

<b>Country/entity</b>	India Pakistan
<b>Region</b>	Asia and Pacific
<b>Agreement name</b>	Agreement between India and Pakistan on Prevention of Air Space Violations and for Permitting over flights and landings by military aircraft
<b>Date</b>	6 Apr 1991
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	Yes

**Agreement/conflict level** Interstate/interstate conflict

**India-Pakistan Conflict (1947 - ) and the Pakistani Taliban (2001 - )**

Two distinct contexts have generated agreements.

**India-Pakistan Conflict (1947 - )**

The roots of the India-Pakistan Conflict lay in the partition of the British Indian Empire following the end of World War II, and the creation of the predominately Muslim Dominion of Pakistan (now Pakistan and Bangladesh) and the Union of India in 1947. Fuelled by Hindu and Muslim nationalism, the political partition spurred the largest mass migration as minorities sought refuge among their communal majorities. Retaliatory violence on both sides led to the deaths of 200,000 to 500,000 people.

A few weeks following the partition, Pakistan sent tribal militias into the Princely State of Jammu and Kashmir, sparking the Indo-Pakistan War of 1947. Two other wars broke out in 1965 and in 1991, as well as a number of skirmishes over the Siachen Glacier. The conflict has seen less casualties since the announcement of a ceasefire in 2003, despite frequent violations by both sides. Public unrest remains sporadic and there has been occasional actions by Islamic militants. In addition, despite a decrease in human rights conditions by occupying forces on both sides, abuses are still documented.

Another dimension of the conflict developed in 1997, after Pakistan announced a successful nuclear test. Since then there has been a proliferation of treaties ensuring clear lines of communication in regards to nuclear testing and accidents to deter accidental escalation.

**Pakistan-Afghanistan-US Conflict (2001 - )**

Since the 2000s, the Afghanistan war had a noticeable spill-over effect to Pakistan. The Afghan Taliban maintain several strongholds in the western parts of Pakistan, especially in the Northwest Tribal Region. Native Islamist guerrilla outfits also remain active in the region and in 2007 they formed the umbrella organisation known as the Pakistan Taliban until it splintered into four different groups in 2014.

Close

India-Pakistan Conflict (1947 - ) and the Pakistani Taliban (2001 - )

<b>Stage</b>	Framework/substantive - partial
<b>Conflict nature</b>	Territory
<b>Peace process</b>	India-Pakistan border and related process
<b>Parties</b>	Muchkund Dubey, Foreign Secretary for the Government of the Republic of India; Sharharyar M. Khan, Foreign Secretary for the Government of the Islamic Republic of Pakistan.
<b>Third parties</b>	-
<b>Description</b>	Agreement outlines the provisions for accessing the airspace of India and Pakistan by the countries' military and civilian aircraft and the regulations that apply.

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<b>Agreement document</b>	<a href="#">IN_PK_910506_Prevention of Air Space Violations and for Permitting over flights.pdf (opens in new tab)</a>   <a href="#">Download PDF</a>
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## Groups

<b>Children/youth</b>	No specific mention.
<b>Disabled persons</b>	No specific mention.
<b>Elderly/age</b>	No specific mention.
<b>Migrant workers</b>	No specific mention.
<b>Racial/ethnic/ national group</b>	No specific mention.
<b>Religious groups</b>	No specific mention.
<b>Indigenous people</b>	No specific mention.
<b>Other groups</b>	No specific mention.
<b>Refugees/displaced persons</b>	No specific mention.
<b>Social class</b>	No specific mention.

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## Gender

<b>Women, girls and gender</b>	No specific mention.
<b>Men and boys</b>	No specific mention.
<b>LGBTI</b>	No specific mention.
<b>Family</b>	No specific mention.

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**State definition**

**Nature of state (general)** No specific mention.

**State configuration** No specific mention.

**Self determination** No specific mention.

**Referendum** No specific mention.

**State symbols** No specific mention.

**Independence/ secession** No specific mention.

**Accession/ unification** No specific mention.

**Border delimitation** No specific mention.

**Cross-border provision** No specific mention.

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## **Governance**

**Political institutions (new or reformed)** No specific mention.

**Elections** No specific mention.

**Electoral commission** No specific mention.

**Political parties reform** No specific mention.

**Civil society** No specific mention.

**Traditional/religious leaders** No specific mention.

**Public administration** No specific mention.

**Constitution** No specific mention.

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## **Power sharing**

**Political power sharing** No specific mention.

**Territorial power sharing** No specific mention.

**Economic power sharing** No specific mention.

**Military power sharing** No specific mention.

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## **Human rights and equality**

**Human rights/RoL general** No specific mention.

**Bill of rights/similar** No specific mention.

**Treaty incorporation** No specific mention.

<b>Civil and political rights</b>	No specific mention.
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<b>Socio-economic rights</b>	No specific mention.
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**Rights related issues**

<b>Citizenship</b>	No specific mention.
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<b>Democracy</b>	No specific mention.
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<b>Detention procedures</b>	No specific mention.
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<b>Media and communication</b>	No specific mention.
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<b>Mobility/access</b>	No specific mention.
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<b>Protection measures</b>	No specific mention.
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<b>Other</b>	No specific mention.
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**Rights institutions**

<b>NHRI</b>	No specific mention.
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<b>Regional or international human rights institutions</b>	No specific mention.
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**Justice sector reform**

<b>Criminal justice and emergency law</b>	No specific mention.
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<b>State of emergency provisions</b>	No specific mention.
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<b>Judiciary and courts</b>	No specific mention.
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**Prisons and detention** No specific mention.

