Chapter-II

CBMs: A Theoretical Framework
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No concept in the field of conflict resolution and security studies has assumed so much importance in such a limited period of time as Confidence-Building Measures (CBMs). Precisely, CBMs are a broad concept, which have played an important role in improving conflictual relations. However, these unilateral, tacit or negotiated steps to improve cooperation and decrease tensions were the forgotten stepchild of the cold war always taking a back-seat to formal arms control discussions in contemporary times. When the concept of CBM was applied for managing East-West crisis during the era of Cold War, its scope and dynamics in dealing with various Non-Western crisis was quite inadequate. Since the operationalisation of USA and former Soviet’s hotline was in 1963, the concept of CBM has been debated in both Western and Non-Western circles so as to see how it can serve as a means to defuse tension and create conditions for unleashing normalisation between the adversaries.¹ The concept of CBM is a source of anxiety and challenge in different troubled spots of the world. Conceived as an arrangement for building trust in order to create situations for the management and resolution of conflicts, CBMs attracted the imagination of those people who desired building blocs for peace through a process of mutual adjustment and negotiations. Considered as the most admired technique, used since the signing of the UNO Charter in October 1945, CBMs became both as source of hope and optimism in the process of conflict management and resolution. It is because building of confidence and trust between the two hostile parties is a process and not a short-cut method for peace. CBMs, if understood properly and applied in a professional manner, can definitely have
short and long term advantages for people using that technique. Building trust and confidence between hostile countries have always been a rising task because years of distrust and animosity, institutionalising the process of conflict formation and escalation, are most important obstacles for moving from confrontation to collaboration.\(^2\) Though there has been a strong vested interest in sustaining conflicts, yet one can see the absence of assertive forces who can strive for the removal of suspicion and distrust in violent societies.

Confidence Building Measures (CBMs) are basically a Western concept, which was first formally introduced in the Conference on Security and Cooperation in Europe (CSCE) with limited objectives to tackle specific military concerns like surprise attack, reducing chance of misinterpretation and inhibiting the use of force for political reason. Military CBMs, used during the Cold War era, contributed substantially toward reducing the risk of armed conflicts between North Atlantic Treaty Organisation (NATO) and Warsaw Pact countries. Over a period of time the concept has evolved and taken a much wider implication. Today, CBMs are acquiring global acceptability and an expanded role in the form of useful tools of inter-state relations. CBMs have been applied to crisis ridden regions in Middle East, North-South Korea and South America with limited success.\(^3\) It is normally believed that CBMs facilitate in opening channels of communication, improving atmosphere among rivals, encouraging transparency, creating stability and enhancing security. This, however, does not mean that CBMs are able to achieve all or some of these objectives. CBMs have also proved helpful among rivals, where arms control measures have made slow or no progress. Experience
of the East-West altercation during the cold war has shown that it is easier to contain military operations than to reduce military capabilities.

Now with the end of the then superpowers’ rivalry, CBMs are emerging from the shadows of strategic arms reduction to that of the pre-eminent means of preventing accidental wars and unplanned escalation in strife-ridden regions of the world. In this changed context, it is vital that CBMs are to be used to promote greater amity and understanding and thus towards the removal of the seeds of conflict. Global CBMs experiences have confirmed that when adopted honestly, they have facilitated to decrease tensions and promoted peace. Webster’s Dictionary describes confidence as “an assurance of mind or firm belief in the trustworthiness of another.” The CBMs are provisions designed to enhance such assurance of mind and belief in the trustworthiness among states. Basic objective of confidence building is to seek optimum harmony and goodwill between the hostile parties by bridging the communication gap and encouraging transparency in their military ties. In broad term, CBMs can be defined as a procedure to create the situation for the resolution of conflicts between the states through negotiated settlement. It is a positive mode in which no state is looser rather both tries to achieve peace through mutually tolerable conditions. According to Johan Jorgen Holst, CBMs are “arrangements designed to enhance assurance of mind and belief in the trustworthiness of states – confidence is the products of such broader patterns of relations than those which relate to military security and strategy. In fact, the latter have to be woven into complex texture of economics, cultural, technical and social relationship.” They are not only necessary but are also
inevitable because confidence building measures can be adopted to improve tense and sensitive situation without infringing on the sovereignty of the nations involved, while adhering to the principles and process of the UN Charter in letter and spirit. Nevertheless, CBMs tend to give breathing space to countries involved in mutual hostility.

CBMs can also be termed as a mechanism that strengthens stability among states that are suspicious of each other but who essentially share a desire to avoid conflict. In the light of the contemporary conflictual behaviours of nations, CBMs can be defined as a process by which mutual understanding of the political and strategic intensions of adversaries in conflict is secured and mutual anxiety about strategic and military behaviour of enemies are reduced. CBMs are, infact, established pattern of behaviour giving each nation reasonable assurance that no other country is going to attack or exploit a situation to the serious disadvantage of another. A UN study says, “confidence-building is by nature a process in which each previous measure forms a basis for further measures which progressively and cumulatively consolidate and strengthen the building of confidence.” Thus, CBMs is a process having positive implications on the basis of which every previous measures form the basis of new measures and open new channels of collaboration between anxious countries. They try to resolve a crisis by opening channels of communication and encouraging cooperation between the adversaries. They play their role in crisis management by establishing set procedures and monitoring. They create ambience for arms control and are usually a forerunner to it. CBMs are an accord among nations to enlarge openness, mutual understanding.
and communication, designed to lessen the possibility of conflict through accident, miscalculation or failure of communication and to reduce chances for surprise attack or political threats hereby growing stability in time of calm as well as crisis. In essence, CBMs tent to inject openness and decrease tensions, as well as, to improve environment conductive to some form of cooperative behaviour. Openness can establish qualitative enhancement in the existing climate of mistrust and anxieties enhance better understanding of adversary’s perceptions and can help establish working relationship between the hostile states.

