CHAPTER V

POLITICAL CONFLICTS, ENVIRONMENTAL ISSUES AND FOREIGN POLICIES WITH SPECIAL REFERENCE TO SOUTH ASIA
According to Wallensteen and Sollenberg most present day conflicts are international, non-ideological disputes that take place in the less developed countries. This analysis tends to prove that national sovereignty holds a less intrinsic value. However, is South Asia because of the states being all geographical entity, the sub-continent of India, international conflict can transform itself into international conflict.

South Asia as mentioned above is a distinct geographical entity. Even Maldives and Sri Lanka, which are separated from the sub-continent by stretches of sea, are linked through other factors like common civilisational heritage, ethnicity, religions and linguistic affinities and existence of closer and enduring interaction determined by the fact of geographical proximity as well as by juxtaposition to the regional pole, India.

Because intra-conflicts have a transformational ability in the region hence, national sovereignty and national interest becomes an important feature. An important feature of the state interaction in the region has been the asymmetry of India is relation to her neighbours as well as her dominance can centrality is that states-system. It is not just India’s geographical size or its massive population or for that matter its technological and military superiority that characterises the regional interaction. What is more is that the regional interaction is marked by India’s bilateral relations’ with her neighbours than by the generality of relations inter se.

Conflicts and tension has been high in the region because of the asymmetry compounded as it has been by a divergence of basic strategic perception. In South Asia more than any other region, the internal, political, economic and social processes within countries affect the nature of relationships between them at both the bilateral and regional levels.

**India as a Core in Regional Relations**

To begin with India inherited the British Raj’s strategic perception of a sub-continental defence system based upon a view of the unity of the region. India views her neighbour to be an integral part of her own security. A threat to any of them can be considered a threat to her. However, all of India’s neighbours hold to a threat perception of India and see her as the entity against which security is necessary. A noted analyst argued that, “the absence of a shared security threat perception with the South Asian states-system is attributable to reluctance on the part of India’s neighbours, as well as a section of the elite within India itself to perceive correctly India’s status and role in international affairs commensurate with her size, level of development and value system”. Whatever be the views and differing views, the fact that India’s neighbours entertain a threat perception and that India has not managed to remove such ideas from its neighbours mind either by recognising its past omission/commission or showing positive gestures is a serious obstacle to cooperation in the region.
The 'India Factor' remains an inescapable geo-political reality, on two counts:

1. India's vast superiority in human and material resources, levels of economic and technological development and military might.

2. India's proximity to other South Asian countries and the absence of a comparable and equally proximal power to counter it.

What these two main realities suggest is that any country in the South Asian region has to conduct its foreign policies keeping in mind Indian's perceived fundamental security. Ever since countries attained nation-hood in the region the bilateral relations especially between India and its neighbours has been far from cordial. Two levels of bilateral relations can be ascertained:

1. Conflict and confrontation: Indo-Pakistan and Indo-Sri Lanka

2. Suspicion and Mistrust: Indo-Nepal and Indo-Bangladesh.

**India-Pakistan Relations**

There is a fundamental nature of irritants that mark the relations between India and Pakistan. This is not to say that the two countries have never reached any peaceful settlements. The Karachi Agreement (1949), Liquat-Nehru Pact (1950), Noor-Nehru Agreement (1958), the Indus Water Treaty (1962), the Tashkent Declaration (1966) and the Shimla Agreement (1972) are examples of fruitful bilateral relations.

However, ever since the Shimla Agreement and ironically so because the 1972 Agreement clearly stated 'bilateral' means to achieve peace, the relations between India
and Pakistan has been deeply shrouded in animosity, quick and sharp reactions and at times open acts of instigation and creation of disturbances.

Among the roots of present day, to be more precise, over the last 20 years hostility, the most fundamental is that relating to the burden of the past. That India has a hegemonic design on Pakistan is what the ruling class and the power structure in Pakistan has fed the public. The past has been systematically kept alive — that although the Indian leaders agreed to India’s partition (1947), they had not really accepted it and would undo it as and when the opportunity arises. The Kashmir dispute is an example that keeps the past alive and helps the ruling regime in Pakistan to drum up fierce nationalism.

