



Indo-Bangladesh Extradition Treaty

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India and Bangladesh signed the extradition treaty on January 28, 2013. It is important to note that Islamic fundamentalist movement linked to Al-Qaeda and Pakistan's intelligence agencies poses a great threat to India and Bangladesh. Keeping in mind this fact, the leaders of India and Bangladesh rejected extremism, violence and terrorism and agreed to cooperate in combating these evils.

India has signed Extradition Treaties with thirty one countries. In South Asia, India has signed extradition treaty (old) with Nepal (1963), and Bhutan (1997). India has extradition arrangements with Sri Lanka since 1978. The extradition treaty benefits the countries immensely as it paves the way for the deportation of a number of criminals taking shelter in other's territory.

It is important to note that Congress led coalition government in India and Awami League government in Bangladesh engaged in many negotiations. In 1996, Sheikh Hasina's government in Bangladesh had signed Ganges Water Treaty and Chittagong Hill Tracts Peace Agreement in 1997. During second term of Sheikh Hasina government, a number of accords were signed between the two countries in 2010: Agreement on Mutual Legal Assistance on Criminal Matters; Agreement on the Transfer of Sentenced Persons; and Agreement on Combating International Terrorism, Organized Crime and Illicit Drug Trafficking.

India and Bangladesh reiterated that each others' territory would not be allowed for activities inimical to the other in joint declarations (2010 and 2012). Both countries also resolved not to allow their respective territory to be used for training, sanctuary and other operations by domestic or foreign terrorist/militant and insurgent organizations and their operatives. India is hoping that extradition treaty with Bangladesh will pave the legal way to deport Anup Chetia, General Secretary of the United Liberation Front of Assam (ULFA) and other criminals taking shelter in Bangladesh. ULFA, a separatist group in northeast India, seeks to establish a sovereign Assam. Anup Chetia was arrested in Bangladesh in 1997 and sentenced to seven years in prison for illegal entry and possession of firearms. Bangladesh is seeking India's help in nabbing the killers of Bangladesh's founding father Sheikh Mujibur Rahman. Captain Abdul Mazed and Risalder Moslehuddin, the suspects, are believed to be hiding in India.

It is believed that extradition treaty will enhance ties in areas of security and it will be possible for both the countries to hand over criminals to the other country and the insurgents or terrorists would eventually lose sanctuaries. Further, Chetia's extradition to India will provide momentum to peace talks between the Government of India and the pro-talks faction of the militant outfit of ULFA.

The extradition treaty has refusal provisions too. Extradition of any person may be refused by the country concerned on grounds of national security. Also, political detainee would not be brought under the purview of this treaty.

Anup Chetia's petition is pending in a Bangladesh court since 2003. Bangladesh says that Chetia has sought political asylum, which does not fall under the extradition treaty signed with India. If Bangladesh fails to hand over Chetia to India, the ongoing confidence building measures between the two countries may be affected. Bangladesh may link Chetia's deportation to other issues such as the Teesta Water Agreement which is yet to be resolved because of objections raised by Ms. Mamta Banerji, the Chief Minister of West Bengal, India.

Both India and Bangladesh are preparing for general elections in coming few months. As per the practice in Bangladesh, a neutral caretaker government may take over in place of the

present Awami League government. If India wants Chetia to be deported, it has to start the extradition process as soon as possible. Further, India should also try to locate and arrest the two suspected killers of Sheikh Mujibur Rahman. Chetia's early and hassle-free deportation will also build a good platform for a robust cooperation between the two countries at multi-lateral level like SAARC where terrorism is a major issue.

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