

## **India-Bangladesh Relations and Land Boundary Agreement: A Step Towards India's Security.**

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**ABSTRACT:** India and Bangladesh relation has seen lots of ups and downs and Land Boundary Agreement is a milestone step taken by both the government to bring about a new dawn in their relation. Land Boundary Agreement if seen from India's perspective is a step taken by India Government by putting security as its main agenda and also to bring about a cordial relation with Bangladesh. This article will mainly deal with Land Boundary agreement and security concerns of India related to its border. The Land Boundary Agreement can be seen from both traditional as well as non traditional security perspective and it is not possible to do away with any one of the above mentioned perspective specially while talking about Land Boundary Agreement.

**KEY WORDS-** Security, Land Boundary Agreement, border.

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### **I. INTRODUCTION-**

India and Bangladesh are both neighbouring countries and its friendly relation is vital for India's strong foreign policy and security of the region. Both the nation has a shared history and are also geographically connected. Its geographical connectivity gives both the nation an opportunity to develop their connectivity and bring about economic co-operation which will be helpful in the development of both the nations. Bangladesh was earlier a part of Pakistan and came to be known as East Pakistan. But in 1971 it gained its independence with the help of India and became an independent nation with the help of India. After its independence the relation between India and Bangladesh remained amicable specially during the era of Sheikh Mujibur Rahman but after his death the relation between India and Bangladesh started getting deteriorated due to various reasons such as illegal infiltration of Bangladeshi migrants that have posed serious challenge before India and specially the North Eastern states of India by changing their demography. Not only this but criminal and terrorist activities have also increased. Exchange of fire between the two countries in their border areas etc also have posed a threat to India's security. The other important problem because of which the relation between both the countries suffered is the non-implementation of Land Boundary Agreement of 1974 and in this article we will focus on this issue and why Land Boundary Agreement is an important step towards India's security.

### **Security: A Conceptual Framework:**

The term security is a multi dimensional concept and it has been interpreted differently by different scholars and schools. David Baldwin in his article "The Concept of Security" has argued that the concept of security is one of the most ambiguous and value laden terms in the discipline of international relations. In 1991, Buzan described security as "an underdeveloped concept and noted the lack of 'conceptual literature on security' prior to the 1980,s. Another scholar who has extensively talked about the idea of security is Wolfer. He contends that states vary widely in the value they place on security and that some states may be so dissatisfied with the statusquo that they are more interested in acquiring new values than in securing the values they have. From this perspective, saying that one state has more security than others does not imply that one state is better than another any more than saying that one state has more people or land area implies that one state is better than another

The idea of security has two aspect i.e- traditional aspect of security and non-traditional aspect of security. Traditional aspect of security deals with national security where the idea of power and military is given importance to. Whereas the non-traditional aspect of security gives importance to different aspect of security such as human security. Human security is the priority of non-traditional approach. National Security is mainly regarded as the traditional form of security. National security in simple terms can be defined as to comprise external security which relates to safeguarding the country's territorial integrity against war or external aggression, and internal security which concerns the maintenance of peace and public order within the entire country. Most people tend to think about national security in terms of governmental efforts directed at military

deterrence, territorial defence and alliance competition. But national security must be treated as a multidimensional concept, thereby incorporating into this concept non-traditional issues and concerns, such as reliable access to commercial markets and whereby incorporating non traditional issues and raw materials abroad, the spread of weapons technology to unstable regimes, transnational religious movements that threaten regime stability and national rivalries for the exploration of the oceans' resources. On the other hand human security moves away from the militaristic idea of security as the protection of nation states from aggressors. Instead, human security is people centred and individual security in terms such as food, employment, health, environment, crime, absence of disruption to daily life, and freedom from repression i.e human security is freedom from fear and freedom from want.