The liberation of Bangladesh in 1971 and India’s crucial role in it is a further justification for the ruling class to convince its people of India’s design. Thus anti-Indianism is almost an inalienable part of Pakistani patriotism. The result of this is that a large section of the people in Pakistan feels that India is on the look out for opportunity to dismember their country and establish hegemony over it. Like wise and keeping the Kashmir issue in mind both the ruling elite and a large section of Indian people feel that Pakistan will go to any length (that includes cross border terrorism) to harm India.
Keeping the above mentioned backgrounders in mind, the political discord between India and Pakistan are:

1. The Kashmir issue
2. India's claim for pre-eminence is South Asia
3. Pakistan's perception of India's hegemonic design
4. India and Pakistan's opposition to each other's nuclear programme.

In both, the key issue of Kashmir and in the perceptions, national interest and sovereignty along with power factors have played the dominant role. Time and again when efforts have been made to improve relations, for example during the first period of Ms Benazir Bhutto assuming Prime Ministership which corresponded with the Prime Ministership of V.P Singh's National Front Government and very recently with the so called 'Gujral doctrine' of the United Front Government, strategy factor in the form of Kashmir has proven to be a difficult obstacle to cross.

Pakistan's perception of India has been continuously and conveniently propped up by its regime. The roots of this perception goes back to Jawaharlal Nehru who glorified India as a potential power bound to play a major role in the region. Dr. Subrahmanian on these lines posed a question, "How should India ---- a country which is within the top twelve industrial powers in the world, has the fourth largest armed forces, is a nuclear power, has launched satellites, and has the world's second largest population ---
be viewed by its neighbours and the international system?"3 Answering this question some years later, he said, "India will endure and over a period of time enduring India is bound to be a significant factor in international politics. The major problem in our relations with our neighbours is, in my view, to impress on our neighbours in an unobtrusive and quite yet firm way the message that they have to deal with an India which is bound to be a significant factor in the international system."

Given India's geopolitical position and its capacity its is inevitable that India's role in the region with her neighbours can only be interpreted as one of being a "bully" or in the lighter sense that of a "big brother". That bilateral relations have hardly reached the level to defuse such an image, hence it is also inevitable that the perceptions of India will continue.

To India, the Shimla Agreement is the ideal framework through which bilateral cooperation with Pakistan can be carried out. For Pakistan though having signed the agreement its is not obligatory. Agreements can be turned around its head as time, domestic compulsion and national interests in international politics keep changing. There are as it is said no permanent friends in international relations only permanent national interests. As the world moves into the 21st century, the South Asian region is general and Indo-Pakistan is particular demonstrate how deeply grounded is political conflict and how detrimental it is to progress in the environmental area.

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3 K. Subrahmaniyam, "India's image as a major power", Far Eastern Economic Review, 5 March 1982, p.24
4 K. Subrahmaniyam, "India's relations with her neighbours", Strategic Analysis, March 1987, p.1364
Indo-Sri Lanka relations demonstrate how domestic conflict (Intra-State) in Sri Lanka can spill over and draw in another state (Inter-State). The ethnic problem in Sri Lanka saw the emergence of a raison d'être for India to intervene not only because of the ethnic sensitivities generated in India particularly in Tamil Nadu by the Tamil problem in Sri Lanka but also of India's perception of threat to her security. On the part of Sri Lanka, her relations with India, until the signing of the Indo-Sri Lanka Accord on July 29, 1987, were adversely affected mainly due to alleged support by India for Tamil militant activities.

A point of reference can be drawn. India vociferously claims of Pakistan's direct indulgence in Kashmir through terrorist activities and had similarly complained of cross border incursions by Pakistan trained Sikhs into Punjab. It is clear and conclusive that destablisling means are an important component in the souring relations in South Asia.

The main problems inhibiting the relations between India and Sri Lanka up till the point the IPKF (Indian Peace keeping Force) left the Sri Lanka shores were:

1. The problem relating to the grant of citizenship to Indian Tamils and the repatriation to India of those not accepted for Sri Lankan citizenship.
2. The problem arising from the spill-over into India of the Sri Lanka Tamil ethnic conflict and the impact of the Indian factor in the domestic problem of Sri Lanka.
3. The problem arising from India's concern about the security of the sub-continent, her fear that the presence in Sri Lanka of countries unfriendly to India would be a
threat to peace and security in South Asia and for this reason her disapproval of extra-regional powers being allowed to use of facilities in Sri Lanka such as the Trincomalee harbours.

