**A fragile stalemate on the LoC**

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In the policy permafrost of Indo-Pak relations, not much is expected to move towards resolution through diplomatic engagement. There is no formal occasion for engagement, and little appetite for it while the BJP stays in power, whose Hindutva ethos has undone India as the country we once knew.

Exactly a year ago, in February 2021, there was a surprise announcement by DGMOs on both sides to uphold the ceasefire across the Line of Control, firmed up in quiet parleys between both sides over several months. The announcement was met with wholesale celebration in segments of the Indian media known to be embedded with the establishment. The reaction on the Pakistani side was more guarded; and subsequent months attested that the quiet bargain did not procure even the possibility of peace between the nuclear armed neighbours. Instead, it settled into a cold, fragile stalemate waiting to break.

Earlier this month, Indian Army Chief Gen M M Naravane made a telltale statement that the ceasefire with Pakistan holds because India had negotiated from a position of strength. This statement reflects fairly standard thinking among the Indian policy elite, irrespective of ground realities. Domestic constituencies in India willingly lap up this narrative, especially during election cycles when nationalistic rhetoric is more readily consumed. Yet the opposite is quite obvious. Not only did India negotiate the ceasefire under pressure, it was announced in the aftermath of a 10-month standoff between India and China in eastern Ladakh that exposed the Indian military’s combat deficiencies.

The bluster was focused on disguising abiding strategic anxiety about a two-front threat, in a scenario gaming a joint attack by China and Pakistan, or one in which either one utilises the other’s military thrust to open a new front. India wanted to free up military bandwidth to devote to China, and the LoC ceasefire was a prudent step in creating that crucial buffer. In addition, fears that Pakistan will exploit the Indo-China standoff to its advantage were also unfounded. Clearly, therefore, General Naravane’s reinterpretation of recent events was aimed at bolstering domestic morale, while also reinforcing the unhelpful and myopic policy hubris that is now hardwired in Indian strategic thinking.

Despite the ill-advised messaging by the Indian military, the ceasefire seems to be holding firm, peppered by a sporadic exchange of fire over last summer. The Pakistan DGMO’s announcement of February 2021 was a recommitment to the original ceasefire accord of 2003, reached four years after the Kargil War. It held in place only for a few years, but remains an important benchmark for stability across one of the world’s most weaponised borders. Not a single bullet was fired by the militaries of both countries between 2003 and 2006, but there have been spikes in violence ever since, more so when the larger bilateral relationship is in a downward spiral. In 2018, more than 2000 ceasefire violations were recorded; and over 5000 violations occurred in 2021, the highest ever since 2003. For Pakistan, protecting the civilian population of Azad Kashmir from a hot LoC was obviously a priority, especially given the escalation in violence during long spikes seen over the years.

The February agreement also aimed to reinforce confidence-building measures like DGMO hotline contacts and flag meetings that serve as crucial ‘circuit breakers’ at the local level, in addition to reviving older CBMs that have fallen into disuse. The fundamental flaw in the agreement is that it is not rooted in broader public consent, with high distrust on both sides blocking constituencies for dialogue that lead to any agreement over Kashmir. It is also not an agreement that has publicly been framed as a broader policy good. In a less volatile political environment, where the leadership in both countries had less of a domestically polarising effect, comprehensive bilateral engagement would still pivot on reviewing Modi’s illegal steps on Kashmir, especially red lines for Pakistan.

A review of older CBMs could help vulnerable communities on the LoC, such as SOPs on patrolling and inadvertent crossing, as well as ways in which the LoC situation can be insulated from negative episodes in the Indo-Pak relationship. Making distinctions between civilian populations and combatants is a core guidance of international humanitarian law that both India and Pakistan subscribe to. It is important to serve a reminder that attacks should be limited to ‘military objectives’, while indiscriminate firing is prohibited. Furthermore, proportionality in strikes and due precaution are necessary before launching attacks. Too often, civilian settlements are attacked on purpose to maximise casualties and to compromise the health and survival of communities, in flagrant disregard of the laws of war.

Other conflict contexts can offer clues as to how militaries have formalized additional protocols. The durability of any ceasefire depends on the architecture of keeping peace, clearly inadequate in the LoC’s case, as much as the interest of parties willing to prevent a relapse of violence. In India and Pakistan’s case, LoC flare ups can occur without warning and lead to prolonged, senseless violence. The Line of Actual Control (LAC), for instance, between India and China offers insights for protocols on the LoC, such as the avoidance of ‘tailing’ or similar escalatory moves that bring about violence. Although the LAC’s protocols have not fully been adhered to, and real room for improvement exists, a boilerplate framework for restraint assists field commanders in tactical negotiation and objective withdrawal.

There is obvious benefit in maintaining stability across the LoC for both countries, even if they have differentiated expectations from that peace. The greatest benefit of the ceasefire is for communities residing on both sides of the LoC, who suffer disproportionate harm in exchanges of fire, lose lives and assets, are forced to migrate permanently to alternative locations, and confront poverty because of disrupted livelihoods. Securing these civilian lives should be far more important than retaliatory firing.

The LoC may have its own dynamic that is different to the broader Indo-Pak relationship, but here too, the inclinations of the two rival states are evident. What passes for diplomatic indifference elsewhere acquires a violent and retributive form in this domain. Field commanders are not known to hold back their fire, unless there are ‘orders from the top’ to cease. The February ceasefire did come ‘from the top’ and holds largely because there is institutional intent backing cessation of violence. However, ideally broad political backing could expand the existing agreement, and bring in a structured form of ceasefire whose longevity does not depend on actors looking for wins against the adversary.

As it stands though, there is little hope of orchestrating an official dialogue around any ceasefire on the LOC, not just because ceasefire agreements are inherently unstable. While peacemaking cohorts can perhaps play a motivational role in creating rational discourse to policy establishments, the space for bilateral normalisation has shrunk after the Modi government’s unilateral revocation of Kashmir’s special status and ongoing attempts to change the Muslim demography of Indian-occupied Kashmir. Opponents of peace or conflict-hardliners have little incentive to change tack in the discourse of strategic chauvinism that increasingly defines New Delhi’s core policy towards Islamabad. That needle will likely only shift with a change of government in India.

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