

THE ANATOMY OF A SPRING CEASEFIRE

Relevant for: International Relations | Topic: India - Pakistan

In the wake of registering 5,130 ceasefire violations in 2020, guns on either side of the Line of Control (LoC) in Jammu and Kashmir (J&K) fell silent on the intervening night of February 24-25, 2021. The February ceasefire has triggered widespread speculation about its durability, significance and implication for bilateral relations in general.

The announcement by the two Director Generals of Military Operations (DGsMO) came as a surprise to many, and yet, it underlined the simple fact that all statesmen/women recognise while in office: countries cannot be run by rhetoric alone. More so, this announcement is also a recognition in New Delhi and Islamabad that they cannot afford to let violence spiral out of control given its inherently escalatory nature as events in the wake of the Pulwama terror attack in February 2019 highlighted.

Notwithstanding the surprise factor in the development, there have been some indications about a possible thaw in the relations between the traditional rivals. Pakistan Army Chief Qamar Javed Bajwa stated in early February that “It is time to extend hand of peace in all directions”, and on the Indian side, the Army Chief General Manoj Mukund Naravane said around the same time that “with our continuous engagement with Pakistan, we will be able to prevail over them (for border peace)... as unsettled borders help no one”. India allowed the use of its airspace by Pakistan Prime Minister Imran Khan’s special aircraft to fly to Sri Lanka and just a day before the ceasefire announcement, and upon his arrival in Colombo, Mr. Khan said, “Our only (sic) dispute is Kashmir and it can only be resolved through dialogue.” Clearly, the two sides were setting the stage for the announcement.

What makes the February ceasefire significant is the fact that this agreement is different from the routine ceasefire assurances that the two sides made till January 2021. Twice in 2018, for instance, the two sides had agreed to uphold the ceasefire agreement when ceasefire violations were on the rise. But what makes the February 2021 ceasefire different is its two distinct features: one, this was a joint statement by the two DGsMO, and that unlike the previous declarations, the recent agreement mentions a specific date, i.e., the night of February 24-25, to begin the ceasefire. In that sense then, the February ceasefire is arguably one of the most significant military measures by India and Pakistan in over 18 years to reduce violence along the LoC in Kashmir. Coming in the wake of over 5,000 ceasefire violations in 2020 (the highest in 19 years since 2002) the agreement is path-breaking from a conflict management point of view. Interestingly, the November 2003 ceasefire agreement was also announced in the wake of a high level of violence through 2002 and 2003.

The ceasefire is also significant because this helps New Delhi to defuse what was becoming a growing concern for the decision makers in New Delhi: an ugly two-front situation and a feeling of being boxed in by an inimical Pakistan and an aggressive China. It is easy to talk about a two or ‘two-and-a-half’ front situation for domestic grandstanding, but dealing with it is neither easy nor practical. That the Indian Army had to redeploy forces from the western border with Pakistan to the northern border with China is indicative of the serious material challenges it could throw up. The best way to deal with the two front challenge then, New Delhi could have reasoned, was to defuse at least one front. The LoC was a natural candidate. Given that the back channel process started much before the recent India-China disengagement on the LAC, New Delhi must have decided to defuse the western challenge from Pakistan first. And it worked.

The history of India Pakistan ceasefire pacts and war termination agreements is both complex

and instructive. The Karachi agreement of 1949, which ended the first war between newly formed India and Pakistan, was the first ceasefire agreement between the two countries which, signed under the good offices of the United Nations, created the India Pakistan boundary in Kashmir called the Ceasefire Line or CFL. The United Nations Military Observer Group in India and Pakistan (UNMOGIP) was mandated to monitor the ceasefire along the CFL. The 1965 India-Pakistan war also ended in a ceasefire, but since *status quo ante bellum* was restored after the Tashkent Agreement, the CFL in Kashmir remained unaltered. However, the India-Pakistan war of 1971 would change that. The December ceasefire which ended the 1971 war was enshrined into the Simla Agreement the following year. But unlike 1965, *status quo ante bellum* was not restored by the Simla Agreement, a decision that would have important implications for bilateral relations.

The Suchetgarh Agreement of 1972 delineated the 'line of control' in Jammu and Kashmir which resulted from the ceasefire of December 1971 thereby renaming the CFL as the LoC. By this smart move, Indian negotiators not only changed the nomenclature of the India-Pakistan dividing line in Kashmir and the physical alignment of the border in Jammu and Kashmir, but also made the UNMOGIP presence in Kashmir irrelevant. Recall that the UN force was mandated to ensure a ceasefire on the CFL, but there was no CFL after 1972, and, more so, the UN was not even a party to the Simla Agreement unlike the Karachi Agreement.

Let us cut to the present. The 2003 agreement between the DGsMO, communicated through a telephone call between them, was a reiteration of the December 1971 war termination ceasefire; Technically, therefore, even the February 2021 ceasefire too is a reiteration of the 1971 ceasefire agreement.

And yet, a ceasefire does not observe itself — it requires a clearly articulated and mutually-agreed upon set of rules and norms for effective observance along with an intent to observe them. The February ceasefire is an expression of such an intent, but without the rules and norms to enforce it. The Simla Agreement or the Suchetgarh Agreement do not have those rules either. The Karachi Agreement, on the other hand, has clearly laid down provisions on how to manage the CFL which, of course, was overtaken by the LoC. Ironically, therefore, armed forces deployed on either side of the LoC in Kashmir often have to resort to the strictures enshrined in the long-defunct Karachi Agreement to observe the ceasefire mandated by the Simla Agreement. This needs to change. Now that the two DGsMO have declared a joint ceasefire, the next logical step is to arrive at a set of rules to govern that ceasefire. An unwritten ceasefire, experiences from conflict zones around the world show, tend to break down easily and trigger tensions in other domains.

What is also significant to note about the ceasefire agreement between the two DGsMO is that this was preceded by weeks, if not months of, high-level contacts through the back channel. For sure, major agreements of this kind cannot be finalised by army officers especially given the vitiated atmosphere surrounding India-Pakistan relations. More crucially, the fact that this ceasefire has political blessings makes it more durable.

Interestingly, the 2003 ceasefire was also preceded by discreet parleys between the heads of the Inter-Services Intelligence (ISI) of Pakistan and the Research and Analysis Wing (RAW) of India. The 2003 CFA led to a sustained period of back channel talks on Kashmir which, by mid 2007, had almost finalised a deal to resolve the Kashmir conflict. My research on the 2004-2007 back channel talks shows how discreet conversations between high-level interlocutors appointed by the heads of governments were able to make unprecedented progress on the mother of all India Pakistan conflicts, Kashmir. What is also evident from that period is that one key reason why the CFA held at least till 2008 was because there were parallel talks, along with holding fire on the LoC, on other outstanding bilateral issues, principally Kashmir. While whether the 2021

CFA would prompt talks in other areas is unclear as of now, I doubt the ability of piecemeal agreements to create durable stability bilaterally unless followed by progress in other domains.

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