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Issue Brief

Rising Indian Transgression on Line of Control and Working Boundary

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Seven Pakistani soldiers were martyred on November 13, 2016 as a result of India's deadliest provocation along the Line of Control (LoC) in the Bhimber Sector of Azad Jammu and Kashmir (AJ&K). Shelling and indiscriminate firing by the Indian troops across the LoC has increased over the past few months. However, ceasefire violations over the past one and a half month is the most intense one and show no signs of abating.

Kashmir has been a flashpoint between India and Pakistan for more than 60 years now. Currently, the disputed region of Kashmir is demarcated by the 1949 UN ceasefire line that was re-designated as 'LoC' following the Simla Agreement of 1972. Beyond LoC, the border between Pakistan and India is known as the 'Working Boundary (WB)' i.e. border between Indian Occupied Kashmir (IOK) and Pakistan.



Line of Control and Working Boundary

Taking a significant step to end one of the world's most dangerous conflicts, both Pakistan and India agreed to a ceasefire in 2003 aimed at halting 14 years of cross-border aggression.

However, peace did not last very long and was hampered by the Indian hostility and ambition to dominate the region. Up till now, this mindset is not permitting India to acknowledge the fact that there are numerous resolutions on Jammu and Kashmir that promise the right of self-determination to the people of Indian Occupied Kashmir (IOK) and is using its powers ruthlessly in IOK. Tensions between Pakistan and India have been running high since July 8 when India unleashed ruthless violence on Kashmiris after martyrdom of freedom fighter, Burhan Wani. India to divert the world attention from IOK is heightening the tensions along LoC and WB. Since then the frequency of incidents of

indiscriminate firing along LoC and WB by the Indian troops is almost a daily occurrence now. (Table 1 and 2 below shows the ceasefire violations committed by India since October 2016 till date)

Table 1: Indian Ceasefire Violation in October 2016

Date	Sector	Martyred	Injured
October 17	Khoirata Sector	-	-
October 19-20	Karela Sector	1	12 (including a child and a women)
October 21	Karela and Shakargarh Sector	-	-
October 24	Harpal, Pukhliar and Charwah Sector	2 (Including a one and a half year old child)	7
October 25-26	Chaprar, Harpal Sector and Bhimber Sector	2	8
October 27	Shakargarh and Nikial Sector	6 (Including 2 women)	22
October 29	Nikial Sector	3	5
October 30	Keran and Aathmuqam Sector	-	3
Total		14	45

Source: ISPR and Ministry of Foreign Affairs

Frequent incidents of firing and shelling along LoC and WB have become a routine. But of late, India has started using heavy artillery, something that has raised serious concerns for the peace and security in the region. The two countries have never used artillery since the 2003 when the landmark ceasefire agreement came into effect.

Table 2: Indian Ceasefire Violations in November

Date	Sector	Martyred	Injured
November 1	Charwah, Harpal, Suchetgarh, Chaprar, Merajkey	1	2
November 7	Nikial and Jandrot Sector	3	5 (including a 5 year old boy)
November 8	koirata and Battal Sector	4	7
November 9	Heavy Artillery Shelling - No lose		
November 13	Bhimber Sector	7 Soldiers	-
November 17	Bhimber Sector	-	-
Total		15	14

Source: ISPR and Ministry of Foreign Affairs

The Armed Forces of Pakistan have given a befitting response to this Indian provocation with maximum restraint. On the diplomatic front also, Pakistan not only summoned Indian High Commissioner Gautam Bambawale and condemned the unprovoked ceasefire violations by the Indian occupation forces on the LoC, but also briefed Head of Mission of P5 countries on continuous Indian aggression along the LoC and WB. Pakistan has asked India to investigate the incident and share the findings with Pakistan and refrain from targeting villages and civilians along the LoC and WB. Since January 2016, India has committed a total of 224 ceasefire violations out of which 186 have been along the LoC, and 38 on the WB. Such provocations reflect Indian intentions to escalate the conflict with Pakistan and undermine not only regional peace and security, but any prospects of dialogue with Pakistan.¹

Pakistan is urging the UN Military Observer Group to send an urgent report to the UN Security Council to inform them about the serious ceasefire violations by India on the LoC and WB. With unabated Indian LoC violations, the India-Pakistan ceasefire agreement would be in serious trouble.

Through ceasefire agreements, the parties to a conflict agree to suspend hostilities. In addition, ceasefire agreements frequently contain commitments by the parties to implement specific International Humanitarian Law (IHL) obligations or to refrain from violating IHL. In case of Pakistan-India ceasefire agreement, the humanitarian obligations cannot be overlooked or negotiated away for the sake of achieving political objectives. India by targeting the civilians along the LoC and WB, not only violates the agreement, but is also breaching the humanitarian obligations.

According to the International standards of peace treaties, a ceasefire agreement is a negotiated settlement and becomes an integral part of the overall peace settlement.² The success of the ceasefire agreements depends on the willingness of the parties to abide by their agreement. All the disturbance created by India along the LoC and WB shows India's unwillingness to any peace agreement with Pakistan. The increase in both, the ceasefire violation and crackdown in IOK, clearly indicates a shift in India's approach towards Pakistan in general and Kashmir in particular. Such attempts are also indicative of India's nervousness following a 'diplomatic offensive' spearheaded by Pakistan to expose human rights violations by Indian Occupational Forces (IOF) in IOK. This shift could become the test for further attempts at destabilising Pakistan and testing the country's resolve. It is therefore important to understand the realities of the area and undertake suitable measures to ensure that a high state of

¹ Press Release, Ministry of Foreign Affairs, November 9, 2016

Note: Incidents and casualties after November has been added to the figures of Ministry of foreign Affairs

² International Watch, <https://watchinternational.wordpress.com/peace-agreements/>

military tensions are restrained on the LoC and WB. India need to realise that crushing their aspirations through violence cannot dampen their quest for freedom and cannot divert global attention from the atrocities being committed by India in occupied Kashmir.