



Over 70 years of hostility between India and Pakistan: Is there an end to it?

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Abstract

Since the independence and violent partition of two South Asian countries India and Pakistan in 1947, relations between these two have been inflexible, conflictual, distrustful and very risky political standoff in global context in general and in South Asia particular. Moreover, both are closest and bordering neighbours with close literary, social and cultural bonds but remained at great distance from each other. It is doubtless that there are many reasons and factors behind such turbulence situations and unstabilized political environment but Kashmir issue remains the primary factor and problematic for the development of two nations. However, India and Pakistan have always been caught in enduring conflicts, but in recent time, there are certain changes took place due to the change in the leadership and misadventures/infiltration/proxy war in Kashmir.

Keywords: Kashmir, South Asia, Politics, conflict, proxy wars, infiltration

Introduction

India Pakistan conflict is one of long lasting and unresolved conflict of modern times. It started with the birth of Pakistan as a different state in 1947 after the Britain empire come to an end in India. On religious grounds, one country (i. e. India) was divided into two. In 1947, when British India got its independence, it was primarily divided into two countries: India and Pakistan. All areas with the majority of Muslim population were supposed to be the part of Pakistan. The dividing line between these two countries was bizarre. As major part of North West India after partition, was called West Pakistan and there were some territories in eastern part of India with majority of Muslim population, those areas were called East Pakistan (Bangladesh). Since the partition, these two south Asian countries have been the arch rivals. The rivalry has gone through several wars, terrorist activities and nuclear tests by these countries. (Ref: T.V. Paul, page 3). Both of these countries spend a great chunk of their funds in defense budgets. The race of becoming the superpower of South Asia has adversely affected the economic growth of both these countries. The origin of the India-Pakistan conflict is deep-rooted in the issues such as religion and the politics of revenge. Problem of Kashmir is the most important issue for the tension between India and Pakistan. (Ref: usamhi.army.mil) The some of the other issues between these two nations are problem of sharing waters, religion.

Background

Bloody partition (1947): The two neighbours have shared a tense relationship ever since the British divided the Indian subcontinent in a secular but mainly Hindu India and Muslim-majority state of Pakistan. The partition sparked riots and communal violence across the region and led to one of the largest human migrations in history

The escalation of Kashmir conflict (1947-48): India and Pakistan contested Kashmir — a Muslim-majority kingdom ruled by a Hindu Maharaja — even before their independence from Britain. But the dispute escalated after

Kashmir ruler Hari Singh acceded Kashmir to India in return for New Delhi's help to ward off attacks by an army of Pakistani tribesmen. The developments led to the first full-blown war over Kashmir between the two countries.

UN resolution (1948): India dragged the Kashmir dispute to the United Nations Security Council, which passed a resolution calling for a referendum to decide the status of Kashmir. But the Security Council made the referendum conditional to the withdrawal of Pakistani troops and reduction of Indian military presence to the minimum to maintain law and order in the region. The war ended with a UN-brokered ceasefire but Pakistan refused to withdraw its troops. A ceasefire line effectively partitioned Kashmir with both sides controlling parts of the erstwhile kingdom but claiming it in its entirety.

Indo-Pakistan War (1965): Despite several attempts to solve the Kashmir dispute and deescalate tensions, the two neighbours fought their second war over the contested region. The brief war ended with yet-another UN-mandated ceasefire. Both sides returned to their previous positions.

The surgical strike

- Indian Army carried out surgical strikes on Sept 28-29 in 2016
- The strikes were carried out by the Army's Special Forces
- This was days after the Uri terror attack that killed 18 soldiers

Three years ago on this day, the Indian Army carried out surgical strikes against terror launch pads on and along the Line of Control (LoC). The surgical strikes were carried out nearly 10 days after the Uri terror attack where 18 soldiers were killed when four terrorists launched a barrage of grenades at the Army's 12 Brigade headquarters in Uri, Jammu and Kashmir.

Recalling the night of October 28-29 when Special Forces of the Indian Army carried out the surgical strikes, Prime Minister Narendra Modi said three years ago on this day he

did not sleep all night and was waiting for his phone to ring. Addressing BJP workers moments after returning from his trip to the US on Saturday night, PM Narendra Modi said, "That day marked the victory of India's brave soldiers who did surgical strike and made the country proud."