In recent time, the definition of CBMs has been extended beyond the military arena to include economic, diplomatic, social and cultural measures. As results, they are also meant to reduce tensions and build trust between states. Infact confidence is the product of much broader patterns of relation than those, which narrate to military strategy. The latter have to be woven into a complex texture of economic, culture, technical and social relationship. To put it simply, it is used for any action, any development, any measure, any arrangement, any understanding, any agreement or treaty that produces confidence among the adversaries. The concept CBMs covers a very large canvas ranging from a simple unwritten understanding between two antagonists to an accord. However, to be more specific it can be defined as a bilateral or multilateral measure that builds confidence, detains the unwanted drift towards open hostilities, decrease tensions and promote the adversaries to make contact for negotiation without taxing into much working policy pursuits. It is a new evolving crisis management technique which led to change of perceptions between the countries involved in conflict. Though, CBMs focus on
track-II and III diplomacy to help in bringing the population of the contending parties more closely to each others. It not only brings peace in their bilateral relations, but also facilitates the growth of regional and global peace process by working as forerunner to arms control activities. Thus, Confidence Building Measures (CBMs) are based on the presumption that:

- Deepest of the conflict can be resolved by creating confidence among the countries;
- There is always scope for mutual acceptance of each other’s point of view among the contending parties;
- Situation of trustworthiness and confidence among the hostile nations can be created;
- Presumed that a cumulative method of strengthening of confidence between concern states can be envisaged;
- Adherence of the principles of UN Charter can be established;
- Work as forerunner to the process of disarmament and arms control;
- Having positive overtones for the opening of new channels of communication; and,
- Involving goodwill of the people’s by emphasising on Track-II and III diplomacy.

Therefore, it is one of the mechanisms to create situation for the resolution of conflict by freezing or creating status quo over the contentious issue and finally contributing towards the elimination of conflict. Traditionally, it is argued that CBMs can lessen the risk of miscalculation or communication failures increasing in to war and can reduce the use or threat of use, of force for political purpose. They can increase inevitability, strengthen and increase security, as well as open channels of
communications among the adversaries, break deadlocked security relationships, improve political atmosphere and help to establish working relationship. CBMs can also be the basis for establishing cooperative security regime or collaborative security systems.\textsuperscript{11}

Historically, CBMs as a concept emerged and enter in the diplomatic language, in the mid-1970s in the context of East-West conflict. Later on, the relevance of CBMs has been studied in other regions of tension and it became a central part of all strategic, disarmament and conflict resolution studies. There is, however, sufficient evidence that the concept and process had already existed in various part of the world, but it remained undefined. The most inclusive, elaborate and successful model of CBMs is traced to the signing of Helsinki Act, 1975, which contained provisions for a set of voluntary CBMs. This was basically designed for conventional armed forces in Europe.\textsuperscript{12} This modest beginning paved the way for interaction between East and West, including inviting observers to military exercises on a voluntary basis. This Act explains three basic objectives to the CBMs: first, to remove the causes of conflicts/tensions; second, to promote confidence and contribute to stability and security; third, to reduce the danger of armed conflict arising from misunderstanding or miscalculation.\textsuperscript{13} These CBMs were given more teeth by the Stockholm Accord, 1986. This accord included entire of Europe in an arms control agreement. For the first time, on-side inspections without a right to refusal were included. Signing of Conventional Forces in Europe (CFE) treaty in November 1990 strengthened these CBMs further. It contained measures for force lessening, exchange of information,
stabilisation and confirmation. It also contained certain transparency measures, advance notification of military exercises and the movement of military equipment out of storage. Vienna Agreement, 1992 added another level of transparency in CBMs by requiring demonstrations of new types of military equipments.\(^{14}\) The Vienna Document contains a series of measures, covering both immediate risk reduction and long term routine military interaction. These measures are planned to build trust and confidence among participating states by improving transparency and inevitability. They include practical measures such as on-site inspections and evaluation visit, complemented and reinforced by annual exchanges of military information and regular dialogue on defense planning and development. With the end of Cold War, Vienna Document was further refined and updated in 1994, 1999 and 2011, to bring it closer to new realities, while remaining a document on military CBMs, aimed at to prevent armed conflicts among the states.\(^{15}\) The main aim of each agreement was to reduce further the risk of military confrontation in East-West relations.

However, at operational level working of CBMs are not without limitations. CBMs are region specific, and what may apply in one area may neither be suitable nor possible in another region of the world. Each region and every situation have its own characteristics. It is true that CBMs provide a chance to established trust and take potential steps for lessening high temperature in a particular flashpoint. However, there is a considerable intellectual ignorance and misconception among the policy-makers and different segments of the society in the developing world about the capacity of CBMs to contribute
substantially for the goals of peace and security. While one can figure out the contradictions in CBMs, experienced during the Cold War and in post-Cold War era, there exists tremendous scope of this concept in conflict resolution. Therefore, it is important to note that two schools of thought have emerged in the CBMs process. First school of thought rejects the concept of CBMs as failed exercises; whereas, the second school of thought has full confidence in the concept and the process of confidence-building. Likewise two approaches Traditional and Non-Traditional have also emerged in CBMs process at international level.

As far as traditional approach is concerned, it is primarily based on following objectives:-

- Reduction of suspicions and mistrust between the adversaries;
- Exercises of political will to build the confidence and trust;
- Encouraging people-to-people interaction so as to remove the areas of mistrust and suspicion;
- Holding of negotiations to minimise the risk of conventional or nuclear war;
- Holding of negotiations between countries to cut conventional and nuclear forces;
- Initiatives to resolve territorial conflicts and creating conditions for lowering temperature, the step-by-step approach for reducing tension is needed.

The Non-Traditional approach of confidence building; however is based on following conditions:-

- Avoid the rhetoric approach and take practical measures to build confidence among the adversaries;
Instead of suggesting measures to build confidence and avoid the risk of war; stress be made on the methodology for the management of crisis and resolution of conflicts;

Use of technology and other modern instruments for establishing trust and confidence among the adversaries;

Create conditions for removing mistrust and suspicions at the grassroots level before taking practical steps for the resolution of conflicts.\(^\text{18}\)

Therefore, it is true that the concept of CBMs become well known in a short span of time, it is also essential to understand why the traditional approach to CBMs is still pursued in most of the cases and how a shift can take place from traditional to non-traditional approach. For some scholars, there may not be any disparity among these two approaches of CBMs and the division of CBMs in traditional and non-traditional approaches may be pointless. But in reality one can see a marked contradiction in these two approaches. The basic question here is not about the merits and demerits of these approaches but how the concept of CBMs can be made more effective and viable in the areas of conflict resolution and peace building, in case of India-Pakistan relations in particular and South Asia in general. There are some important areas where one can see a wide gap within the concept of these CBMs. Because of these gaps, the structural shape of CBMs lacks proper strength and conviction.