**Traditional Laws** No specific mention.

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**Socio-economic reconstruction**

**Development or socio-economic reconstruction** No specific mention.

**National economic plan** No specific mention.

**Natural resources** No specific mention.

**International funds** No specific mention.

**Business** No specific mention.

**Taxation** No specific mention.

**Banks** No specific mention.

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**Land, property and environment**

**Land reform/rights** No specific mention.

**Pastoralist/nomadism rights** No specific mention.

**Cultural heritage** No specific mention.

**Environment** No specific mention.

**Water or riparian rights or access** No specific mention.

## **Security sector**

### **Security Guarantees**

Page 1, Article - 1,  
Henceforth, both sides will take adequate measures to ensure, that aid violations of each other's airspace do not take place. However, if any inadvertent violation does take place, the incident will be promptly investigated and the Headquarters (HQ) of the other Air Force informed of the results without delay, through diplomatic channels.

Page 2, Article - 3,  
Aerial Survey, Supply Dropping, Mercy and Rescue Missions,  
In the event of a country having to undertake flights less than 1000 metres from the other's airspace including ADIZ [Air Defense Identification Zone], for purposes such as aerial survey, supply dropping for mercy missions and aerial rescue missions, the country concerned will give the following information in advance to their own Air Advisors for notification to the Air HQ of the other country:-  
a. Type of aircraft/helicopter.  
b. Height of flight within Plus/Minus 1000 ft.  
c. Block No. of days (normally not to exceed seven) days when flights are proposed to be undertaken.  
d. Proposed timing of flight, where possible.  
e. Area involved (in latitude and longitude).  
No formal clearance would be required as the flights are being undertaken within own territory.

Page 2, Air Exercises Near Border  
Article - 4,  
In order to avoid any tension being created, prior notice be given with regard to air exercises, or any special air activity proposed to be undertaken close to each other's airspace including ADIZ [Air Defense Identification Zone], even through the limits as laid down in Article 2 are not likely to be infringed.

Page 5-6, [Summary] Appendix A, Conditions for grant of flight clearance for military aircraft of both countries are noted in Armed Forces.

### **Ceasefire**

No specific mention.

### **Police**

No specific mention.



## Armed forces

Page 1, Article - 1,

Henceforth, both sides will take adequate measures to ensure, that aid violations of each other's airspace do not take place. However, if any inadvertent violation does take place, the incident will be promptly investigated and the Headquarters (HQ) of the other Air Force informed of the results without delay, through diplomatic channels.

Page 1, Article - 2,

Subject to Articles 3, 4 and 6, the following restrictions are to be observed by military aircraft of both the forces:-

a. Combat aircraft (to include fighter, bomber, reconnaissance, jet military trainer and armed helicopter aircraft) will not fly within 10 kms of each other's airspace including ADIZ [Air Defense Identification Zone]. No aircraft of any side will enter the airspace over the territorial waters of the other country, except by prior permission.

Page 1, Article - 2

Subject to Articles 3, 4 and 6, the following restrictions are to be observed by military aircraft of both the forces:-

b. Unarmed transport and logistics aircraft including unarmed helicopters, and Air Observation Post (AOP) aircraft, will be permitted up to 1000 metres from each other's airspace including ADIZ [Air Defense Identification Zone].

Page 2, Communication between IAF [India Air Force] and PAF [Pakistan Air Force], Article - 5,

In matters of safety and any air operations in emergency situations, the authorities designated by the respective Governments should contact each other by the quickest means of communications available. The Air Advisor shall be kept informed of such contacts. Matters of flight safety and urgent air operations should promptly be brought to the notice of the other side through the authorities designated by using the telephone line established between the Army Headquarters of the two countries.

Page 3, Operations from Air Fields close to the borders, Article - 6,

Combat aircraft (as defined in Article 2 a. above) operating from the air base specified below will maintain a distance of 5 kms from each others airspace:-

a. Indian side

- (1) Jammu
- (2) Pathankot
- (3) Amritsar
- (4) Suratgarh

b. Pakistan Side

- (1) Pasrur
- (2) Lahore
- (3) Vehari
- (4) Rahim Yar Khan

Page 3, Flights of Military Aircraft through each other's Air Space

Article - 7

Military aircraft may fly through each other's airspace with the permission of the other country and subject to conditions specified in Appendix A to this agreement.

Notwithstanding paragraph 1 of this article, each country has the sovereign right to specify further conditions, at short notice, for flights of military aircraft through its airspace.

<b>DDR</b>	No specific mention.
<b>Intelligence services</b>	No specific mention.
<b>Parastatal/rebel and opposition group forces</b>	No specific mention.
<b>Withdrawal of foreign forces</b>	No specific mention.
<b>Corruption</b>	No specific mention.
<b>Crime/organised crime</b>	No specific mention.
<b>Drugs</b>	No specific mention.
<b>Terrorism</b>	No specific mention.

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## **Transitional justice**

<b>Transitional justice general</b>	No specific mention.
<b>Amnesty/pardon</b>	No specific mention.
<b>Courts</b>	No specific mention.
<b>Mechanism</b>	No specific mention.
<b>Prisoner release</b>	No specific mention.
<b>Vetting</b>	No specific mention.
<b>Victims</b>	No specific mention.
<b>Missing persons</b>	No specific mention.
<b>Reparations</b>	No specific mention.
<b>Reconciliation</b>	No specific mention.

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**Implementation**

**UN signatory** No specific mention.

**Other international signatory** No specific mention.

**Referendum for agreement** No specific mention.

**International mission/force/similar** No specific mention.

**Enforcement mechanism** No specific mention.

**Related cases** No specific mention.

**Source** Ministry of External Affairs, India; <http://www.mea.gov.in/Portal/LegalTreatiesDoc/PAB1221.pdf>

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