Surgical Strike: What Happened on OCT 28-29, 2016

On September 28, 2016, the Indian Army mobilised nearly 100 of its specially trained operators to carry out attacks at terror launch pads. The exact ground planning for the operation was carried out by the Army's Northern Command in Udhampur after a decision to carry out the strikes was taken by India's top military brass in New Delhi in close coordination with the country's political leadership.

Prior to the D-day, the Special Forces had identified their targets—launch pads used for terrorist infiltration - and surveilled them for days.

War over Bangladesh (1971): India and Pakistan fought their third war, this time over East Pakistan. The conflict ended in a defeat for Pakistan and the formation of Bangladesh.¹

Background

As long as the territory's existence was guaranteed by the United Kingdom, the weaknesses in its structure and along its peripheries were not of great consequence, but they became apparent after the British withdrawal from South Asia in 1947. By the terms agreed to by India and Pakistan for the partition of the Indian subcontinent, the rulers of princely states were given the right to opt for either Pakistan or India or—with certain reservations—to remain independent. Hari Singh, the maharaja of Kashmir, initially believed that by delaying his decision he could maintain the independence of Kashmir, but, caught up in a train of events that included a revolution among his Muslim subjects along the western borders of the state and the intervention of Pashtun tribesmen, he signed an Instrument of Accession to the Indian union in October 1947. This was the signal for intervention both by Pakistan, which considered the state to be a natural extension of Pakistan, and by India, which intended to confirm the act of accession. Localized warfare continued during 1948 and ended, through the intercession of the United Nations, in a cease-fire that took effect in January 1949. In July of that year, India and Pakistan defined a cease-fire line—the line of control—that divided the administration of the territory. Regarded at the time as a temporary expedient, the partition along that line still exists.

August 1947: Following the end of British rule, British India was partitioned into India and Pakistan. The provincial division was based on Hindu and Muslim majorities, which caused mass migration for those that did not live in the majorities. Hundreds of thousands of people were killed in communal violence resulting in an atmosphere of hostility that has remained for decades. The Jammu and Kashmir regions have been disputed since partition, with Pakistan and India both claiming ownership.

October 1947 – January 1949: The first Indo-Pakistani war began following an invasion of Kashmir by armed tribesmen from Pakistan. Kashmir turned to India for military assistance and in return agreed to hand over powers

of defense, communication and foreign affairs, acceding to India. A ceasefire was arranged on Jan. 1, 1949 and a ceasefire line was established – now called the Line of Control.

August 1965: The second Indo-Pakistani war was sparked by a series of clashes across the India-Pakistani border. Hostilities broke out in August when Pakistani soldiers crossed the Line of Control into Indian-administered Kashmir in an attempt to start an insurgency against India (Operation Gibraltar). The war ended in January 1966 when officials from India and Pakistan signed a declaration affirming their commitment to peace.

December 1971: When India and Pakistan became their own countries, Pakistan was split into two parts – East Pakistan and West Pakistan. The third Indo-Pakistani war took place when Pakistan erupted into civil war, pitting West Pakistan against East Pakistan, who demanded independence. Millions of east Pakistanis fled to India, and quickly the West Pakistani army surrendered. East Pakistan earned independence on Dec. 6, 1971 and changed its name to Bangladesh.

May 1974: India successfully tested its first nuclear weapon, code named "Operation Smiling Buddha." It took place on the army base Pokhran Test Range, close to its border with Pakistan.

July 1989: Armed resistance against Indian rule began in Kashmir when Muslim parties complained that the 1987 elections were rigged against them. Some citizens demanded independence while others wanted a union with Pakistan. Pakistan supported the movement, calling for the issue to be resolved by the United Nations. India called for Pakistan to end cross-border terrorism. Since 1989, several new radical Islamist groups have emerged, shifting the movement from a nationalistic and secularist one to an Islamic one. The insurgency has continued until present day.

May 1998: India and Pakistan both conducted nuclear tests. India's underground nuclear test was conducted near its border with Pakistan. In response, Pakistan conducted six tests. The international community condemned India and Pakistan for the testing, and urged the two nations to stop their nuclear weapons programs.