However, following gaps between theory and practice of CBMs can be noticed. These gaps are in the areas such as:

First, although it is rightly stated that CBMs are pragmatic steps towards ideal objectives, in reality there is too much of rhetoric
and superficial imagination than an element of rationality in the concept. This fact can be confirmed from a simple observation where this concept is being tested. On the one hand, suggestions to build trust and confidence are essential to handle and resolve a conflict; on the other hand, it is equally important to present a road map and methodology which could help the process of peace-building in the conflictual areas of the world. Basically, the concept of CBMs has also been based on the maintenance of status quo. As Brahma Chellaney has rightly argued that:

CBMs generally appeal the most states with status quoits interest. At the global and regional level, the biggest advocate of CBMs is the United State of America (USA), a status quoist power seeking to preserve the present unipolarity. After the USA the next biggest advocate of these CBMs is the European Union, which also has largely status quoist interest.\(^{19}\)

Another perception about this concept that CBMs is a Western concept has also produced a lot of misinterpretation about the use and application of this concept in the non-Western world. It is assumed that West is responsible for promoting conflicts in the under-developed and developing countries and is trying to play a role for the resolution of such conflicts by introducing the ideas of conflict resolution and CBMs. The crisis and conflicts in developing world are of a different nature. So, ideas and concepts imported from the West cannot play any feasible role in dealing with problematic circumstances. But Michael Krepon rejected this perception about the heavily Western influence on the concept of CBMs and explanations that it is a global concept. In this context, he rightly observed that:

Some have mistakenly concluded that the practice of negotiating and implementing CBMs is essentially a Western phenomenon that is not applicable to other
regions and culture. While it is true that CBMs became widely utilized by countries belonging to NATO and Warsaw Pact, but it is quite evident that many other regions are engaged in this work. Indeed the practice of CBMs predates the establishment of the modern nation-state in Europe. Only the terminology is new and Western what matters, of course, is not the terminology but the practice of conflict avoidance, confidence building, and peacemaking. Every wise practitioner in different regions is eager to learn about efforts elsewhere, seeking to learn from mistakes and to adopt successful CBMs to meet at local needs. Though, CBMs do not have an inclination towards any specific community and group but possess the ability to deal with other crisis and conflicts in different part of the world. The concept of CBMs originated in the West but its application is universal in nature. With overtime and much useful discussion across border, regions and culture, resistance to the practice of CBMs has eased considerably. Global acceptance of CBMs has been facilitated by a widespread recognition that these measures were not simply a Cold War phenomenon. The term CBMs may have been rooted in the Cold War, but the terminology ought not to get in the way of successful practice.20

Moreover, state and non-state actors, particularly political and ethno-religious groups, are considered to be the main hurdle in promoting confidence among warring parties. On the one hand, the state and non-state actors may create an impression that their supports in the lessening of suspicion and distrust in a particular conflict, whereas; on the other hand, its vested interests block any serious move for building confidence. It is in the area where one can witness serious obstacles because of the contradictory role played by the state and non-state actors. The example of India-Pakistan conflict over Kashmir has proved this hypothesis. Both countries are involved in creating situations which only rebuilds mistrust and suspicions, discourages any realistic approach for establishing confidence with each other.
Lastly, the role played by the society is also significant in creating the gap in the concept of CBMs. In the societies, where the majority of people are ignorant and also the victim of exploitation, the task of building confidence in these polarized segments becomes a real challenge. In this situation, how is it possible to build confidence when neither the media nor other sources of information play a positive role in reducing mistrust and suspicion? When the civil society is weak and the power elite works overtime to protect and promote its interest by maximizing conflicts among different groups, the theoretical tools of CBMs cannot work properly.21

On this account, one can easily see a wide gap in this concept of CBMs because of traditional approach of the concept. Now the basic question arises, how this gap, examined above in the areas of CBMs, can be bridged. In this context, by observing following methods, gap between theory and practice of CBMs can be overcome.

First, there is a need to avoid contradictions in theory and practice. It has been observed in a number of academic conferences, seminars and programs related to various aspects of CBMs that on the one hand, they express their support to the CBMs process but on the other hand, they also contribute to the maintenance of status quo in practice. For example, India and Pakistan have taken many initiatives to promote confidence at various levels between them but in practice they take hawkish positions against each other. Second, it is also required to know that which factors and elements are responsible to influence the policy makers working at top level. This is also important to know that the policy recommendations related to CBMs programs, focus
on how the level of suspicions and mistrust can be reduced among the concern states. So far enough has been said about the different theoretical and conceptual tools of CBMs, however, more relevant as how this concept can work in dealing with conflicts in different parts of the world. Third, at the policy level, there is need to have CBMs constituency, which can understand not only the concept in a proper manner but can also possess the capability to effectively dispel negative propaganda against endeavors launched for promoting the ideas of CBMs in an hostile environment. There is also need for more awareness and understanding about this concept, because people do not believe in the rhetorical campaign against CBMs. If the society is understandable and responsive about the importance of this concept, than an important gap in the CBMs process can be filled. Those involved in the processes of confidence-building, conflict resolution and peacemaking need to disseminate information and ideas to the general public about such concepts so that a balance approach can be evolved in the society. Last, the role of state is also essential in terms of gaps in the CBMs process. If the state organs are involved in promoting mistrust in different segments of the society, it becomes very difficult for the non-state actors to effectively resist such policies. A strong civil society with vibrant institutions can significantly contribute in confidence-building and embark on the CBMs process for resolving various issues. If all the actors, which involved in the policy making in the states are examined than this concept work more effectively in the conflict resolution and likely to create peaceful relations among hostile states. Although, the society is not able to assert its position and curb the influence of extremist elements, till time the prospects of CBMs are likely to remain limited.
National leaders, a removed from the East-West conflict, have begun to adapt old CBMs and design new measures for their own purpose. Besides, those leaders have also realised that CBMs cannot be transposed mindlessly from Europe to other region of the globe. Nonetheless, adaptation is possible because concerns are raised during the Cold War over border security, surprises attack; accidental war and unintended escalation be felt in many regions. The brief sampling of CBMs suggests many short falls and halting steps, but is nonetheless impressive for its regional diversity and creativity. More and more political and military leaders are turning to those tools to prevent conflict to provide indications and warning of troubling developments, to negotiate peace agreement and to strengthen fragile accords.

