

## WHAT IS A CEASEFIRE AGREEMENT?

- 1 Ceasefire Agreement is a temporary suspension of active hostilities by mutual agreement between the belligerents.
- 2 A total cessation may appear to be a de facto termination of war, it is not recognized as such legally.
- 3 Under international law the state of war still exists and with it the obligations of the belligerents.

## CEASE FIRE AGREEMENTS BETWEEN INDIA AND PAKISTAN

- 1 Karachi Agreement 1949: India and Pakistan established a ceasefire line to be supervised by the military observers.
- 2 Indo-Pakistan War of 1965: The ceasefire agreement of 1949 no longer withstood.
- 3 Cease Fire Agreement 2003: Prime Minister of Pakistan, Zafarullah Jamali, on 23 November 2003 made a ceasefire offer.
- 4 India's formal acceptance of the ceasefire came a few days later in a statement by the foreign ministry:

*"The director generals of military operations of India and Pakistan have agreed to observe a ceasefire with effect from midnight tonight along the international border [the working boundary for Pakistan], the Line of Control and the Actual Ground Position Line (AGPL) in Siachen."*

- 5 No formal written ceasefire agreement with clearly defined modalities or Standard Operating Procedures (SOPs).



## CEASEFIRE AGREEMENT VIOLATIONS

- In 2020, India has violated the Ceasefire Agreement 3003 times till 20 December.
- Ceasefire violations by India since 2002 to 2019:

Year	Ceasefire Violations	Year	Ceasefire Violations
2002	4134	2011	104
2003	5800	2012	252
2004	4	2013	464
2005	6	2014	315
2006	3	2015	248
2007	18	2016	382
2008	30	2017	1970
2009	46	2018	1400
2010	113	2019	over 3000

## HOW IS INDIA VIOLATING CEASEFIRE AGREEMENT UNDER INTERNATIONAL LAW?

- Article 36 of the Hague Regulations of 1899 and 1907: Parties could resume military operations after notifying the enemy in advance.
- India troops routinely carry out unprovoked and unsuspecting firing across the de facto border of Kashmir.
- No notification is provided to Pakistan prior to the attack.
- India is party to the Hague Regulations of 1899 and 1907, and therefore is in breach of the Regulations.
- A ceasefire resolution under Chapter VI of the UN Charter constitutes a recommendation to parties to stop military hostilities.
- UNSC Resolution 47 (1948) was passed under Chapter VI of the UN Charter.
- It called for ceasefire and formulation of truce agreement, among other things.
- Non-compliance of UN Resolution under Chapter VI can lead to a Chapter VII Resolution by the UN Security Council.
- Article 24 of the UN Charter: Chapter VII ceasefire order or decision of the UN Security Council is binding and imposes a duty to comply.