



## India-Pakistan Relations: Issues and Problems

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### Abstract

*India and Pakistan got independence in August 1947, following a nationalist struggle lasting nearly three decades. It set a vital precedent for the negotiated winding up of British empires elsewhere. Unfortunately, it was accompanied by the largest mass migration in human history of some 10 million. As many as one million civilians died in the accompanying riots and local-level fighting, particularly in the western region of Punjab which was cut in two by the border.*

*On the basis of two nation theory, India divided into two separate states - one with a Muslim majority (Pakistan) and the other with a Hindu majority (India) is commonly seen as the outcome of conflict between the nations' elites. After Pakistan, India attained independence; There have been some of the issues which impacts on India- Pakistan relations. Kashmir issue, water disputes, terrorism, territorial disputes are main irritating factors in India-Pakistan relations. Nuclear issues and Kargil war also played the role in straining relations between India and Pakistan.*

### Kashmir Issue:

In 1947, when British India was partitioned into India and Pakistan, On April 21, the Council expanded the commission to five and authorized it to restore peace and arrange for a plebiscite after the withdrawal of tribal troops. The UNCIP on August 13, 1948 passed a resolution that both on India and Pakistan to conduct a plebiscite after they agreed to a cease-fire and after Pakistan's regular troops and tribesmen were completely withdrawn. The cease-fire came into effect on January 1, 1949, while Pakistan was still in control of one-third of the state. The presence of the UNMIP was approved by India and Pakistan following by their agreement in Karachi on July 27, 1949.

### The India-Pakistan War of 1971

Military conflict took the place between India and Pakistan during the India-Pakistan war of 1971. India played the great role in the Bangladesh Independence. US supported to Pakistan but not played the active role in during the war period because India and USSR signed the friendship treaty in 1971. During this war, some of the East Pakistan people migrated to India. However, Fresh from a victory in the 1971 war, Indira Gandhi signed the Shimla Agreement with Pakistan

Prime Minister Zulfikar Ali Bhutto, aiming to "put an end to the conflict and confrontation" and maintain the line of control that resulted from the ceasefire of 1971. Bhutto promised he would persuade his people to accept its conversion into the international border. India insisted the two nations would settle their differences 'by peaceful means through bilateral negotiations.' The India- Pakistan war ended with Simla agreement.

### Siachen Glacier

Siachen Glacier, 71km long and one of the world's largest glaciers, is situated in the north of the disputed region of Kashmir. This is a land seen by only determined mountaineers or adventurers, a place that can test human endurance against the rigours of high altitude and turbulent terrain. But this is also the world's highest battleground, where two nuclear armed states are locked in a struggle to keep a foothold at heights of 6700 Meters.

India claims that the entire state of J&K including Northern Areas acceded to India on 26 Oct 1947. Occupation of Saltoro is therefore occupation of Indian territory by the Indian Army. It is non-negotiable. India's stand that cartographic aggression by Pak must cease. Many Pak Atlases show



Siachen as part of Pakistan. India agrees to establishment of a demilitarized zone in Siachen. However before the modalities begin, exchange of maps in which deployment of troops on Actual Ground Position Line is marked, must be exchanged. Ground rules to govern future military operations in this area must be formed. Redeployment of forces to mutually agreed position should thereafter take place.

### Sir Creek

The Sir Creek is a 96 km (60 mi) strip of water disputed between India and Pakistan in the Rann of Kutch marshlands. The creek, which opens up into the Arabian Sea, divides the Kutch region of the Indian state of Gujarat with the Sindh province of Pakistan.

The dispute lies in the interpretation of the maritime boundary line between Kutch and Sindh. Before India's independence, the provincial region was a part of Bombay Presidency of British India. After India's independence in 1947, Sindh became a part of Pakistan while Kutch remained a part of India. Pakistan lays claim to the entire creek as per paras 9 and 10 of the Bombay Government Resolution of 1914 signed between then the Government of Sindh and Rao Maharaj of Kutch.