### **Historical Background of Land Boundary Agreement-**

The border between India and Bangladesh is the longest land border that India shares with any of its neighbours. The Bangladesh border touches four important states of India i.e- Assam, Meghalaya, West Bengal and Tripura. The Indo- Bangladesh border is not a new border created in 1947 with the partition of Indian subcontinent into two sovereign countries of India and Pakistan. India Bangladesh border originated in 18<sup>th</sup> century, got an administrative shape in 1905 and political shape in 1947 which was renewed in 1971. The borders that carved out the present day territory of Bangladesh consist mainly of three sections which came into being through different political processes. The sections are the east and west Bengal border, the Sylhet- Assam border, and the border separating the Chittagong Hill Tracts from India. In determining the territory between India and present day Bangladesh, Bengal Boundary Commission and Sir Cyril Radcliff played a very important role and it is also him or his decision that resulted in conflicting situation between India and Pakistan and later on India and Bangladesh, mainly related to its land boundary. The Bengal Boundary Commission was formed in June 1947. It was chaired by Sir Cyril Radcliff and assisted by Mr. Justice Abu Saleh Mohamad Akram, and Mr. Justice S.A. Rahman. The task given to this Commission was to locate and divide the new border between India and Pakistan. Sir Cyril Radcliff was to submit the report by mid-August, when British rule would cease and the colony was to be divided. So he in a very hurried manner completed his job by drawing a straight line through villages, markets, houses and rivers which created enclaves, adverse possession, and undemarcated land. After the partition of India certain border disputes arose between India and Pakistan mainly related to the implementation of the Radcliff Award. To solve these disputes The Indo-Pakistan Boundary Dispute Tribunal was set up in December 1949 headed by Algot Bage, former member of the Supreme Court of Sweden with a member each from India and East Pakistan for the adjudication and final settlement of the problem arising out of the interpretation of Radcliff Award and for demarcating the boundary. After the Bage Award, came the Nehru-Noon Accord in 1958 when Prime Minister of Pakistan visited India. Both the Prime Minister signed the Nehru-Noon Agreement in order to solve the boundary dispute between India and East Pakistan and establish peace along the border. This Agreement addressed border disputes related to West Bengal, Assam and Tripura. But this Agreement was also not accomplished because of hostilities between India and Pakistan. In 1971 Bangladesh got its independence and soon after its independence in 1974 Indo-Bangladesh Border Agreement was signed by Mrs. Indira Gandhi and Sheikh Mujibur Rahman to bring an end to the long standing boundary dispute between India and Bangladesh. The Agreement has been implemented in its entirety, except for three outstanding issues pertaining to –(i) undemarcated land of approximately 6.1 km in three sectors viz. Daikhata- 56 ( West Bengal), Muhuri River- Belonia ( Tripura) and Lathitila- Dumabari ( Assam), (ii) Exchange of Enclaves and (iii) Adverse Possession. This Agreement was ratified in Bangladesh to solve the three outstanding issues but India did not ratify it because of which the boundary dispute was not resolved and it also stained India Bangladesh relation.

In 2010 Sheikh Hasina, Prime Minister of Bangladesh visited India in January and both the countries expressed their views to resolve the long standing issues and to finally resolve the boundary issues and sign the Land Boundary Agreement. Subsequently, detailed negotiations, joint visits to the concerned areas and land surveys were undertaken, resulting in the Protocol that concluded in September 2011. In finalising the 2011 Protocol, the situation on the ground and wishes of the people residing in the areas involved were taken into account and the written consent of the concerned State Government was obtained. Finally in 2015 Narendra Modi in his visit to Bangladesh signed the Land Boundary Agreement which was an historic event and it brought about a new phase in the bilateral relation of India and Bangladesh.