May 1998: India adopted a No First Use (NFU) policy, meaning the state would not use nuclear weapons unless it was attacked with a nuclear weapon first. Despite questions around the policy, India remains faithful to the NFU doctrine.

May 1999: After nearly 30 years, India launched air strikes against Pakistani-backed forces that had entered Indian-administered Kashmir. As fighting increased toward a direct conflict between the two nuclear states, Pakistan's troops were put on high alert. At least 38,000 people fled their homes on the Pakistani side of the Line of Control.²

Kashmir Dispute as a deciding factor of India-Pakistan relations

India and Pakistan traditionally view each other as enemies. Owing to the lack of trust, both countries take various measures to ensure their national interests and security. First, they take steps to strengthen their military power, which triggers the arms race in the region. Second, to attain a balance of power. They build alliances in the form of

¹<https://www.dw.com/en/india-and-pakistans-troubled-history/a-47710698>

²<https://armscontrolcenter.org/history-of-conflict-in-india-and-pakistan/>

strategic partnerships with global powers. Third, Pakistan supports insurgency in India and vice versa. Being arch-enemies, they engage in such subterfuge in order to weaken each other. Finally, they even compete in a third country - Afghanistan - to maximize their interests. The Kashmir dispute is one of the most intractable international conflicts arising after the British partitioning of the Indian subcontinent. Ever since the bipartite division of British India into India and Pakistan in 1947, Kashmir has become a festering conflict between the two countries. Both countries have fought three bloody wars over Kashmir in 1947, 1965, and 1999, and another war over Bangladesh in 1971 in which Kashmir was a peripheral issue. The tit for tat testing of nuclear weapons by both India and Pakistan in May 1998 marked the explicit, nuclearization of the Kashmir conflict. Mounting insurgency and surging popular protests in Kashmir, continuing terrorist attacks in India, and unceasing border clashes have transformed the Kashmir valley, the earthly paradise, into a valley of death. Following the terrorist attacks in Mumbai, the commercial hub of India, on 26 November 2008, India suspended the Composite Dialogue taking place between both countries with the goal of finding a solution to the Kashmir conflict and normalizing relations. This has increased the tension between the two nuclear-armed countries in South Asia. Another catastrophic terrorist attack or a prominent political assassination in India could push back the relationship to the dark days of 2001-02 when the two countries were on the verge of a war. Owing to the continuous failure of peace talks, the Kashmir conflict has assumed a monstrous dimension, and become a source of tension between the two nuclear powers.³

Key Issues/Reasons

Kashmir

The Kashmir is the biggest cause of conflict between India and Pakistan. After partition India and Pakistan were two nations. However, there were some "princely states", and they were left to make their own decision to join Pakistan or India or remain independent. The ruler of Kashmir (also known as Jammu and Kashmir) decided to remain independent. However, the attack by Pakistan tribal forces in late 1947 forced the ruler of Kashmir to sign the agreement to accede Kashmir to India. The nature of that accession has long been the subject of debate. After a short war, a ceasefire agreement was signed by both the nations under the support of United Nations. According to the agreement a ceasefire line (later called as Line of Control) was established defining that, the two-thirds of the Kashmir will stay under India's control and rest will stay under the control of Pakistan. The territory under Pakistan's control is called 'Azad' i.e. Free Kashmir by Pakistanis and Pakistan Occupied Kashmir (POK) by India. Since then, the issue of Jammu and Kashmir has been the root of dispute between these two nations. Pakistan claims it to be its territory, since the majority of population is Muslims. For the Pakistan, the partition of the Indian-subcontinent will remain incomplete until the Kashmir is unified with their state. On the other hand, Indians believe that the Kashmir is a legal part of their territory. According to them, the partition was completed in 1947.

³https://shodhganga.inflibnet.ac.in/bitstream/10603/195907/8/08_

Security

India has also been accusing Pakistan for not taking serious actions against Pakistan-based militant groups and training camps. Government of India says these militant groups pose a big threat for its national security. Indian government demands that Pakistan needs to take serious actions against the Pakistan-based militant groups and training camps. Indians also suspect that the Pakistani security agents support these groups. India is much worried about its national security issue because of the militant attacks in various India cities. India accuses Pakistan security agencies for supporting the militant attack in recent years such as attack on Indian Parliament House in year 2001 and Mumbai attacks in 2008.