It is but obvious that there is a dyadic relationship between Sri Lanka and India. Given India’s size and power the threat perception are all on the Sri Lankan side. However, Sri Lanka becomes a security there at threat to India in any changes in the international configuration and the presence of an international actor, like the US was during much of the 80s in Sri Lanka. But the most crucial component on the relationship that still disturbs India as the domestic ethnic trouble in the island. Demographically, Sri Lanka’s population consists of people most of whom are descendants of migrants who came from various parts of India at various stages of history. The Sinhalese who form the majority (75% of the total population) strongly claim of there settlement going back to the pre-Christian times. The Sri Lankan Tamils who form 13% of the population like wise claim the same. The Moors comprising of 7% were relatively later migrants which the Indian Tamils comprising of roughly 5% of the population represent the recent stream of immigrants from India. Besides racial and religious mix (the majority is Bhuddist while the minority is Hindus) the crucial factor which bears on the domestic ethnic relations is the 55 million Tamils in Tamil Nadu, across the Palk Strait.

This composition along with strategic dimensions plays crucial to Indo-Sri Lanka relations. From colonial times, naval strategists have emphasised Sri Lanka’s importance for the defence of India. 21 Miles across the Palk Strait is what separates
the two countries. Sri Lanka also possesses in Trincomalee one of finest natural harbours in the world. Back in 1902, the then British Prime Minister William Pitt, the Younger had told the British Parliament that Sri Lanka’s acquisition was, “to us the most valuable colonial possession on the globe as giving to our Indian empire a security which it has not enjoyed from its first establishment.”

India has from the time of its independence followed the British strategic theory. Its importance in the early years of independence was so deeply felt that some politicians and strategists sought to bring a political integration with Sri Lanka. A personnel in the Indian Navy put it in the following words, “Sri Lanka is as important to India as Eire is to the United Kingdom or Taiwan to China --- As long as Sri Lanka is friendly or neutral, India has nothing to worry about but if there be any danger of the island falling under the domination of a power hostile to India, India cannot tolerate such a situation endangering her territorial integrity.”

A period of strategic concern for India did arise during the Jayewardene government when the US acquired influential role. The concern centered around two problems: first, admission of US warships to Trincomalee and second, the Sri Lankan government’s leasing of a disused W.W.II oil storage tanks in Trincomalee harbour. The question of whether the US had acquired or was in the process of acquiring base facility led to an assumption of strategic fear. This assumption gained much ground.

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5 Quoted in Colvin R. de Silva, Ceylon Under British Occupation 1795-1833 (Colombo: 1941), p.20
following the escalation of ethnic conflict in Sri Lanka after July 1983. Politics between
nations in South Asia in particular is about perceived threat. Fearing and assuming that
the island will fall an object of international interest, India herself initiated and later
assumed a role in the negotiation to seek a resolution of the conflict.

The perception of India's policies was good to an effect that it calmed US intentions in
not offering military assistance to Sri Lanka as well as recognising India's regional
preeminence and responsibility in South Asia. But what India assumed to do and help
Sri Lanka problem quickly got transformed into the quagmire of domestic political
compulsions, national interest and mutual suspicion.

**The Conflict**

Ethnic conflict in Sri Lanka ever since July 1983 has clearly demonstrated that how an
essential domestic problem can spill over and transform into an inter-state conflict.
India's concern in the Sinhala-Tamil problem in Sri Lanka centered around two
important factors: first, the influx of Tamil refugees, mostly plantation workers of
Indian origin, added to India's refugee problem which gave India a direct stake in Sri
Lanka's ethnic crisis. Second, the violence perpetuated on Tamil people by Sinhalese
led to a statewide protests and demonstrations in Tamil Nadu, where government and
opposition parties combined to put pressure on the central government in New Delhi to
intervene in the resolution of the ethnic conflict in Sri Lanka. Here also a
transformation in India's concern can be charted which can be directly related to the
domestic pressure.
Initially India's official line in wake of the ethnic disturbances was that the security and welfare of Sri Lankan matter with Indian concern limited only to the interest of Indian nationals and persons of recent Indian origins. But India's growing domestic pressure exhibited by the M. G. Ramachandran government of Tamil Nadu in the early 80's made Indira Gandhi to change the earlier official line to the welfare and security of all Sri-Lankan Tamil. During the anti-Tamil violence in August-September 1981, the Indian Ministry of External affairs (MEA) verbally protested to the Sri Lankan High Commissioner for the very first time over violence against Tamils per se, that is generically, and not merely over Indian Tamils on the plantations.7

The transformation of hostility there on was quick and predictable. Sri Lanka blamed India for giving sanctuary to militant Tamils as well as indirectly supporting the Eelamist cause by becoming a source of arms and a base of operations for Tamil militants against the Sri lankan armed forces. India inspite of the pressure from Dravida Munetram Khazigham (DMK) in Madras unequivocally declared that it recognised the unity and territorial integrity of Sri Lanka and would not support Tamil separatism.