When CBMs are discussed as a peace concept, it can be analysed at three stages: I. Conflict avoidance; II. Confidence building; and, III. Strengthening of peace and cooperation.23

I. Conflict Avoidance

Negotiating and implementing CBMs require political will, but only modest amounts of capital need to be expended to get the process started. Even in regions of substantial tension, such as the Middle East and South Asia, useful initiatives have been taken despite the incapability or unwillingness of national leaders to determine fundamental differences. Those steps have met the minimal requirements of not deterioration any state’s security and not rising existing levels of aggression. No substance how serious outstanding grievances are, wise national leaders desire to avoid accidental escalation or war. The first steps, like the establishment of hot line between the sector commanders of India
and Pakistan along the LoC in Kashmir, cannot solve deep-rooted political and territorial disputes. But this forerunner steps help to prevent a full-scale crisis as this can still have huge worth. The implementation of those measures can save as an important safety not against explosive developments, such as the devastation of religious shrines, urban acts of terror and increased levels of violence in disputed regions. Perhaps it is best to characterise initial steps to avoid unnecessary wars and accidental escalation as conflict avoidance measures (CAMs) rather than CBMs. By opening channels of communication and providing a modest degree of transparency in selected military practices, those small tests of confidence also lay the foundation for more substantive measures later on. If the agreements are implemented properly and political leaders are amenable in subsequent steps. CAMs can be taken even when countries have not established diplomatic relations. CAMs could include unpublished red lines that are likely to trigger vigorous responses if crossed by outside military forces. However, every first step may not need to relate directly to conflict avoidance. When government-to-government contacts became a forum for ritualised grievances and rebuttals or when such communication channels are completely absent, non-governmental meeting can help to motivate problem-solving approaches while fighting enemy images. One reason to execute CAMs is to provide a cooling-off period after wars or periods of high tensions. However, cooling-off periods can be used to prepare for other wars, to conduct diplomatic activity towards conflict resolution. In this way, the process of negotiating and implementing CBMs is self-regulating, if initial steps do not have proven worth others are not likely to follow them. In South Asia some fear that negotiating security related confidence-building
measures can be placed as national leaders of both the states will always retain a veto power over the process. Those measures will only be implemented that serve the interest of all the participating States. The existing level of tension in South Asia has provided the most convincing reason to start that process, even though grievances over Kashmir clearly limit the degree of progress. Besides, most of the Indian and Pakistani peace proposals and counter proposals are rejected by the other, either on the ground of ‘Not a Serious Offer’ or ‘Not Negotiable’ at all.\textsuperscript{25}

To get the process started, initial steps can be designed particularly to provide early signals and warning of hostile intentions. A building-block approach to CBMs is more suitable in extreme areas where little base for trust exists. An ambitious initial step, having inclusive CBMs agreement, is likely to face serious implementation problems, with no track record to improve distrust and no safety net to lessen failure. The motivations behind the negotiation of initial steps need not be in concert as long as they are not hostile. Nor do states require alike military capabilities to take initial steps. It is also not required for the parties to see separate value in the particular steps chosen and for those steps not to strength existing levels of hostility. If the parties view CBMs as a zero sum game, negotiations will fail. An Integrated approaches that combine initiatives in the economic, political, humanitarian, cultural and military realms are an ideal approach.\textsuperscript{26} But a similar negotiating strategy has clear limitations in other parts of tensions. For example, in South Asia, the lack of diplomatic relations between India and Pakistan have confined their initial steps to conflict avoidance with the main exemption of the 1962 Indus Water Treaty (IWT), which provides a cooperative
formation for the sharing and use of subcontinent’s northwestern river waters that were disputed since 1947. But the record of India and Pakistan offers and counter offers of ‘No War Pacts’ and ‘Treaties of Friendship’ discloses that there was no doubt a desire on the part of both the countries to avoid conflicts and undertake CAMs. However, this desire to avoid war and build peace with the neighbour was basically their own terms and conditions. With the exception of the Korean peninsula the Asia-Pacific region does not face the problem of how to build CAMs amid high levels of tensions. Instead, the primary task within that diverse region appears to be that of preventing security concerns from escalating into conflicts. Economic growth and increased trade can provide a positive context for the establishment of conflict-prevention measures, if political leaders in the Asia-Pacific region are so inclined. Thus, this is an easy first step because no responsible political leader in today’s world wants war. Even when there is no agreement between two sides on considerable CBMs, there may still be an agreement to avoid war. Hence, it may be a good idea to delink this from the general concept of CBMs and call it as CAMs, perhaps a more eagerly accepted terminology.

II. Confidence Building

Confidence building is the more substantive second stage to strengthen the gains of CAMs. In simple words it means negotiating conflict-avoidance measures takes political will, but not in large measure since prudent national leaders is likely to avoid unnecessary wars. This is a painstaking effort requiring many actors and groups both within and outside government. However, this stage is far more difficult, as it requires traversing the crucial passage from conflict-avoidance to confidence building.
Far more political capital is required to reach that higher plan when states have deep-rooted grievances or core issues to resolve. The South Asian dispute is stuck here, between war and peace, awaiting national leaders will and ability to take politically risky initiatives towards resolution. In this region, building blocs for CBMs is in position but more far reaching measures have been hold hostage to progress on core issues. Thus the transition phase from conflict-avoidance to confidence building is even more difficult in South Asia. To begin with CAMs are far less strong and their implementation has been spotty, because both Governments are doubtful of taking any steps that can be viewed as appeasing and politically damaging in the face of continuing aggravations. As a result of enduring grievances, India and Pakistan are not yet ready to adopt an unambiguous “live and let live” policy towards one another. Both continue to jape at the others’ soft spots while avoiding open warfare. As a result, partial steps have been taken to lessen the possibility of inadvertent escalation, while the foundation for CBMs remain unfinished and new initiatives have been stopped by India after terrorist attack in Mumbai and different part of the country. G. Parthasarthy has rightly observed that, “as long as they are exchanging fire every day; there can be no Confidence-Building Measures between India and Pakistan.”

With the existing level of violence in Kashmir, vigilant national leaders in Islamabad and New Delhi can use existing CAMs to contain explosions, but not as a springboard towards political reconciliation. The current situation in South Asian region seems too ripe for further CBMs negotiation between India and Pakistan.

