



India-Bangladesh Border: The Post LBA Tensions

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During the visit of the Indian Prime Minister, Narendra Modi to Bangladesh in June 2015, the two countries signed a treaty to implement the Land Boundary Agreement (LBA) protocol. The LBA is based on the India-Bangladesh Land Boundary Agreement of 1974, signed between the then Prime Minister of India, Mrs. Indira Gandhi and Sheikh Mujibur Rehman, the then President of Bangladesh. A protocol agreement was signed in 2011 and after its ratification by the Indian Parliament in May 2015, the two countries finally agreed to implement the treaty. According to the agreed provisions in the LBA, India and Bangladesh will exchange 162 out of 197 enclaves, and swap about 5000 acres of land between them. The ground level border demarcation process is expected to be completed by June 30, 2016, while other modalities related to transfer of land, documents, movement of people, etc. are likely to be finished by November 30, 2015.

After the ground level implementation of the LBA, it is assumed that India-Bangladesh border disputes will be permanently resolved, but tensions over border related issues will remain intact. One of the major border related issues is cross border movement of people. This movement is for various reasons like affective economic, human trafficking, smuggling etc. Is it going to stop? The second issue is that during the swapping of lands and exchanging of enclaves, many people are going to be added as citizens of the two countries. How are the locals going to interact or engage with them? Are they going to be accepted as

normal citizens or not? The sociological and anthropological aspects of these questions have to be empirically observed over a period of time after the implementation of the LBA.

An Analysis

Historically, the movement of people from pre-partitioned East Bengal to Assam and West Bengal dates back to the time when agricultural activities started in this part of the region. Mostly, people from East Bengal came to work as agriculture labourers and plantation workers in the tea gardens of Assam. They were followed by the migration of educated class from East and West Bengal to work on posts, which required educational qualifications and desirability. Both categories of migrants were resisted by the people from Assam. Not only them, the presence of any outsider (including from present Jharkhand, Uttar Pradesh and Bihar) had often caused violence, but not at a very large scale.

A sense of hatred or anger against the Bengalis was implicitly expressed in the form of jubilation in parts of Assam in 1947, when Sylhet, dominated by the Bangla speakers, became a part of East Pakistan. According to the line drawn by Sir Cyril Radcliffe, head of the Boundary Commission (BC), West Bengal covered 28,000 square miles with just over 21 million people, and East Bengal received a territory of 49,000 square miles with a population of 39 million people. In Sylhet, the entire district was given to Pakistan with the exception of three thanas of Badarpur (47 square miles), Ratabari (240 square miles), Patharkandi (277 square miles) and a portion of Karimganj thana (145 square miles). The partition also divided 197 enclaves with stateless people between India and Pakistan.

The demarcation and partition could not stop people from crossing into the other side of the border. In 1971, when the Pakistan Army started its operation in its Eastern part, millions of people crossed into the Indian side of border. After the liberation of Bangladesh, India and Bangladesh signed a treaty to settle down their border disputes and address the fate of refugees/migrants. The two countries decided that the people, who crossed into the Indian side of border on or before 25 March 1971 would be considered as Indian citizens. Gradually, the presence of migrants created socio-economic rifts in Assam, West Bengal, Tripura and Meghalaya. In Assam, their presence had been resisted by the All Assam Students Union (AASU), which also contests the issue of 25 March 1971 as a date of entry.

As a compromise, the Government of India set up an Illegal Migration Determination Tribunal (IMDT) in 1983 to tackle the issue. Disenchanted by the work of the IMDT, AASU moved the court against it. The Supreme Court, after hearing the arguments, struck down the IMDT Act in 2005 and restored the validity of foreigners Act 1946 even in the case of the migrants, who crossed the border in 1971.

In the absence of record on the number of Bangladesh citizens present in India, different statistics are being presented to serve various vested interests. If one relies on the United Nations report of 2013, there are about 3.2 million Bangladesh citizens in India. As the number of migrants is not going to decrease and migration, as a process, is not going to stop, even after the implementation of the LBA, social tensions are likely to remain. The LBA is being opposed by the Asom Gana Parishad (AGP), and the Coordination Committee on International Border and a conglomerate of organizations including the Khasi Students Union; Federation of Khasi, Jaintia and Garo People; the Hynniewtrep National Youth Front; and the village councils falling under the Khasi-Jaintia Hills in Meghalaya. They may retaliate in violent ways against the migrants and new citizens.

The second issue is related to interaction and engagement with the new citizens. In the past, borderland people, who regularly engaged in cross border movements, had never been treated in a fair manner in the Indian cities because of their ethnicity, caste and religion. Now, as they become Indian citizens, the state may treat them equally, but how the society behaves has to be empirically observed. Their movements to nearby cities or other parts of India may create social tensions among the groups, as it had done in the past.

Conclusion

As the border demarcation issue has been settled, India and Bangladesh have to take certain stringent and coordinated measures to address the existing social tensions in the region. Though it is not easy to address all grievances of borderland people and groups, in a short period of time, at least a process towards it has to begin. Further, rumours related to demographic change and social tensions might create law and order problems. This needs to be carefully monitored.

Policy Recommendations

To manage the above mentioned difficulties and address the concerns, following policies may be considered:

1. There is a need for coordination between the Border Security Force (BSF) and the Border Guards of Bangladesh (BGB) over the issue of movement of people from one side to another. Though there are agreements signed between India and Bangladesh to do so, it has to be implemented on the ground. It is often alleged that the border guards engage in shooting at the people crossing into their side of border. The two governments must look into it, take such allegations seriously and strong steps must be taken to stop even accidental firing along the border.
2. The Government of India has to take effective measures to rein in the groups in India's north-eastern states like AASU, AGP and others, who are against the implementation of the LBA. As in the past, they may react violently and attack the people from other communities. To manage such a situation, these groups must be engaged in political talks by the state government or representatives of the central government.
3. There is a need to develop the 111 enclaves India gets in exchange. Though the Indian agencies have reached there to take control and maintain law and order situation, the drug peddlers and smugglers still have their strong presence. The Indian agencies have to take multiple socio-economic steps to weed out their influence from the territory. Also, when these people interact with the citizens outside their land, they must not be discriminated against by their new fellow citizens.
4. The two countries must also decide the fate of non-exchangeable enclaves, like Dahagram-Angarpota. The people from these two enclaves still remain 'stateless'.
5. The new citizens must be issued biometric identity cards. This will help to check the entry of aliens into the Indian borders.

6. The licences for guns in those regions should be reviewed and armoury should be placed in the police custody. Intense door-to-door checks and verification should be done to weed out unwanted elements.

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