As the ethnic conflict in Sri Lanka worsened during the years preceding July 1987, a military solution by the Jayewardene government was mooted, which threatened to undermine India's own internal stability. The editorial in The Times of India, New Delhi summed up India's perception, "No one in this country has any interest in Sri Lanka's break-up or in intervening in that country's internal affairs. But Jayewardene

7 V. Kanesalingam, n. 2, p.202
and his minions would be living in a world of make-believe if they think that the systematic butchery of innocent Tamil's of Sri Lanka, under the guise of fighting terrorism, would not have grim repercussion among 50 million tamils living in this side of Palk Strait. 'J.R' cannot go on talking of India to pull his chestnuts out of the raging fire he has himself lit. Meanwhile what goes on between 'J.R' and the Americans over Trincomalee will have to be watched very very carefully.  

In the SAARC summit in Bangalore in November 1986, Sri Lanka and India both reaffirmed their commitment to a political solution of the ethnic crisis. This led way through various rounds of talks of India’s growing role in Sri Lanka. Early in 1987, the Sri Lankan President referred to a likely agreement with India and his request for Indian understanding of the settlement of the ethnic problem.

The Indo-Sri Lankan accord, which eventually came about, was signed in Colombo on July 29, 1987. The accord titled “Indo-Sri Lanka Agreement to Establish Peace and Normalcy in Sri Lanka” attached “utmost importance to nurturing, intensifying and strengthening the traditional friendship of Sri Lanka” and for doing so it acknowledged “the imperative need of resolving the ethnic problem of Sri Lanka.”

The implementation of the accord, however, went through a painful process ---- the Tamil militants refusal to abide by the accord, the Sri Lankan military offensive in the north and east of Sri Lanka, the Tamils resentment all led to the formation of the Indian

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8 Quoted in World Focus, 71-72, Nov-Dec 1985, p.18
Peace Keeping Force (IPKF) whose mission was to maintain peace and underwrite the security of the country but ended in only fighting a guerilla war with the militants. The IPKF venture resulted in about 1200 IPKF personnel lives, soured relations with Sri Lanka on the one hand and also created a rift between the IPKF and Tamil community.

**Indo-Nepal**

Article 126 of the Nepali constitution lays down that any agreement or treaty by Nepal with another government will require, "ratification by a majority of two-thirds of the members present at a joint sitting of both Houses of Parliament." However, "if any treaty or agreement is of an ordinary nature or agreement is of an ordinary nature which does not affect the nation extensively, seriously or in the long-term, the ratification of, accession to, acceptance of, or approval of such treaty or agreement may be done at a meeting of the House of Representatives by a simple majority of the members present."

This constitutional provisions highlight Nepal's inward approach and hesitancy shaped by its geographical position and a small, land-locked country's suspicion. It also is a concrete manifestation of a long-harboured grudge of the Nepali people against India. It can be said that Article 126 was deliberately intended by the constitution makers as a safeguard to prevent the successive governments in Nepal from succumbing too easily to external pressures in matters of vital interest. The other side of this provision is that it unnecessarily encumbrances cooperation at the technological and economic level. This creates frustration and irritation on behalf of the country, more particularly India, venturing into fruitful collaboration with Nepal.
Article 126 remains very much a device that is being subjected to severe practical test in Nepal that has split parties, caused confusion and evoked extreme patriotism. An example can be cited during the 1992 spring session of Nepal’s Lower House of Parliament. The opposition during a particular day in session had confined the Speaker of the House to his chair and raised anti-government slogans. The opposition insisted that the Prime Minister, G. P. Koirala table all the papers signed during his visit (Dec, 1991) to India and accused him of selling out Nepal’s national interests. After extreme pressure from the opposition, the government agreed to submit to the speaker the text of the ‘Agreed Minutes on Water Resources Development’ (the core area that was discussed during Koirala’s visit with the Prime Minister of India). Thereafter a Special Committee of Parliament was formed to look into schemes. The report was submitted to the Lower House towards the end of the 1992 summer session but before it could be debated, the king of Nepal on the advice of the Speaker prorogued the parliament.

The Supreme Court came into picture and in December 1992 it decided not to find fault with the government’s action except on the Tanakpur project. The court instructed the government to take the necessary steps to have he agreement on the Tanakpur Barrage duly ratified. The judgement asked the government to view things in light of practical, technological, economic, diplomatic and geo-political considerations.

