

International Relations Class 03

8th January, 2024 at 1:00 PM

CONTINUATION OF INDIA-PAKISTAN RELATIONS- 1:10 PM

- **Question**-What are the reasons for low economic engagement between India and Pakistan?
- **1. The geopolitical tensions especially** cross-border terrorism have impacted trade and commerce engagement between India and Pakistan.
- **For example**, after the Pulwama attack in 2019, India revoked the **MFN status** given to Pakistan and also hiked the customs duty on Pakistan's imports to 200%.
- **Pakistan also suspended trade** with India in 2019.
- However, **it is argued that the present Pakistani** establishment is trying to normalize Indo-Pak relations, especially trade ties.
- Thus it could be said that Pakistan's attempts to revive bilateral trade have often been stumped by domestic politics and revisionist policies.
- ****Revisionist Policy**- A revisionist state suffers from fear, greed or some kind of insecurity these states therefore adopt backward-looking policies.
- **2. High tariff and non-tariff barriers** imposed by India and Pakistan on both of them.
- **3. The dysfunctionality of SAARC and SAFTA.**
- Pakistan has **blatantly flouted** the norms of SAFTA making it ineffective.
- **4. Failure of confidence-building measures (CBMs)** both military and non-military.

WATER DISPUTE BETWEEN INDIA-PAKISTAN- 1:41 PM

- **Indus Water Treaty (IWT)- (refer to PPT)**
- **Key provisions of the Indus Waters Treaty**
- **1) Equitable water-sharing**
- The **three 'western rivers'** (Indus, Jhelum, and Chenab) went to Pakistan and the three 'eastern rivers' (Sutlej, Ravi, and Beas) were portioned to India.
Equitable it may have seemed, but the fact remained that India conceded 80.52 per cent of the aggregate water flows in the Indus system to Pakistan.
- **2) It also required both countries to establish a Permanent Indus Commission** constituted by permanent commissioners on both sides.
- **3) Although Pakistan has rights over the waters of Jhelum, Chenab, and Indus, Annexure C of the IWT allows India certain agricultural uses, while Annexure D allows it to build 'run of the river' hydropower projects, meaning projects not requiring live storage of water.**
- **Analysis of IWT-**
- **Internationally IWT** is seen as one of the most successful cases of conflict resolution keeping in mind that two countries have engaged in four wars so far.
- Since its inception in 1960, the **treaty has undergone disputes and conflicts**, particularly concerning hydroelectric projects like SALAL in Chenab, Tulbul and Kishanganaga on Jhelum.
- In 1984, India proposed to build **Tulbul & Wular projects on the river Jhelum.**
- Pakistan protested these projects because **they are a violation of IWT** and are storage facilities that are not allowed under the treaty.
- India however claimed that it is abiding **by Annexure D of IWT** and these projects are either navigational facilities or run of the river project. (non-consumptive usage).
- India has always argued that all its projects on western rivers are fully compliant with the provisions of IWT.
- Another issue is that this **treaty is highly technical leading** to diverse interpretations from either side.
- IWT also **includes unilateral; exit provisions** meaning that neither India nor Pakistan can unilaterally withdraw from the treaty without mutual consent.
- This is significant since it ensures that the treaty remains in force unless both countries agree to terminate it or amend it.
- It thus provides a degree of **stability and predictability to this treaty.**
- **Geopolitical tensions as well as cross-terrorism have impacted Indo-Pak relations, especially concerning IWT.**
- **For example** - After the Uri attack in 2016 there were calls in India to reassess the treaty or take tougher stands.

- The statement 'blood and water cannot flow together' reflected the sentiment that India was considering the implications of IWT in the context of security issues.
- Soon after this, the permanent Indus Commission was also suspended from the Indian side.
- After the Pulwama attack of 2019, India for the first time threatened to cut off the water supply to Pakistan from the Indus-river system.
- Analysts argued this was one of the ways of using water as a political weapon.

STEPS THAT CAN BE TAKEN- 2:39 PM

- Since abrogation of the treaty would not be a prudent solution a decent way out could be to modify the existing treaty in line with the new hydrological reality.
- **Article 12 of IWT** says that it may be from time to time modified through proper procedure.
- There is a need to establish some kind of institutional framework to address the impact of climate change and other challenges that are so far not covered under IWT.
- There is also a **need to update technical specifications** and avoid diverse interpretations.
- India needs to adopt a prudent and **strategic outlook**.
- On one hand, it should send signals for renewed changes, on the other hand, it must strongly communicate that Pakistan should stop sponsoring terrorism.
- If India fails to **respond adequately** **China** can use this crisis as an opportunity to carry forward its strategy.
- IWT is an example of the possibility of peaceful coexistence despite a troubled relationship.
- **The treaty is often considered uninterrupted and uninteruptible-**
- **The treaty is uninterrupted because** - It has continued from 1960 to 2023.
- It shows the value that India has given to transboundary rivers as an important connector in the region.
- It reflects India's belief that IWT has the potential for mutual prosperity and grid (overall) development of the sub-region.
- IWT showcases the importance of diplomacy in resolving long pending disputes.
- **It is uninteruptible-** As there is no unilateral exit provision.