Water

Another issue which is causing the problems with these two countries is the use of water. Many rivers rise from India and flow down to the Pakistan. Pakistan claims that India is not playing fair in terms of user of waters according to a treaty under which India can use the waters of three eastern rivers and Pakistan can use water of three western rivers. Pakistan says India is diverting these waters by building dams. Pakistan is very much dependant on these waters for the farming and other needs of its population. India, on the other hand, denies all these accusations by Pakistan.

Religious Ideologies

Both the countries have their religious ideologies. The foundation of Pakistan was laid down on the basis of religion. Muslim in British India felt that after the independence if a Hindu government takes the command of the nation, the Muslim community will be isolated from the political grounds. Therefore, they demanded their separate nation as Pakistan, a state of Muslim entity. Since partition, both the countries have become more reliant on their religious ideologies. Rise of Hinduism in India have made anti-Pakistan ideologies more strong. On the other hand, Pakistan has used their Islamic identity to defend their own political position, which has strengthened the rivalry.

KEY EVENTS

The 1947-48 war

The wounds of partition were not healed yet, when both the countries went to war in October 1947. Pakistani tribal troops attacked the Kashmir. The Kashmir's ruler asked India for help and he agreed for accession of the state to India. That's how the first war between India and Pakistan started. This war ended in January 1949 with the involvement of United Nation and a ceasefire line was established between two countries. (Ref: news.bbc.uk)

The 1965-war

In the spring of 1965 two countries went to war again. A clash between border patrol forces on the south western border of Pakistan with India resulted in a major war. Pakistani forces entered the Indian-administered. Indian forces hit back by crossing the international border. Again with UN supported both countries agreed to cease fire. In year 1966, India and Pakistan signed an agreement in Tashkent (in former U.S.S.R.) to resolve their issues in peaceful manner. (Ref: news.bbc.uk)

The 1971 war

In 1971, two countries went on war with each other once again. However, the battle field this time was the border of India and East Pakistan (modern Bangladesh). In year 1971, Pakistan faced a civil war between West Pakistan army and East Pakistan. The civil war resulted in many people escaped to India from East Pakistan. After that, Indian army invaded the East Pakistan to help those people. Consequently, Pakistan army surrendered to Indian army and war came to end with the birth of another country, called Bangladesh.

Kashmir Rebellion

In 1989, the beautiful valley of Kashmir came under siege by armed resistance to India rule. Some extremist groups started rebellion movement against Indian Government, calling it war of Kashmir's independence and some groups called the movement for union of Kashmir with Pakistan. Indian government accused Pakistan of supplying arms to these revolting groups. During this period, many Islamic groups came into emerged in the region for the fight against India.

Role of the UN in resolving the conflict

Saving future generations from the scourge of war was the main motivation for creating the United Nations, whose founders lived through the devastation of two world wars. Since its creation, the UN has often been called upon to prevent disputes from escalating into war, or to help restore peace following the outbreak of armed conflict, and to promote lasting peace in societies emerging from wars.⁴

Future of India-Pakistan Relations

Unless something really dramatic or drastic takes place, the first year of the second decade, and maybe even the better part of the coming decade of the 21st Century, is unlikely to see anything positive happening between India and Pakistan. If anything, the odds in favour of things becoming worse are much higher than those in favour of things improving. It will be something of an achievement if even the current state of extreme tension is maintained and not allowed to escalate.

2019 has in many ways set the tone, tenor and tempo of how 2020 and perhaps the 2020's will pan out between India and Pakistan. Early in the year, the Pulwama suicide bombing carried out by a Pakistani terrorist group Jaish-e-Mohammad (JeM) killing over 40 CRPF personnel was the starting point of the steep slide in relations.