Though, CBMs can become imperative companions to peacemaking, yet it cannot substitute for the regions of great
tension. Indeed, without CBMs, including the good offices of a trusted third party, politically risky peacemaking efforts can easily fail. Many measures are available to facilitate the transition to confidence building when political circumstances permit. The form adopted for CBMs can be as important as its substance. The transition from conflict avoidance to confidence-building can be symbolised by the acceptance of foreign military observers at pre-notified exercises. If that transition is too difficult to achieve in one step, third party can be usefully engaged including multinational inspection teams composed of diplomat from adversarial nations. Security measures are completely essential during the transition stage, but true peacemaking also needs CBMs in the commercial, humanitarian and cultural areas. The objectives at that stage are to establish new pattern of interaction that are perceived as beneficial within participating states and to make those examples harder to reverse when perturbations take place. The process of transition from conflict avoidance to confidence-building is evidently easier, if there is no core issue blocking the way. Domestic obstacles that have prevented progress are going to be conquered. Comparative studies of transitions from conflict avoidance to confidence building are essential in order to understand dynamics of transformation in a better way. Conflict avoidance measures are also an essential prerequisite to confidence building because setbacks will inevitably happen during peacemaking. The process of political reconciliation requires energies opposing forces in tense regions often resort to violent means. Precursor steps can help to contain the damage and make setbacks less severe and long lasting. Thus, CAMs can have a trampoline effect if and when peacemaking talks held,
allowing leaders to promote political relations onto a higher plane.32

Now question arise that what, can be said of the political fortunes of those who wanted to make the transition from conflict avoidance to confidence building? It can only be observed that in such a situation only big risk-takers lose the most in the near term, but probably will gain the most recognition and appreciation over time. Clearly the negotiation of CBMs to escort peacemaking can be the source of enduring credit, regardless of other leadership failures. Few national leaders, however, are willing to tackle peacemaking in extraordinarily bold manner. A safer strategy is to employ smaller tests of trust, a process perfectly suited to CBMs. That process is evidently easier when there are no core issues involved. Every care of risk taking for confidence building and peacemaking is unique. Some national leaders may well be deterred from boarding on that path, because their security problems are not ripe for solution, or because they lack domestic support, personal guts and regional status. There are simply no substitutes for the political will and the political base to assume the risks connected with the transition from conflict avoidance to confidence building. Occasionally, brave efforts are called for but true heroes at the Presidential or Prime Ministerial level are a rare kind. Extremely strong decisions are inevitable, however when confidence building must proceed similar with peacemaking. Progress on the CBMs front is painfully slow particular in South Asia and the world at large, because there is still no energetic negotiating track to deal with core issues. Fortunately, most national leaders face less intimidating challenges when negotiating CBMs.
Finally, if formidable hurdles can be surmounted to avoid war and then to negotiate a fragile peace, national leaders can continue to employ CBMs to strengthen the peace in conflictual regions. Objectives at that stage of the process include lengthening and deepening existing patterns of cooperation and making positive developments as irreversible as possible. The formation of properly functioning institution to develop trade and cultural exchanges can be particularly useful. A number of security-related CBMs can also be usefully employed. Peace-strengthening measures might include constraints on the size and position of military exercises. Highly intrusive transparency measures, such as agreements, to permit practically unlimited open skies and short-notice observations within military garrisons, could demonstrate non-hostile objective. One way to measure progress in normalizing relations is to observe the nature and number of exchanges between previously antagonistic states. High level exchanges between governmental officials and military leaders have been reutilized as one would anticipate between states that are in the process of reducing tension and thinning out forces. Thus, the final stage should logically follow if there is a adequate resolution of the core issues. This should then lead to advanced CBMs, such as, limiting military forces through negotiation, restricting their movement in the border areas, mutual inspection of military exercises, participation in each other’s military training programs, even joint manufacture and development of weapon systems. Though it would take a long time in South Asia, yet similar activities normally take place
between many military enterprises those have been sworn enemies in the world.

CBMs are pragmatic steps towards ideal objectives. Those steps may necessarily be small at the outset if serious grievances must be bridged. A broad CBMs negotiating framework that facilitates linkages and trade-offs is advisable, but when central security anxieties are at issue and when states have influential military establishments, military-related steps tend to dominate at the outset. However, achievement in negotiating CBMs in the military sphere will is likely to depend on multiple initiatives in the political, economic, cultural and humanitarian spheres. The process obviously begins by identifying mutual interests and developing an ethos of cooperation over time. CBMs can be shaped to fit multiple needs, ranging from avoiding accidental escalation to making new wars unimaginable. Successful CBMs process can be encouraged with follow-up meetings, review conferences and other techniques to institutionalise patterns of cooperation. CBMs naturally command themselves to national leaders who are both risk-averse and risk-takers. Thus, CBMs process involves creating a framework of principles, values and objectives that will manage foreign relations.

CBMs have worked successfully in Europe at the height of the cold war. It was helpful in reducing the danger of military conflict between the two rival blocs and served their purpose. But their utility in South Asian perspective has been questioned by many scholars. Because the main dispute in East-West conflict was ideological between two rival systems of capitalism and communism. Otherwise states had similar religion and culture. There was no outstanding territorial dispute in Europe during the
cold war. But situation is basically different in South Asia. Kashmir problem is not only a territorial dispute it also has historical, cultural and ideological dimensions. Army takeover in Pakistan has made the issue worse. A military state to justify its rule may like to keep the problem decomposed. Besides, during the cold war both the blocs had awesome military power and some kind of balance was maintained. In South Asia, Pakistan’s conventional military power is much weaker than India. During the cold war a large number of people in Europe were skilled in arms control and peace negotiations. Nothing of the sort has happened in South Asia.36

Moreover, South Asia is infamous for mistrust, fear and suspicion among and between the countries of this region. It is a highly susceptible region, which witnessed and which may yet witness, various complex interstate and intrastate conflicts and tensions ranging from the usual mutual allegation and diplomatic annoyance to outright wars. Beside they also face interstate conflicts arising from territorial disputes, communal disharmony, ideological rivalry, ethnic exclusiveness. Moreover, threats to political stability and national security vitiated the development of accommodative and good neighbourly relations among the countries of this region. But they have also increasingly contributed to the emergence of an ever-persistent instable order in this region. Mutual mistrust, fear and suspicion have in their turn led to a sharp regional arms race, not excluding nuclear weapons between India and Pakistan. That is why; many scholars have questioned the success of CBMs in this region, because, like many other concepts and theories of international security and foreign relations, CBMs also tend to create myths about their
importance in the field of conflicts resolution studies. Thus, the rationalizing of the concept of CBMs is the only option to prevent discrediting the concept in the perspective of South Asian region. Though, some of task of CBMs are quite idealistic in nature and run divergent to the structure of human mind, yet the time has come to follow a coherent approach in dealing with the dynamic of CBMs. When rationalising of the concept of CBMs special reference to South Asia and particular India and Pakistan relations is being envisaged then some methods need to be adopted. For the success of CBMs following methods are very vital.