### **India- Bangladesh Border and Related Security Concerns-**

There are various security concerns related to the India –Bangladesh border. The porous border, presence of enclaves in each other's territory, adverse possession and undemarcated segment has led to the various security concerns in India. The India-Bangladesh border is strategically important with regard to India's security because four important states of India i.e- West Bengal, Assam, Meghalaya and Tripura shares its border with Bangladesh. The security concerns related to its border can be discussed as follows-

### **Terrorism-**

Terrorism is a global phenomena and it has been posing a serious threat in India. The increasing transnational co-ordination of the terrorist and radical groups has added a critical dimension to the security of nations. And these transnational co-ordination of the terrorist groups help them to support, and spread insecurity globally. The porous border between India and Bangladesh has been often used by different terrorist groups to spread violence in India which has been posing a threat to India's internal security. The fanatic religious ideologies help to foster polarising values in terms of right and wrong, good and evil, which has been used by terrorist organisations to convert a "seeker" into a lethal killer. The Islamist militant groups such as Islamic State, Ansarullah Bangladesh, Jama'at-ul-Jehad-al-Islami Bangladesh and Hizbut Tohid in Bangladesh have consolidated and expanded their institutional transnational networks in Bangladesh which is creating insecurity in Bangladesh as well as in India. Since the advent of terrorism the safe guarding of National security has emerged as perhaps the most crucial area of governance and both India and Bangladesh needs to co-operate each other to solve this problem as it is harmful for the common people of both the nations.

### **Insurgency-**

The insurgents groups of North East is another security threat for India who has been using Bangladesh territory and creating insecurity for the people of India. The various insurgents groups of North East has been taking advantage of porous border between India and Bangladesh, which has helped them to move easily from India to Bangladesh and vice versa. In July 1999 C.M of Tripura Manik Sarkar pointed out that the porous border between India and Bangladesh has been used by the insurgent groups for movement to and from their camps. In June 2001, media reports highlighted the presence of a number of camps in Bangladesh operated by National Liberation Front of Tripura (NLFT), United Liberation Front of Assam (ULFA) and National Democratic Front of Bodoland (NDFB). In the past there have been incidents when the RAB (Rapid Action Battalion) had confronted some of these groups but the Government of Bangladesh under Begum Khalida Zia denied the presence of any such groups thereby overruling any cooperation in this regard. Giving shelter to such groups may bring about some advantage for the host country i.e Bangladesh for a short period but presence of such groups may not only bring about insecurity in India but it will also pose a threat for the host nation. If it becomes necessary for those groups than they can also grow linkages with the terrorist and insurgent groups of Bangladesh and target both the nation.

### **Smuggling-**

Smuggling is an another issue that has been posing security threats in India as well as in Bangladesh. The India and Bangladesh border is often used to smuggle different goods, arms, drugs and cattle. Smuggling of drugs, arms across the border has been creating tension in both the nation. Insurgents and terrorist groups are using porous border of India and Bangladesh to smuggle arms and ammunition which has been challenging the security of both India and Bangladesh. Smuggling has often led to firing across the border by the border security forces of both the countries which results in civilian casualties as it becomes difficult to distinguish common people from the criminals and anti-national elements in the darkness of night. To tackle the problem of smuggling co-operation between both the government is needed. The implementation of the Land Boundary Agreement is expected to bring about peace across the border as it implementation can help in completing the process of fencing.

### **Illegal migration-**

Illegal migration is a world wide phenomena and is a most controversial issue or challenge that has worsened India-Bangladesh relation from 1947 onwards. The flow of illegal migration from Bangladesh to India has created a socio-political and economic tension in India which has affected the bilateral relation of India and Bangladesh. Illegal migration from Bangladesh to India is also threatening the demographic profile of India specially in the states of- Assam, Meghalaya, Tripura and West Bengal. It is not only limited to the North Eastern states but illegal migration has also settled in other parts of India like the states of Delhi, Orissa, Mumbai etc. It is evident from the report prepared by the then Governor of Assam S.K. Sinha in 1998 which says that there were 5.4 million Bangladeshi migrants in West Bengal, 4 million in Assam, 0.8 million in Tripura, 0.5 million in Bihar, 0.5 million in Rajasthan and 0.3 million in Delhi. This was mainly happening because of porous border. But the final settlement of Land Boundary Agreement may have a check on illegal migration and its proper implementation will stop illegal migration.