Within a few days, India shook off the restraints it has imposed on itself for more than three decades, and fighter jets targeted a JeM terrorist camp, not in Pakistan-occupied Kashmir but in Balakot in the Pakistani province of Khyber Pakhtunkhwa. Within a day, the Pakistanis retaliated and at one point it seemed that the two countries were on the brink of an all-out war, what with reports that India was planning missile strikes on multiple targets inside Pakistan, and the Pakistanis warning that they would respond in a similar manner.⁵

⁴<https://www.un.org/en/sections/issues-depth/peace-and-security/>

⁵<https://www.orfonline.org/expert-speak/yesterday-once-more-india-and-pakistan-relations-in-the-new-decade-59743/>

Recent Developments

With continued violence in Kashmir and a heightened threat of terrorist activity by Pakistan-based militant groups, tensions and concerns over a serious military confrontation between nuclear-armed neighbours India and Pakistan remain high. In August 2019, following a deployment of tens of thousands of additional troops and paramilitary forces to the region, the Indian government moved to revoke Article 370 of the Indian constitution, removing the special status of Jammu and Kashmir. India-administered Kashmir remains under lockdown, with internet and phone services intermittently cutoff and thousands of people detained.

In February 2019, an attack on a convoy of Indian paramilitary forces in Indian-controlled Kashmir killed at least forty soldiers. The attack, claimed by Pakistani militant group Jaish-e-Mohammad, was the deadliest attack in Kashmir in three decades. Two weeks later, India claimed to have conducted air strikes targeting a terrorist training camp inside Pakistani territory. Pakistan retaliated a day later with air strikes in Indian-administered Kashmir. The exchange escalated into an aerial engagement, during which Pakistan shot down two Indian military aircraft and captured an Indian pilot; the pilot was released two days later.

In 2014, after India's then newly elected Prime Minister Modi invited then Pakistani Prime Minister Nawaz Sharif to attend his inauguration, there were hopes that Modi's government would pursue meaningful peace negotiations with Pakistan. However, after a brief period of optimism, relations turned sour once more when India canceled talks with Pakistan's foreign minister in August 2014 after the Pakistani high commissioner in India met with Kashmiri separatist leaders. A series of openings continued throughout 2015, including an unscheduled December meeting on the sidelines of the UN Climate Change Conference in Paris. This led to a meeting between national security advisors in Bangkok a few days later, where the Kashmir dispute was discussed. Later in December, Prime Minister Modi made a surprise visit to Lahore to meet with Prime Minister Sharif, the first visit of an Indian leader to Pakistan in more than a decade.

Momentum toward meaningful talks came to an end in September 2016, when armed militants attacked a remote Indian Army base in Uri, near the Line of Control, killing eighteen Indian soldiers in the deadliest attack on the Indian armed forces in decades. Indian officials accused Jaish-e-Mohammad, a group with alleged ties to the Inter-Services Intelligence—Pakistan's main intelligence agency—of being behind the attack. Later in September 2016, the Indian military announced it had carried out "surgical strikes" on terrorist camps inside Pakistani-controlled territory across the Line of Control, while the Pakistani military denied that any such operation had taken place.

Militants launched attacks in October 2017, against an Indian paramilitary camp near Srinagar, and in February 2018, against an Indian army base in the Jammu region, which killed five soldiers and a civilian. These attacks came amidst a period of increased cross-border shelling along the Line of Control, with more than three thousand reported violations in 2017 and nearly one thousand in the first half of 2018. Violent demonstrations and anti-India protests calling for an independent Kashmir also continued; over three hundred people including civilians, Indian security forces, and militants were killed in attacks and clashes in 2017. After months of Indian military operations targeting

both Kashmiri militants and demonstrations, India announced in May 2018 that it would observe a cease-fire in Kashmir during the month of Ramadan for the first time in nearly two decades; operations resumed in June 2018. In May 2018, India and Pakistan agreed to a cease-fire along the disputed Kashmir border that would restore the terms of their 2003 agreement.

The diversion of jihadi fighters and proxy groups from Afghanistan to Kashmir threatens to further increase violence along the border. If another Mumbai 2008-style attack, where Lashkar-e-Taiba fighters rampaged through the city for four days, killing 164 people, were carried out by Pakistan's militant proxies, it could trigger a severe military confrontation between the two nuclear-armed states.