Firstly, there is a need to rethink the concept of CBMs by involving the specialists of that area from both the countries. By involving the experts in this rethinking process, it is possible to help the decrease contradictions and inadequacy of that concept. Secondly, the literature on CBMs also needs to be re-evaluated in the light of changing context of world in general and South Asia in particular. The perception is that CBMs is a western concept and is misfit for third world countries conflict resolution process. Thirdly, there is a need to form constituency of the CBMs at policy making level, because without the participation of official circles, to implement them remain difficult. In case of South Asia, theoretically one can see a fruitful ground for CBMs, but in practice the concept is either not properly understood in the policy making or the radical elements are too strong to create anti-CBMs constituency in the region. Therefore, to prevent South Asia region for further conflicts, it is vital that the perception about the optimist nature of CBMs to be understood and analytically observed by those involved in the process. Fourthly, the implementation of CBMs related agreements mostly signed by
India and Pakistan require being in order to establish the credibility of this process in the region. Unfortunately, most of the agreements signed in different areas of CBMs have not been implemented.\textsuperscript{38} Hence, governments in India and Pakistan need to seek an element of rationality in the proper implementation of CBMs process.

The use of CBMs as a concept in South Asian context started since mid-1980s. This was the time when tense relations between India and Pakistan reached a crisis level and an unspoken undeclared nuclear deterrence was well in operation. After that it has been part of the glossary of scholars determined for diffusing tension and conflict resolution in the subcontinent. But CBMs are not completely a new phenomenon in South Asia in general and between India and Pakistan in particular. Over the years, India and Pakistan have signed many agreements to solve their problems left by partition of British India that contributed to reduce tension and hostility between them. These agreements were the product of either crises or war.\textsuperscript{39} Early CBMs between them were of informal nature. Many proposals to decrease tension and increase confidence in each other were proposed from both sides since independence. At informal level, the idea of ‘No-War Pact’ which was initiated by India as early as in 1949, but it was not answered by Pakistan. Even after the 1965 war, restoration of territories pawed the way for Tashkent Agreement. After 1971 Indian crucial victory over Pakistan, it agreed to release the large number of prisoners of war (POWs) of Pakistan which facilitated the signing of Shimla Agreement. Even during wars both countries exercised moderation and did not attack civilian targets. They have shown commendable self-restraints. Thus, 1949 Karachi
agreement, Liaquat-Nehru pact of 1950, India-Pakistan Border Ground Rules agreement of 1960, Indus Water Treaty 1962, Tashkent agreement, Rann of Kutch agreement of 1966 and Shimla agreement of 1972 are case in point. These informal CBMs were followed by formalised CBMs between them and they became effective as a result of formal agreements. After the India-Pakistan war in December 1971 a “Hot-Line” contact was established between the Directors General of Military Operations (DGMOs) of India and Pakistan. After 1990 crisis it was decided to use it on weekly basis. In April 1991 both countries agreed for the prior notification of military exercises. No military manoeuvres, exercises and troop movements were to be held along India-Pakistan borders. An agreement was signed in December 1988, which was ratified in 1991, regarding nuclear installations of both countries. It prevented the launch of surprise and pre-emptive attacks on each other’s nuclear sites. To prevent air space violations an agreement was also signed in April 1991. It allowed civil aircrafts to fly through specified corridors. In August 1992 both countries agreed not to develop, construct, acquire or use of chemical weapons. In the 1990s foreign secretary level talks have been held in Islamabad and New Delhi, which have produced pre-notification agreement, the airspace agreement and the bilateral declaration on chemical weapons. Both states also established a hotline between their respective Air Forces and Naval Vessels/Coastguards in May 1993. Prospects have also been made by India and Pakistan from time to time for establishing hotline between their Sector Commanders.

The most significant CBMs in recent times have been the Lahore Declaration of 1999, which contains major policy
objective. These include mutual consultation over CBMs regarding nuclear and conventional forces, advance notification before ballistic missile tests, reducing risks of accidental or unauthorised use of nuclear weapons, prior notification by either side in the event of any such incident and adoption of measures to reduce the risk of such actions. Both sides also agreed on a moratorium on nuclear tests unless extraordinary situations jeopardize their security interests.\textsuperscript{45} It gave some hope that finally the ice has been broken and the two hostile neighbours might come closer, overcoming their past rivalries. But unfortunately, it was followed by infiltrations and later war in Kargil in 1999. The 13 December 2001 terrorist attack on the Indian Parliament, followed by another attack on army barrack on 14 May 2002 also created a situation where war became imminent between India and Pakistan. The incidents of these kinds of terrorist activities and military infiltrations have created more dangerous situation before India and Pakistan.\textsuperscript{46} It gave major setback to the peace initiatives and CBMs. But despite its failure, the reactions to the process in India and Pakistan underlined the fact that a genuine political will exists in these countries for good neighbourly relations. There is a growing awakening among the population of these countries that emergence of peace will be beneficial for both, where as internecine war can only deplete the meager resources of the region and bring misery.\textsuperscript{47} But these types of happening can be avoided due to the application of curtains CBMs. The most important CBMs remained functional during these Kargil conflict and border confrontation was the hotline contact between their DGMOs. Thus, it has always been seen that the hotline in South Asia functions satisfactorily during peace time but become dysfunctional during crisis when it is most needed.\textsuperscript{48}
Current phenomenon of CBMs is, therefore, nothing new nor is it believed to be a result oriented practice to lessen India and Pakistan tension. The reason behind this argument is that the process of CBMs has not been institutionalised at grass-roots level in the region. The goal and purpose of CBMs, is to build trust and confidence at grass-root level from people-to-people contact. Its long term objective is to prevent states from cultivating ill-will and mistrust by bringing different section of societies closer to each other. So far, in the case of India-Pakistan relations CBMs have not brought about the expected outcomes. It is therefore suggested that the two states need to build consensus over their differences through certain measures that can be helpful in settling their disputes. For this purpose, current CBMs have been initiated by the then of Indian Prime Minister Atal Behari Vajpayee’s in 2003. He gave a call for friendship with Pakistan which needs reciprocity from other as well. In this regard, he proposed some steps for reducing tension between the two countries. They were spelt out with an objective to restore normalisations. These initiatives of Atal Behari Vajpayee have been a new beginning to negotiate with Pakistan on the basis of ‘Composite Dialogue’ which resumed after a gap of six years. These dialogues have been ruptured in the wake of Kargil war (1999), terrorist attacks on the Indian Parliament (13 December 2001) and operation Parakram. As a result, both countries resolve to send back their respective High Commissioners who had been withdrawn during that crisis. The bus service between Delhi and Lahore was resumed. Pakistan welcomed the Indian initiative of talks, but maintained that it should be without any pre-condition. However, general attitude of Pakistan was one of the contempt towards the Indian initiative, as it still insisted on the
resumption of the composite dialogue. But these initiatives have been well received by the people of both countries. Scores of delegations of businessmen, parliamentarian, writers, youth and women etc. from both countries began to visit each other. These CBMs were comprehensive in nature, involving both conventional and non-conventional measures.\textsuperscript{52} Hence, a noticeable change in the atmosphere was observed, but this peace process did not make much progress.