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10 Ibid., p.78
11 Ibid., p.78
What the Tankpur barrage Project demonstrates is that the stakes involved in the sharing of water resources are high for both Nepal and India which is discussed later on but importantly it is the constitutional provisions in Nepal that either allows for such cooperation's or stalls any joint ventures and by demonstrating it reflects the political climate between Nepal and India. All this goes back to the 1950 Treaty of Peace and Friendship and the letters accompanying it that embodies the quintessential spirit of understanding between Nepal and India and which decades later has been open to different interpretations and understanding of the treaty.

It was in 1960, ten years after the Treaty was signed, when Jawaharlal Nehru referred to its key paragraph: "Neither government shall tolerate any threat to the security of the other by a foreign aggressor. To deal with such threat the two governments shall consult each other and devise effective measures."\textsuperscript{12}

Soon after this revelation the treaty acquired a dimension in as much as it was interpreted by Nepal to mean equidistant from India and China and equal friendship for both. The redefinition raised two important questions:

1. What is Nepal going to do about its basic understanding with India on the question of security and defence?

2. Is it possible for Nepal to change the pattern of trade and economy which leans so heavily on India.

\textsuperscript{12} Ibid., p.209
King Mahendra following his royal coup de’etat in December 1960 sought to give new thrust to Nepal’s foreign policy and turn around Nepal’s over dependence on security matters with India. In 1965, however, Nepal by signing the Arms Assistance Agreement with India called for magnanimity on the part of India.

In the 1990s pro-democracy movement period in Nepal, political elements have deliberately kept alive the controversy of the 1950 Nepal-India treaty. It has also become imperative for the party in power as well as the opposition party to make their stands and views on the Accord felt to the public. With the lapse of the trade and transit arrangements between the two countries in March 1989, cooperation has been at an all time low. Issues like cross-border migration, claim for separate Gorkha homeland, purchase of arms by Nepal from China, which earlier posed no serious itch, has now become part of relationship between India and Nepal.

**Indo-Bangladesh**

Before 1947, British India encompassed a single economy and market, a common set of foreign policies, the army was one and there was a unified communication network. In August 1947, these elements of nationhood were bifurcated into India and Pakistan. In March 1971, Pakistan was bifurcated and Bangladesh became an independent nation.

In both the cases of 1947 and 1971 the fact and perception of economic domination of national entity fueled nationalist sentiments by the other. At the root of this were
economic forces of independence and domination. The same perception has influenced Indo-Bangladesh relations.

In 1971, India did not automatically fill the vacuum created in the Bangladesh economy. In fact both India and Bangladesh economies were mutually antagonistic to each other’s interests. The jute industry was a good example, where Bangladesh became a direct competitor to India’s own prospering Jute industry. The use of water resources offered another example. By constructing the Farakka dam, India had become a rival claimant for use of waters traditionally flowing into Bangladesh from the Ganges. Another feature in the Indo-Bangladesh relations is the inherited apprehension of dependence and domination within Bangladesh.

**Indo-Bhutan**

Bhutan is a landlocked mountainous country. Although it is geographically difficult to access it nonetheless have had close contacts with its neighbours. With India, Bhutan’s relations have historically been both deep and extensive. In ancient times Bhutan formed part of Assam.

The Indo-Bhutanese Treaty of 1949 establishes the modern time relations. On August 28, 1959 India’s Prime Minister Jawaharlal Nehru realising the implications of China’s designs in the Himalayan region stated in the Lok Sabha that the protection of the borders and the territorial integrity of Bhutan was the responsibility of India and that

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13 V. Kanesalingam, n. 2, p.209
India would consider any aggression on Bhutan as an aggression on India. He thus committed India, unilaterally, to safeguard the defence and security of Bhutan.

This statement of the Prime Minister reflected India's growing security concern vis-a-vis China as well as the strategic implication of Bhutan. The Treaty of 1949, it can be recalled carried no defence protection by India. The ten years period between the Treaty and the Prime Minister's statement, China became an important threat perception to India and India's over guardianship to Bhutan was direct implication of that.