### **Land Boundary Agreement and security-**

The Land Boundary between India and Bangladesh is one of the important issue for both the countries and its proper demarcation is necessary for its security perspective and for its friendly relationship. From 1947 onwards boundary dispute was going on between India and Pakistan mainly in its eastern part. After the independence of East Pakistan ( now Bangladesh) in 1971 both the countries signed an agreement in 1974 named Land Boundary Agreement and Related Matters which is also known as Indira-Mujib Agreement to solve the boundary dispute between both the countries but this agreement was not implemented because it was not ratified by India. In 2011 the UPA Government of India and the Awami League of Bangladesh signed the protocol of 1974 Agreement to solve the boundary dispute but it was not implemented because Asom Gana Parishad of Assam and Trimool Congress of West Bengal criticized the protocol massively. And in 2015 the Agreement has been finally signed by Government of India and Bangladesh to solve its boundary dispute and also to bring security for the people residing in enclaves and adverse possession. The people residing in those areas has suffered a lot in terms of citizenship right. They also has a very low standard of living as they do not get proper health facilities and education. The Land Boundary Agreement mainly consist of three issues i.e- enclaves, adverse possession and undemarcated segment but here we will only discuss about enclaves and adverse possession.

### **Enclaves-**

An enclave is a portion of one state completely surrounded by the territory of another state. The numerous Indo-Bangladeshi enclaves which are sprinkled around the border of Bangladesh and India are collectively known as chhitmahal which were created during the time of partition between India and Pakistan. The people residing in the enclaves has to face problems in enjoying legal rights as they could not enjoy the rights of citizens of either country, they also has to face problems related to the infrastructure like poor health facilities, poor school facilities, lack of electricity etc. Further, due to lack of access to these areas by the law and order enforcing agencies and weak property rights, certain enclaves became the hot bed of criminal activities. A number of Parliament Questions and representations were received from Members of Parliament, inhabitants of the enclaves NGO's and political parties urging that the exchange of enclaves be expedited. Article 2 Clause(II) of the Protocol talks about the exchange of enclaves. There are 111 Indian Enclaves in Bangladesh and 51 Bangladeshi Enclaves in India that were to be exchanged. A headcount was conducted jointly by both sides from 14-17 July, 2011 according to which the total population in the enclaves was determined to be around 51,549 (37,334 in Indian enclaves within Bangladesh and 14,215 in Bangladesh enclaves within India).

### **Adverse Possession-**

Article 3 Clause (I) of the Protocol talks about lands in adverse possession. Clause (I) (a) mainly deals with West Bengal Sector Clause (I) (b) deals with Meghalaya sector. Clause (I) (c) deals with Tripura sector and Clause (I) (d) deals with Assam sector Adverse possession of India refers to territory within Indian control but legally a part of Bangladesh and they mainly enjoy the citizenship of India. Same is the case with Bangladeshi adverse possession. The handing over of lands in adverse possession was merely a procedural formal acceptance of a de facto reality on the ground and In the implementation of the Protocol India will receive 2777.038 acres of land and transfer 2267.682 acres of land to Bangladesh. While dealing with the adverse possession the government has dealt with all the states related to the agreement and has taken their written consent. The Indian Government has also considered the wishes of people residing in the adverse possession.

## **II. CONCLUSION-**

Land Boundary Agreement is a path-breaking step taken by both the government and Indian Government passed this agreement by keeping security as its important issue. While talking about security, it includes both national as well as human security. Indian government has mainly passed it to solve the issues of cross border terrorism, insurgency, smuggling, illegal immigration which falls under traditional aspect of security and to solve the issue of enclave and adverse possession which mainly falls under humanitarian aspect of security. Implementation of Land Boundary Agreement will also bring about a cordial relation between both the countries as it will solve a long pending boundary dispute. A settled boundary will bring about mutual trust between both the countries and it can work in co-operation with each other to solve different boundary related issues that has been creating insecurity in the region.

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