Concerns

The United States has identified South Asia as an epicenter of terrorism and religious extremism and therefore has an interest in ensuring regional stability, preventing nuclear weapons proliferation, and minimizing the potential of a nuclear war between India and Pakistan.⁶

UN's Failure in Kashmir A Factual Survey

THE outbreak of fighting between the armies of India and Pakistan in August reminded the world of one of the signal failures of the United Nations. For eighteen years the UN Security Council has debated, passed resolutions and appointed commissions, mediators and representatives without getting near a solution of the Kashmir problem. New with its resolution of September 20, the Security Council has, so to say, re-assumed responsibility for Kashmir. Whether it will succeed any more this time it is, of course, impossible to say, but a survey, even a brief one, of the UN's past efforts may yield some pointers, besides being interesting in itself. The United Nations was formally introduced to the Kashmir problem on December 30, 1947 when the Government of India announced its decision to bring the dispute before the Security Council under Article 35 of the UN Charter.

This Article provides that any member-state can bring to the attention of the Security Council or the General Assembly any situation which it considers likely to lead to international conflict. In its reference, India complained that Pakistani nationals had taken part in the invasion of Kashmir and that the invaders had been actively assisted by Pakistan with equipment and supplies, training and guidance and bases within Pakistani territory from which to operate. India called upon the Security Council to take steps to prevent Pakistani nationals from participating in the attack on Kashmir and Pakistan from rendering assistance in any form to the invaders. The Security Council took up the matter for consideration on January 15, 1948, India and Pakistan were represented by Gopalaswami Ayyangar, Minister without Portfolio in the Government of India, and Sir Muhammad Zafrulla Khan, Pakistan's Foreign Minister. The two countries agreed to the appointment of a U N Commission to mediate between them. A resolution moved by Belgium for a three-member Commission was approved by the Security Council. The Commission was to consist of one nominee each of India and Pakistan and a third member

agreed upon by both. It was directed to proceed to India and Pakistan to ascertain the facts of the Kashmir situation. Differences cropped up almost immediately about the role of the Commission. Pakistan insisted that it should supervise the withdrawal of Indian forces from Kashmir; this was naturally rejected by India who argued that her forces must stay in Kashmir to ensure its internal and external security. Finding India and Pakistan unable to compose these differences, a resolution was moved on April 18, 1948 in the Security Council by seven members, including the U K and the U S. The resolution, which was passed despite protests from both India and Pakistan, expanded the size of the UN Commission on Kashmir from three to five and directed it to place its services at the disposal of India and Pakistan to restore peace and order in Kashmir and, when this was achieved, to hold a plebiscite there to determine the wishes of the people. To this end it directed Pakistan to withdraw all her personnel in Kashmir and to deny help to the invaders; when the Commission was satisfied that the invaders had started withdrawing, India would withdraw her forces leaving behind only a minimum necessary for maintaining law and order. The plebiscite 'was to be conducted by a Plebiscite Administrator to be appointed by the U N Secretary-General. UN Commission on Kashmir The Security Council nominated Belgium and Columbia to the Kashmir Commission; India nominated Czechoslovakia and Pakistan Argentina. India and Pakistan could not agree over the fifth member and so the Security Council President nominated the U S. The Commission arrived in Karachi on July 8, 1948 and within five weeks presented its report to the Security Council. It called for a cease-fire in Kashmir, It recognised the presence of regular Pakistani troops in Kashmir and called for their withdrawal as well as of all Pakistani nationals and invading tribesmen. On this being accomplished India was asked to withdraw the bulk of her forces, India and Pakistan were asked to affirm that the future of Kashmir would be decided through a plebiscite after the cease-fire and truce and to create conditions which would make a plebiscite possible. India and Pakistan accepted the cease-fire call, Pakistan with the condition that her views would not be binding on the so-called Azad Kashmir Government which alone, she said, had the power to order a cease-fire and which would continue to administer the territories under its control. In its report to the Security Council, submitted on November 23, 1948, the Kashmir Commission pointed out that the conditions attached by Pakistan made a cease-fire and solution of the problem impossible. The Security Council, however, asked the Commission to continue its work. India and Pakistan voluntarily agreed to a cease-fire in Kashmir from the midnight of December 31, 1948. That being achieved, the U N Commission adopted a resolution on January 5, 1949 directing that the future of Kashmir would be decided by a plebiscite to be held when the conditions regarding withdrawal of forces contained in its earlier report were fulfilled and arrangements for a plebiscite completed. It called on the U N Secretary-General to appoint a Plebiscite Administrator. The Kashmir Commission announced on March 12, 1949, that India and Pakistan had agreed to covert the cease-fire line into a truce line. On March 21, Fleet-Admiral Chester Nimitz, the U S Naval Commander-in-Chief during the Second War, was appointed Plebiscite Administrator with the consent of India and Pakistan. However, on June 6 the Commission issued a communique