The foundation of the People's Republic of China (PRC) on October 1, 1949, particularly after its occupation of Tibet in 1950-51, exposed Bhutan as well as the Himalayan border countries, to danger from the north. China for the first time had a common border with Bhutan. The elimination of Tibet as a buffer between China and India made Bhutan a buffer between India and China. India's threat perception of China aggravated during the 50's when the PRC included Bhutan in its list of "lost" territories. It claimed Bhutan, Sikkim and Nepal, in extension of its claim to Tibet. China's propaganda included publishing a map, which showed a sizeable part of Bhutan as its territory. It was a clear-cut case of a typical Chinese harassment that sought to draw Bhutan into a dialogue with China, as it did, over the border demarcation. China's game plan was simple — to distance Bhutan from India by not

15 Ibid., p.43
recognising India's treaty position in Bhutan and by offering lurement in form of economic aid to Bhutan.

With China as an option, Bhutan has played its enviable position to good use against India. Though the official line has been to seek no diplomatic connection with China, yet any souring of relationship between India comes from each other's understanding of China. Although there is apparently no problem between Bhutan and India, yet India owing to its strategic and security interest has to consistently follow consultations and cooperation with Bhutan. Another important aspect in the Indo-Bhutan relationship is that because Bhutan is "India-locked", therefore, for Bhutan, to have cooperative relations with the outside world, India's cooperation becomes indispensable. This is very crucial in relation with Bhutan-Bangladesh cooperation regarding water resource development.

**Foreign Policy Decision Making in South Asia**

Decisions, it is said are only part of a country's foreign policy. However dramatic and media worthy they might be, they are not by any means the totality of foreign policy. Decisions according to a foreign policy analyst "are discrete, easily identifiable and delimited phenomena: declaring war, signing a peace treaty, withdrawing from an alliance or recognising a state."\(^{16}\)

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Foreign policy is a continuous, wider phenomenon that embraces general objectives, some stated strategy and routine actions like trade exchanges, cultural exchanges and exchanges of diplomatic notes. Decisions or the decision making process churns out from this amorphous whole.

Different frameworks exist to analyse the foreign policy decision making. Some framework centers on the role of global-systemic factors and some on the role of rationality, while others concentrate on the personality dispositions. These varied role and emphasis has led to tremendous empirical and conceptual energies pursued by analysts and researchers. Narrowing it down, two main schools of thought dominate the debate:

1. The Psychological-perceptual
2. The Bureaucratic-organisational

The psychological-perceptual framework revolves on the proposition that decision-makers respond not to the real world but to their perceptions and images of this world, which may or may not be accurate representations of the world reality. According to Michael Brecher, "Decision-makers act in accordance with their perception of reality, not in response to reality itself." 17

The Bureaucratic-organisational framework is a reaction to the psychological-perceptual mode in two ways: first, it enlarges the area of decision-making by including top

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17 Ibid., p.51-52
bureaucrats and second, it disagrees that decision-making is a deliberate choice of an individual. This school emphasises that state action is not a deliberate choice — rational or otherwise — but an outcome. In the context of South Asia both the 'psychological-perceptual' and the 'bureaucratic-organisational' are important and this can be demonstrated by two leading scholars — James Rosenau and Michael Brecher approach to foreign policy decision making.

James Rosenau assumed the task of elaborating a pre-theory that would provide "a basis for comparison in the examination of external behaviour of various countries in various situations." This pre-theory is based on five sets of independent or explanatory variables:

1. The idiosyncratic or individual factor — the leader's values, the experience, the talent that distinguishes the leader's foreign policy choices from those of other decision makers.

2. Role — the external behaviour of officials that is generated by the roles they occupy and that would be likely to occur irrespective of the idiosyncrasies of the role occupants.

3. The Governmental factor — those aspects of a government's structure that limit or enhance the foreign policy choices made by decision-makers.

4. The societal factor — those non-governmental aspects of a society, which influence its external behaviour.

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18 Ibid., p.42
5. The systemic factor — the external environment or any actions occurring abroad that condition or otherwise influence the choices made by its officials.

Rosenau also went beyond these listings to establish what he called “the relative potencies” of each independent variable (i.e. foreign policy determinant) according to some specific classificatory criteria:

1. Size (large or small)
2. State of economy (developed or underdeveloped)
3. Political accountability (open or closed political system)
4. Issue area (status, territorial, resources)

Michael Brecher’s emphasis is on the psychological environment — i.e. each person’s perceptions or images of the world, which includes two closely related sets of data: an attitudinal prism (i.e. the psychological predisposition of the decision makers), and images of the elite (i.e. the cognitive representation of reality). Brecher’s independent variable — the foreign policy output — is classified according to four issue areas:

1. Military-security
2. Political-diplomatic
3. Economic-developmental
4. Cultural status
Types of Conflict in South Asia

Ethnicity

The word "ethnic" according to its dictionary meaning is associated with the races of humankind. However, ethnic identity subsumes much more and is. Cultural attributes like distinctive beliefs, customs and social practices, religion and language often form the bases of identity. Physical attributes like pigmentation of skin or body shape also provide the foundation of ethnic identity. In a conflict situation it is the consolidation of such an identity with shared ideas, feelings and behaviour patterns that brings forth the distinguishing line of themselves (we) from others (they).