Later on India gave famous 12-point of CBMs offer on 22 October 2003.\textsuperscript{53} These initiatives were more comprehensive and some of them were those which had fulfilled the heartfelt desires of the millions of the people of Kashmir and those living on the borders of India and Pakistan. The Indian proposals met some of the most urgent and long felt needs of the people of the two countries which can provide new opportunities for people-to-people contacts. Pakistan was not expecting such a wide-ranging package of confidence building steps. These initiatives instantly got international acclaim. Hence, it was difficult for Pakistan to reject the same. As a result, it also reciprocated them with its own package. Besides some Indian proposals, it added some new initiatives of its own.\textsuperscript{54} All these were marked with a new thrust for improving India-Pakistan relations. It also needs to be acknowledged that these created visible improvement in their relations at different levels.

Now the question arises that which factors are responsible for this and why there has been change in the perception of the two countries? Before an indepth study of these measures, it is necessary to know about the compulsions of both the countries towards each other. Most probably, internal scenario in both the
countries and change in their external milieu might have influenced this process. Experts are of the opinion that USA might have played an important role to defuse the prevailing tensions. This can be manifest from the diplomatic hyperactivities of the US officials through their visits to India since January 2002. It definitely has serious bearings for India’s decision to withdraw its forces from Pakistani border, after ten months of deployment, without attaining the desired objective. Similarly Pakistan’s attitude also changed due to USA’s pressure. It is because, USA’s determination to abolish global terrorism might have compelled it to pressurise Pakistan to cooperate with it. Besides, change in Pakistan’s political attitude towards India, might have been based on the calculations that hostility no longer brings vote. Moreover, there are more pressing issues at home than the demonisation of the neighbour. Another important change that can be witnessed inside Pakistan is the realisation that Pakistan can gain a lot by engaging India and entering into a cooperative relationship with it in the economic sphere. Additionally, the growing economic forces in the wake of globalisation are compelling reasons for both the countries to enhance regional economic cooperation. Moreover, Pakistan cannot afford to carry along the path it had adopted in 1990’s, which is now being seen as a lost decade for the country. Another significant change in the mindset and the desire for peace is most stark in Pakistani Punjab, because now the Punjabi civil war seems to be over and a process of reconciliation and re-discovery of cultural and ethnic roots of a divided people seems to have started. After 9/11 the international environment changed and no one in the global community is willing to turn a blind eye to the infrastructure of jihad that has been operating in Pakistan with impunity for nearly two decades. Terrorism is no longer a
phenomenon being suffered by one and the enjoyed by the other. Moreover, globalisation of this phenomenon after 9/11 had made it complex issue very difficult to resolved single handedly. After acquisition of nuclear capabilities by both of them has not only invited pressure on them, but also called for serious safeguard problem to handle the nuclear button. Finally, it has become very clear that Kashmir and other bilateral problems cannot be resolved through external support and wars. It is better for both the countries to realise the importance of bilateral cooperation and role of civil society for evolving goodwill among their relations.

With the Islamabad Declaration on 6 January 2004, on the sidelines of the SAARC Summit, new possibilities of a dialogue leading to an eventual understanding and peace between the two neighbours have emerged. After the successful completion of this SAARC Summit, both countries initiated ‘Composite Dialogue Process’ to settle their disputes. The composite dialogue was to discuss the eight areas: Kashmir; Siachen; Sir Creek; Nuclear CBMs; Wullar Bridge; terrorism and drug trafficking; commercial and economic cooperation; and promotion of friendly exchanges. The composite dialogue initiated people-to-people contacts; established train and bus services; and, sports links were restorted. Some progress was also made on nuclear CBMs as an agreement on reducing the risk from accident relating to nuclear weapons was signed in February 2007. Both of them also signed an agreement on Consular Access in May 2008, under which both countries are required to exchange list of prisoners in each other’s custody on January 1 and July 1 of every year. Thus, this marked a new thrust to improve relations between India and Pakistan. It also needs to be acknowledged that there is a visible
improvement in the relations at different level. Thus, there seem comparatively batter prospects of bilateral ties because unlike the recent efforts, this has been preceded by serious back room negotiations. This shows that there is an improvement in the overall environment and both countries seem to have moved away from their tense phase.$^{61}$

