countries on a more or less annual basis. During the 11th round of talks in May 2011, both sides agreed to exchanged non-papers on Sir Creek. In the 12th round of talks of the joint Working Group in New Delhi in June 2012, certain suggestions were made by both parties but there was no consensus. Finding a solution to the Sir Creek issue is of paramount importance as it has a direct bearing on resolving the maritime boundary.

It was agreed that the ultimate solution of this issue will be a political question.

The group will conduct further studies on this issue.

VI. Crisis stability

Discussion over this issue revealed a consensus view that crisis stability is a key issue and that technologies, doctrines and political/media forces are evolving in ways which compress the time available during a crisis for diplomacy to defuse tensions and prevent conflict.

There was agreement that a useful area for CBMs in the short to medium term is the elaboration of a framework for crisis management to provide the two sides with some agreed steps that can be taken to prevent a crisis from spinning out of control; referred to by one participant as “providing a longer fuse” in a crisis situation. To that end there was consensus that an interlocking network of CBMs should be developed which, in the event of a crisis, would:

- Require a political commitment that diplomats and officials from each side come together at the outset of the crisis for discussions on how to resolve it;
- Require that, in times of crisis, both sides should take no military actions and adhere to existing CBMs; and
- Discussions should begin as soon as possible on new CBMs relevant in these circumstances.

It was agreed by consensus that discussions should also commence at an early date to review existing CBMs, such as the Agreement on Advance Notification of Military Exercises and Manoeuvres, with a view to updating them in light of technical and political developments since they were first signed.

Further, it was agreed by consensus that a CBM should be agreed whereby both sides, including their respective military establishments, should regularly meet to discuss their respective concepts and doctrines with a view to elaborating measures to build confidence in the nuclear and conventional fields.

Some participants argued that the only way to finally overcome these problems is through changed mind-sets on both sides as to the possible use of military force, including sub-state actors. All participants felt that CBMs should be designed which would seek to constrain the possibility that force could be used to resolve disputes. Some felt that one way to resolve such issues would be through the creation of a "No War Pact." Others, while not necessarily disagreeing with this analysis, believed that changed mind-sets are too far away and that managing the existing situation so that conflict does not happen by accident is a more realistic goal.

Participants in this project agreed that this issue requires further study and agreed that the project will consider ways to develop mechanisms for crisis prevention and management.

VII. Terrorism

Indian and Pakistani participants shared their respective perspectives on terrorism. All participants agreed that it was a major issue which needed to be effectively addressed.

In terms of military-to-military CBMs in this area, there was consensus that one possible measure would be real time sharing of information on cross-border movement.

Beyond military CBMs, it was recognised that intelligence-sharing is a key issue. It should be noted that information is being shared on lists of terror groups which both sides wish to see stopped but cooperation on investigations regarding these groups should be more intensive and transparent.

Other suggestions included:

- The creation of a hotline between the interior ministries on terror issues;
- An effort to revive the SAARC mandated Integrated Regional Data-base on terror;
- Discussions between respective officials on national experiences on such matters as legal frameworks to deal with terror;
- Greater maritime cooperation on terror; and
- Exchanges of views between the immigration, border services and customs authorities on both sides.

It was agreed by project participants that this issue is an important area for future work. Thus, they have agreed to carry out a series of intensive studies on various aspects of the question, including:

- Study on the Joint Anti-terrorism Mechanism (what was the experience of negotiating it, why did it not succeed at the time and could it be revived and improved today?)
- Bring together legal and law enforcement experts from both sides to study the legal frameworks for dealing with terror and make suggestions.
- Study on models of regional, bilateral and international cooperation in dealing with terror.
- Study on how to prevent future attacks and what to do to prevent escalation through effective crisis management mechanisms should such attacks occur.

VIII. Conclusion and Way Ahead

At the meeting in Lahore, the group discussed and adopted this report and further discussed the way ahead for its work. It was agreed that this report will be made public in the hopes that it will stimulate further discussion of these issues.

The co-chairs of the process, General Karamat and ACM Tyagi, will provide this report to their respective governments.

The Lahore meeting constitutes the final meeting of Phase 1 of this project. However, the participants are of the view that there remains useful work for them to do on issues such as terror; Sir Creek; bridging the trust deficit; and crisis stability. They therefore agreed that a Phase 2 will be launched and asked the University of Ottawa and the South Asia Center of the Atlantic Council to undertake to do so.

The participants expressed their thanks to the sponsors of this process: the Near East and South Asia Center for Strategic Studies at the National Defence University; and the US Institute of Peace. They also expressed their thanks to the University of Ottawa and the South Asia Center of the Atlantic Council for their work in organising the meetings.

List of participants:

Co-chairs:

General Jehangir Karamat (Pakistan Army Retd)
Air Chief Marshal Shashi Tyagi (Indian Air Force Retd)

Lieutenant General Sikander Afzal (Pakistan Army, Retd)
Rana Banerji (former Special Secretary, Cabinet Secretariat, India)
Air Vice Marshal Shahzad Chaudhry (Pakistan Air Force, Retd)
Lieutenant General (Retd) Tariq Ghazi (former Defense Secretary of Pakistan)
Ambassador Maleeha Lodhi (Pakistan Foreign Service, Retd)
Brigadier Gurmeet Kanwal (Indian Army, Retd)

Ambassador Vivek Katju (Indian Foreign Service, Retd)
Ambassador Aziz Khan (Pakistan Foreign Service, Retd)
Admiral Tariq Khan (Pakistan Navy, Retd)
Ambassador Riaz Khan (former Foreign Secretary of Pakistan)
General Tariq Majid (Pakistan Army, Retd)
Ambassador Lalit Mansingh (former Foreign Secretary of India)
Lieutenant General BS Pawar (Indian Army, Retd)
Major General Qasim Qureshi (Pakistan Army, Retd)
Brigadier Arun Sahgal (Indian Army, Retd)
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Vice Admiral A.K. Singh (Indian Navy, Retd)
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Lieutenant General Arvinder Singh Lamba (Indian Army, Retd)