The 'we' v. 'they' involves the consolidation and mobilisation of ethnic identity in which the attainment of goals justifies the mean, however, bloody. In the south Asian scenario, ethnic conflict seems to be situational, subjective or instrumental.19 Its main emphasis is on a group's member's perception of being different from others and on the implications of this for that groups present status or predicament and for its prospects for the future.

Because of the land-locked nature of the sub-continent, ethnicity transcends the known boundaries of state and because of this it seeks to fragment established nationalities and communities and create new ones using ethnic indicators.

An example of this can be considered in the tiny Himalayan kingdom of Bhutan. The Himalayan Kingdom with its 600,000 native people is a peaceful country. The monarchy of King Jigme Wangchuk has been built on his fairness and accessibility and a spirit to bring in democracy. The country with an economy growing at 7% a year and a per capita income of $425 (which is the highest in South Asia) is slowly and smoothly moving towards modernity. However, the King and his subjects are mistrustful of politics as they see it practiced in neighbouring India and Nepal. This is highlighted through the tensions between the Drupka (native Bhuddist Bhutanese) and subjects of Nepalese origin are sharp. On top of this some 30,000 Bhutanese of Nepalese origin have taken shelter in Jalpaiguri district of West Bengal, which means the ethnic tension in Bhutan has the potency to spillover. Population census in the kingdom of Bhutan can be deliberately misleading. According to the 1990 census the population of the Kingdom was put at 1.37 million of which 48% were Bhutanese Bhuddhists, 45% Nepalese and 7% others. Another census in 1991 put the population at 70,000 of which only 28,000 ethnic Nepalese were recognised as Bhutanese citizens and the rest being treated as illegal immigrants. The manipulation of figures is an important instrument for the ruling establishment in Bhutan as they can readily answer and attribute the ills of the country to the illegal immigrants. The Drupka, therefore, are determined to maintain their political and cultural dominance. In the 150-member Assembly the Nepalese have only 14 out of 105 elected members.

21 Ibid., p.3
22 Ibid., p.3
23 Ram Rahul, n. 14, P.42
monks who have great influence in Bhutan have 12 nominated by the government. The parliamentary institution is structured in a way to choke the voice of the immigrants and helps the ruling class to issue various injunctions like dress code, hair style and social customs that further alienates the Nepalese. To counter this, the ethnic Nepalese have time and again resorted to direct confrontation. The formation of the Bhutan People’s Party and the violent operation of the Ngolop guerrillas are testimony to it.  

While immigrants is an internal political problem, foreign guerrillas taking shelter in Bhutan’s jungle is a disturbing external problem. Bhutan has roughly 1,075 km of unpatrolled border that proves easy for insurgents — the ULFA and Bodo rebels — to enter Bhutan and launch their classic hit-run-shelter operations on the Indian forces in Assam. Bhutan is apprehensive on two counts — first, by allowing the Indian army entry into its territory to flush out the rebels it would enrage China which routinely complains about the already presence of Indian military advisors in Thimphu. Second, it fears that the insurgents who are well armed and combat ready can link up with the pro-Nepalese dissidents and mount attacks on the locals. However, the crux of Bhutan’s problem comes from the illegal immigrants swarming in from Nepal. These settlers gaze hungrily upon Bhutan’s primeval land and see the rich forest in terms of monetary gains: rare timber waiting to be logged, wildlife to be traded and farmland to be created by clearing forest.

24 Ibid., p.45
The turbulence in the northeast part of India is another example, especially the Naga and Mizo insurgency that came about when independent ethnic groups did not perceive a common past and a common destiny with the rest of India. In Assam a strong movement came about because of the fear of loss of cultural identity and natural resources, as the state was seen as being overrun by non-Assamese “outsiders”. The northeast part of India merits a close examination in the context of ethnic conflict that has led to insurgency and counter-insurgency operations.