Although, frequent disruption of India-Pakistan peace process highlights the fragility of the process and a high degree of mistrust and suspicion between the two countries in their relations. The composite dialogue process was halted, when Pakistan based terrorists carried out multiple attacks on India’s financial capital Mumbai on 26 November 2008.$^{62}$ Before this, some events like attacks on Congress Party’s rally in Srinagar, Samjhota Express blast and bombing of Indian Embassy in Kabul also contributed to disrupt the dialogue process between them. However, composite dialogue did survive on the sideline meetings of international summits.$^{63}$ Despite the 26/11 terrorist attack on Mumbai; and continuing cross-border infiltration and ceasefire violations by Pakistan across the LoC; people-to-people contact were allowed to continue. If composite dialogue process is analysed since 26/11 Mumbai attack, one can find that no progress has been made on crucial issues between the two countries. Since then several efforts have been made by the two countries to enhance the CBMs process through people-to-people contacts. However, cross border trade and travel across Kashmir, initiated by both the countries, are important step in this directions. Later on Times of India and Jang Group of Pakistan launched a campaign ‘Amman ki Asha’ on 1 January, 2010. The yearlong event had provided cultural, literary and academic
interactions among the people of both the countries. After a gap of couple of years, India and Pakistan tentatively resumed the composite dialogue process. The resumption of negotiations also shows that fundamental basis for seeking peace is strong. This point is highlighted by the prime minister of both the countries in their interviews. The then Indian Prime Minister Manmohan Singh has observed that, “I still believed that good relations between India and Pakistan are very essential for this subcontinent to realise its full development potential.” Similarly, the then Pakistani Prime Minister Nawaz Sharif has also stated that, “we have no option but to live in peace in the interest of the people of Pakistan and India and my government is committed to improving relation with India.” In his memoir in 2006, former Pakistani President Pervaiz Musharraf has also argued that, “There is no military solution to our problems. The way forwards is through diplomacy.”

Looking back, the achievements of composite dialogue and improvements in their overall relationship since 2008 two aspects are intriguing. Kashmir issue has been put on the backburner in the agenda of negotiations. Besides, both have consciously chosen economic and trade route to normalise their bilateral relationship. This is a novel approach as previous attempts of peace making failed due to an emphasis on the politico-strategic issues. Though, importance of trade relations for building peace between India and Pakistan has been acknowledged, yet it was not prioritised in the previous round of peace negotiations. Consequently, post-Mumbai dialogue process has been focusing on economic relations.
Major development in India-Pakistan relation emerged in 2011, when Government of Pakistan ‘in-principle’ decide to grant ‘Most Favoured Nation (MFN)’ status to India. India had already accorded MFN status to Pakistan in 1996. This decision signifies a shift in Pakistani’s approach for building peace with India. Many Indian and Pakistani renowned scholars have pointed out that the decision to grant MFN status to India “is much more than just trade.” It is important because Pakistan’s decision to grant India MFN status came against the backdrop of considerable domestic opposition from several quarters. Later on in 2012, both the states also agreed to liberalise the existing visa regime in order to boost mutual trade and investments. Similarly both agreed to open border trade at several points including Jammu and Kashmir border. Thus, over the period numerous CBMs have been initiated, starting with the granting of MFN status to India, easing many trade hurdles like liberalisation of visa regime; opening the doors of investment; developing physical infrastructure and enhancing customs cooperation.

However, this upward trend in India-Pakistan relations come to a halt, when the forces of two countries became engaged in border skirmishes in January 2013. After this incident India-Pakistan dialogue process has remained suspended, but the trades between both of them have increased and continuously India is emerging as big trading partner of Pakistan. Normalisation process has yet to be fully back on track, because the main hurdle emerged in the way has been continuous ceasefire violence by Pakistan along the LoC in Kashmir. Though, peace process between them continue to remain frozen, yet the installation of new governments in June 2013 in Pakistan and in May 2014 in
India indicated that they are working through back channel to bring the peace process back on track. The meeting Prime Ministers of Indian and Pakistan at New Delhi in May 2014, on the sidelines of the Indian Prime Minister Narendra Modi’s oath ceremony, discussed about the re-opening of the stalled peace dialogue.

The resumption of the peace process has been short lived and came to halt, when the deadly exchange of fire at LoC in Jammu and Kashmir started. Though, India-Pakistan peace process has produced a lot of good will between the two, yet it has failed to establish peace at all. As a result, Pakistan’s military has again escalated border tension with India. Since 2008 Mumbai attack it scripted, it has initiated intermittent exchanges of fire along the LoC, including the present one. In October 2014 artillery exchanges along the LoC has been unusual in terms of their ferocity and the sudden eruption in violence resulting in the highest single day death toll in over a decade. These ceasefire violations occur cyclically and are often seems to be premeditated. Besides, these are invariably linked to keeping the LoC hot and Kashmir issue alive. Feuding local commanders, testing the mettle of opposing new battalions on the LoC, tit-for-tat tactical responses, aiding infiltration and maintaining moral ascendency across the Line are the usual reasons for the exchange of fire. This is frequently accompanied from the Pakistan side by Border Action Teams (BAT) laying ambushes, planting improvised explosive devices and raiding posts.

Pakistani Ranger’s purpose to enhance such activities seems to derailing the peace process, fouling up the atmosphere before the Assembly elections in Jammu and Kashmir and testing
the temperament of Indian Prime Minister Narendra Modi. Thus, a peace dialogue resulted in Pakistan’s military to carry out cross border shooting, ambushes and the acts of terror. The tensions between the two countries have to be seriously examined and ways and means to bring back normalcy should be worked out. It is because positive ties between them are likely to have good impact not only among the SAARC countries, but also on their bilateral ties.

Past decade, thus, has noticed a crucial shift in the attitudes and approaches of both the countries toward normalisation of their bilateral ties. It is because both adopted the method of “piece by piece” or “functional approach” in their relations. As a result, tangential issues between them are to be resolved first and the core issues are to be discussed later on. This method is most appropriate for promoting India-Pakistan harmony. The focus of the attention has also been to promote amity between the people of the two countries, which may ultimately promote good neighbourly relations. Both have encouraged the people-to-people contact through CBMs. It seems that both have realised that CBMs can play very useful role in the resolution of their deep-seated conflicts.

Thus, CBMs have been usefully employed to avoid conflict and reduce tensions in the during the cold war era in different regions of the world. Consequently, in changed international order, it is right time to apply this concept in the context of prevailing situation in South Asia. But before an application of the sum is evaluated a current nature of steps has taken by both India and Pakistan need to be studied in an indepth manner. Though, both have taken many steps in the perspective of non-
military and military CBMs for last one and half decade, but due to lack of political willpower their efficiency has been always doubtful. Besides, ensuring better implementation of existing CBMs, there is a need for negotiating new initiatives covering various areas like; trade, cultural, environmental, media and technology, nuclear and conventional measures etc. It is also essential for India and Pakistan to adopt a balance approach between military and non-military CBMs for creating conditions for peace in South Asia. Therefore, an effort is made in next chapter to analyse and evaluate the possibilities of both civil and military CBMs being initiated by India and Pakistan to establish good neighbourly relations between them and finally to establish peace in South Asia.
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