### Water disputes:

Pakistan claims that India is stealing water that is rapidly becoming the 'core issue' in the Pakistani establishment's narrative about bilateral problems. Pakistan blames India, saying it is withholding millions of cubic feet of water upstream on the Chenab in Indian-administered Kashmir and storing it in the massive Baglihar dam in order to produce hydro-electricity. Its Indian neighbor, Pakistan declares, is in breach of a 1960 treaty designed to administer water use in the region. The Indus Waters Treaty 1960 was signed on 19.09.1960 between India and Pakistan. It is however came into force from 01.04.1960. Under the Treaty, the water of Eastern Rivers are allocated to India. India is under obligation to let flow the

waters of the Western Rivers except for the following uses:

- (1) Domestic Use
- (2) Non-consumptive use
- (3) Agricultural use as specified
- (4) Generation of hydro-electric power as specified Construction of Baglihar Dam.

### Energy Cooperation

There can be cooperation between both countries in the name of Iran-Pakistan-India pipe line. Pakistan, India are interested in this project. Iran-Pakistan-India (IPI) pipeline project (also called peace pipeline) was aimed at constructing a 1,620-mile (2700 km) pipeline from Iran's South Pars fields in the Persian Gulf to Pakistan's major cities of Karachi and Multan and then further to Delhi, India. In May 2009, Iran and Pakistan signed an initial agreement for a USD 7.5bn Iran-Pakistan-India gas pipeline. The IPI project has not finalized because there is some problems for India in terms of high pricing issue with Iran.

### Terrorism

Terrorism remains our India's concern in the relationship with Pakistan and has been repeatedly raised with Pakistan, including at the highest level, whereby India has Consistently urged Pakistan to fulfill its repeated assurance given to us not to allow the territory under its control to be used for supporting terrorism directed against us or for any other anti-India activity. More recently, during the meeting of PM with PM Gilani in Maldives (November 10, 2011), PM underlined our concerns regarding terrorism and stressed that it was imperative to bring the perpetrators of the Mumbai attack to justice. The Mumbai terrorist attack case in an Anti-Terrorism Court in Pakistan against the seven persons arrested in Pakistan in connection with the attack is ongoing. A Pakistan Judicial Commission visited India in March 2012 and recorded statements of judicial and police officials, who had recorded the lone surviving accused Ajmal Kasab's confessional statement, and two doctors who had conducted postmortem on the terrorists involved in the attack. The Anti



Terrorism Court upheld the contention of the defense that the report of the Judicial Commission was not legal and could not form part of the case, since the witnesses were not cross-examined. The request of Pakistan authorities to allow another visit of the Commission to India for cross-examining the four witnesses mentioned above is under consideration of the Indian authorities.

India-Pakistan Relations: (Current Issues and future directions)

Pakistan and India are facing serious difficulties in their bilateral relations. Though they are not in a state of war, a virtual warlike situation exists on the Line of Control (Loc) in Kashmir. They are engaged in an intense propaganda against each other. Their mutual antagonism has increased since Narendra Modi became India's Prime Minister in May 2014.

An interesting feature of the difficult Pakistan-India relation is that there is a wide discrepancy in the informal and personal interaction between Prime Minister Nawaz Sharif and Prime Minister Narendra Modi and the policies of their governments. The goodwill reflected the personal interaction of the two Prime Ministers has not played any moderating role on the troubled relations between the two governments.

India holds Pakistan responsible for all terrorist incidents in mainland India and Indian-administered Kashmir. The major incidents enumerated by India include the terrorist attack on the Indian Parliament (December 2001), the attack in Mumbai (November 2008), the military camp Pathankot attack (January 2016), the military camp in Uri attack (September 2016), and an attack of Nagrota Army Camp near Jammu City (November 2016). India blames Lashkar-e-Tayyaba/Jamaat-ud-Dawa, Jaish-i-Muhammad for these terrorist incidents and wants that the chiefs of these organizations should be handed over to it. Further, it also wants the completion of the trial of Lashkar-i-Tayyaba activists in connection with the Mumbai attack that has been going on in

Rawalpindi since their arrest in December 2008.