KASHMIR ISSUE- 3:01 PM

- **Issue of Abrogation of Article-370-**
- Article 370 granted special autonomous status to the state of J&K, the Article was a result of the instrument of accession that allowed the state of J&K to have its own constitution, flag, and significant autonomy over internal matters except for defence, foreign affairs, finance, and communications.
- Before the abrogation of Article 370, J&K had special autonomy and Article 35A gave the permanent residence of J&K specific legal rights including the right to own property and access to government jobs.
- **Dilution of Article 370-** It has been considered the master stroke as far as foreign policy is concerned.
- It had its own **long-term and short-term effects**.
- **The immediate effect** was that the dilution had reaffirmed India's sole claim over the entire territory of J&K.
- Now all Indian laws including **RTI and RTE** would be applicable to J&K.
- **Short-term effect-** This is expected to promote the **socio-economic development of the state**.
- The dilution had led to the **out-maneuvering of Pakistan** from the Kashmir discourse.
- Over the years Pakistan has used the special status under Article 270 to fuel separatism and insurgency in J&K.
- Now by abrogating this article, India has **undermined Pakistan's strategy** to exploit the Kashmir issue on the international stage.
- The move is expected to reduce **disturbances in J&K**.

SIACHEN ISSUE- 3:25 PM

- **Strategic importance of Siachin-**
- It acts as a **geo-political and geo-strategic** importance for India.
- It serves as a **divide between the PoK and the Aksai Chin area** thereby preventing any military linkages by the two countries.
- Siachin is near Karakoram Pass (a vital pass) the Karakoram highway also known as the Friendship Highway runs through this pass connecting the Gilgit Baltistan region and China's Xinjiang province.
- Siachin acts as a watch tower for India **concerning Pakistani activity** in Gilgit Baltistan and Chinese activity in Aksai Chin.
- It gives India a location advantage visa-vis both **Pakistan and China**.
- Siachin **lies very close to Leh the capital city of Ladakh** which is extremely important for the supply chain delivery in the region of Ladakh.

Demilitarization in Siachin

- Arguments in favour and Against-
-

Favour	Against
Huges economic cost- Maintaining military presence at such a high altitude comes at a significant economic cost at almost 5 cr a day, demilitarization would allow allocation of this resource to more pressing national needs like healthcare, education, etc.	Money cost is involved everywhere wherever there is a national security challenge.
The tough weather conditions result in heavy casualties and loss of human life.	Technological advancement has led to improved infrastructure and equipment for soldiers in Siachin.
Environmental damage- The presence of military forces has led to environmental degradation, in January 2018, nearly 130 tonnes of waste was brought down from Siachin Glacier, demilitarization would help preserve the pristine environment of the glacier, reduce the carbon footprint, and minimize waste generation.	This can help in reducing human loss and managing extreme weather conditions
Demilitarization could be seen as a goodwill gesture by India on the international stage, it could demonstrate our commitment to peace and conflict resolution.	Previous goodwill gestures have not been recognized by Pakistan and India has never been rewarded for it.
	Siachin is part of pre-1948 J&K and therefore integral part of India. Holding height will always be a better option for India both in terms of war as well as negotiations. Demilitarization would be an insult to our martyrs.

- **Way forward-**
- Faced with the two-front threat from **Pakistan and China demilitarization** at this point is not a workable idea.
- **Till the situation improves**, India should simply keep holding its control over the Siachin glacier.
- **Sir Creek Issue-**
- **Importance-** Sir Creek is a 96 km water strait between India and Pakistan in the Run of Kutch area.
- Possible presence of Oil and gas concentration.
- It has a huge fishing resource (among the largest fishing grounds in Asia).
- **Causes of dispute-** Mainly based on diverse interpretations of the maritime boundary line between Kutch and Sindh.
- Pakistan claims the entire Sir Creek on the basis of the Bombay government's resolution of 1914 which places Sir Creek as part of Sindh.
- India claims that the boundary lies mid-channel as per a map drawn in 1925.
- India's claim is also based upon the international Thalweg doctrine according to which river boundaries between two states may be divided by mid-channel if the water body is navigable.
- **Conclusion-** Both Sir Creek and Siachin Glacier should not be considered as low-hanging fruits both areas are of strategic importance for India and India has gained its present position in these with utmost sacrifice and courage.

The topic for the next class-Continuation of Indo-Pak and India -Bangladesh