⁶<https://peacekeeping.un.org/mission/past/unipombackgr.html>

stating that differences between India and Pakistan on the withdrawal of troops remained uncomposed and after another six months it presented its third interim report to the Security Council pointing out that a five-member commission was not the best agency for bringing India and Pakistan together on the issues which remained to be resolved, particularly the withdrawal of troops; it suggested instead the appointment of one person to tackle the job. On December 17, 1949 the Security Council appointed its current Chairman, General McNaughton of Canada, to hold talks with India and Pakistan. It, however, took less than two months for General McNaughton to report back to the Security Council that his efforts had failed.

Future

In recent years, there have been a lot of efforts being made by both the sides to improve their relationship. There have been several peace talks between India and Pakistan. However, militant attacks continue to obstruct the progress to maintain the peace. In 2001, Pakistan military ruler President visited India for a landmark summit. The summit held in Agra, the city of TajMahal, between Pakistan president and Indian prime minister. People on the both sides of the border were very optimistic about the meeting and hoped for peaceful resolution of some of the issues between the two countries. However, the summit ended without any agreement over the Kashmir conflict (Ref: news.bbc.uk). In year 2005, both the countries agreed to start a bus service across the LoC (Line of Control). Militants have tried to attack those buses. It has been proved that whenever some hope arises for maintaining the peace, extremist groups have tried to come up with something which deteriorates the relationship. After Mumbai attacks in 2008, India has put the hold on peace talks. Although there has been efforts being made by the governments on both sides, but the conflict doesn't seem to end, as long as, the issue of Kashmir is there. The issue of Kashmir can only be resolved by involving the people of Kashmir. The chances of which are not very bright, as the separatist leaders are not ready for anything less than the accession of Kashmir to Pakistan from India. Indian government claims that they own the Kashmir legally and they cannot afford one more partition. The majority of the population of Jammu and Kashmir is of Muslim. Many of them want Kashmir to be the part of Pakistan, and many wants to stick with India. Although the relations between India and Pakistan have improved a lot, but the hopes of peace between the two countries are not very strong.⁷

Conclusions

The basic question was: how have the two countries been successful or near successful in negotiating solutions to five vital disputes, even though their overall relations have been hostile? It was believed that an answer to this question would shed light on the experience of states in other such conflict dyads in the international system. This study focussed on the following India Pakistan negotiations the Indus Waters Treaty of 1960 and the Rann of Kutch agreement of 1965 (referred to here as successes) and Siachen, Sir Creek and Wular disputes (referred to as near successes). These five issues were studied in the light of the

framework on different stages of negotiations. After an analysis of various theories of negotiations, the following four stages of negotiations were posited:

1. Ripeness of an issue
2. Pre-negotiation
3. Negotiation
4. Agreement.

On the basis of the five case studies, the following lessons can be drawn: First, the categorisation of negotiations into four stages, namely, ripeness, pre-negotiation, negotiation and agreement do influence the course and nature of dispute settlement if followed judiciously.

Second, for any future conflict resolution, it is important to ensure that the dispute is ripe for agreement, else the talks will break down in the third phase, that is, the negotiation phase.

Third, linkage of the pending disputes with the Kashmir issue will only complicate the matter further. All disputes should be dealt with in isolation and devoid of linkages. During the Indus Waters and Rann of Kutch negotiations, both parties had agreed to delink the disputes from the Kashmir issue.

Fourth, just as important as the political will to negotiate is the political will to sign an agreement and implement it as well.

Fifth, the Kargil crisis of May 1999 has worsened the relationship between India and Pakistan and diminished the level of mutual trust. Any forced negotiations will only prove futile and breed anger and resentment.

Finally, though domestic political factors do play an important role in the resolution of conflicts, the effect of individual leadership is probably greater. A powerful and trusted individual leader can create the right political climate for any negotiation.

Weather the both country want United Nation to be an mediator? That is upto the government of India and Pakistan to decide.

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