India refuses to hold any dialogue with Pakistan until the latter adopts punitive measures against the above named groups and puts these out of action. This precondition for holding the talks is coupled with India's persistent campaign for isolating Pakistan at the international and regional levels and getting it declared as a terrorist state by the United States and the UN.

It is not an advisable strategy on the part of India to reduce the dialogue process to a single issue, i.e., satisfy India on the terrorism related issues before any talks can take place. Until the end of the 1980s, the Government of Pakistan used to argue that increased trade and expanded societal relations with India could not be cultivated prior to the settlement of the Kashmir problem, i.e., settle the Kashmir problem first. Now, Pakistan talks of Kashmir and other problems. Similarly, India needs to adopt a more flexible approach of 'Terrorism and other issues' if it is genuinely interested in resuming the dialogue for improvement of relations with Pakistan. For India, terrorism means the above named organizations and their leaders. As compared to India's narrow focus, Pakistan takes a more comprehensive view of terrorism in the region. It views these organizations as a part of a bigger problem of extremism and terrorism.

Pakistan complains about India's insensitivity towards the magnitude of terrorism issues and problems in Pakistan and the fact that Pakistan has suffered more human and material losses due to this menace. India is seen in Pakistan as an augments of terrorism in Pakistan by extending what Pakistan's official circles claim material support to various terrorist groups, including Pakistan Tehrik-e-Taliban, and Balochistan based dissident groups through Afghanistan territory with whose government it shares the negative views on Pakistan.



India's persistent anti-Pakistan propaganda aims at building diplomatic pressure on Pakistan for taking effective punitive actions against the groups identified by India. In reality, this propaganda is counter-productive to India's goal of containing these groups. The Indian campaign is used by these organizations to entrench them in Pakistan, especially in the Punjab, by arguing that India is opposed to them because they stand for the liberation of Kashmir. The more India talks against these groups, the stronger become these groups in Pakistan. This reduces the space for the Pakistan government to take any stern action against them. India needs to abandon its policy of coercion and intimidation in Kashmir. As long as the internal situation in Indian-administered Kashmir stays unsettled by popular protest of young Kashmir's and India continues with human rights violations, anti-India sentiments would remain strong in Pakistan. Similarly, there is a need of restoring peace and stability on the LoC and both need to include the alleged negative role of their intelligence agencies in each other's territories in the agenda for the talks in the future. India should develop a comprehensive agenda for talks that can have terrorism as the priority for India but it cannot dictate a single item agenda to Pakistan. There has to be a shared agenda for the talks that includes all issues of concerns for both countries. Both Kashmir (priority for Pakistan) and terrorism (priority for India) can be on agenda along with other issues and problems.

Pakistan and India need to resume unconditional talks on all contentious issues and they should tone-down anti propaganda against each other. They need to explore the option of adopting a shared approach towards the on-going strife in Afghanistan. Positive reciprocity rather than coercive diplomacy can defuse the current tensions between Pakistan and India.

Bilateral talks cannot produce any positive results until the power elite in both countries display a categorical political determination

to put an end to negative propaganda, restore peace on the LoC on the basis of the November 2003 ceasefire, and resume result-oriented talks. They should also restore the confidence building measures already agreed to and add new CBMs in order to overcome the new biases that have cropped up in their relations since May 2014, when Modi became India's Prime Minister. This will help to boost their economic relations and trade ties.

India needs to tone down ultra-nationalism and curtail the role of hardliner Hindu groups in the BJP. This is going to be as challenging for the Indian government as it would be a formidable task for the Pakistan government to contain the influence of militant Islamic groups, especially the Kashmir focused groups, in Pakistani state and society.

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