The northeast region of India is said to be nature’s veritable arcadia that has, over the centuries, attracted foreigners to settle on its fertile land. The Ahoms from the Shan State of Myanmar came in the early 13th century by crossing the Patkoi range separating India and Myanmar. They occupied and ruled Assam for some six hundred years. The Khasis in Today’s Meghalaya are an overflow from the traditional cradle of the Indo-Chinese race that established them in the present habitat at a very remote period. Similarly, Mizos and Nagas, entered the region across Myanmar. Some of the tribes in Arunachal Pradesh have been identified to be Tibeto-Burman origin and thus, they, too, are foreign migrants.25

The Northeast demographic structure has also been shaped by internal migration from the states of Uttar Pradesh and Bihar primarily. The British eyeing the riches of the region — timber, ivory, etc. — annexed Assam around 1826 and established a foothold in the region. The British in order to protect their interest set up a new form of

administration, popularly known as the Non-Regulated System. The objective of the system was to protect and maintain the culture, customs and traditions of the tribal people. The British administration by various acts like the Inner Line Permit (ILP) of 1873 and Regulation I of 1945 restricted the entry of outsiders into the area.

In short, the British policy aimed at containing the hillmen in their hinterland and considered the areas as a colony for exploitation of natural resources, in order to serve their economic and political objectives.

The tribal penchant for managing their own affairs and an inherent fear of being dominated by alien people led to armed rebellion from time to time. The four tribal districts of Assam, namely, the Naga Hills, the Lushai Hills, the Khasi and the Jaintia Hill and the Garo Hills, matured into autonomous states of Nagaland in 1963, Mizoram in 1986 and Meghalaya in 1972. Arunachal Pradesh graduated from a frontier tract into an autonomous state in 1987.

Before the maturity of these states, the north-east had had several rebellions. The Nagas were the first to strike in 1953, followed by the Mizos in 1966. The Manipuris of a former princely state had viewed the accession of the state to India in 1947 as illegal because the people had played no part in it. Tripura, also a former princely state, had acceded to India but owing to the uncontrolled rush of Bengalis in 1947 and subsequent years, the tribal people of that state comprise only 20% today. The feeling of
marginalisation had led Tripura into a path of rebellion. Some fourteen-armed insurgent organisations operate in Tripura today.

Political considerations have played a crucial role in the northeast region. This can be highlighted under two periods that stand as a contrast — the Nehru approach and the Indira Gandhi approach.

Prime Minister Nehru policy anchored around "unite and not divide" the tribal of the region. It was in retrospect a poor excuse for development progress in the region. About the tribal of the region, Nehru said, "I liked them without my desire to do them good or to have good done to me." When India suffered an ignominious defeat at the hands of the Chinese in 1962 it not only demolished Nehru's "Panch Sheel" approach but brought in the debate of the lack of development in the region as a major cause for the army's defeat. Realising the yawning gap in the infrastructure of the region, Nehru in 1963 conceded that, "it was necessary to make some minor changes and modifications of the philosophy in the light of experiences and the rapid changes that had affected the frontier over the years." It is clear from the statement that military threat from China and protection of integral territories prompted development initiations in the northeast.

Prime Minister Indira Gandhi's policy of "divide and unite" was a total contrast to that of her father. The tribal pressure on her led to the North Eastern State Reorganisation

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26 Ibid., p.27
27 Ibid., p.29
Act of 1972, which legislated the autonomous states of Meghalaya, Manipur, Tripura and Union Territory Status for Mizoram and Arunachal Pradesh (which later became states). This was done so that the region presented a single indivisible geographical whole, where the people had common inter-linked development problems and more importantly a shared destiny for the security of the strategic sub-continental border of India.

Keeping these vital issues — security and strategic importance of the region, the North East Regional Council Act was promulgated in 1972. But over the preceding twenty-six years all the major projects visioned under the Act of 1972 has remained to a great extent dormant. Central to why development did not take off in the region is rooted, as according to the propaganda machine of the insurgent group, in India’s capitalist socio-economic structure. These groups further emphasis that the Indian system is prone to exploitation and corruption.

Two issues can sum up the region — immigration and poor infrastructure development. Taking Assam as a case, during the census of 1921, the British administration found the natural growth rate to their liking. They further encouraged immigration keeping in mind that the tea industry needed more cheap labour.\textsuperscript{28} The British government in 1928-29 sent the Simon Commission to Assam. On its recommendation the Garo Hills, Khasi and Jaintia Hills, Mikir Hills, North Cachar Hills, the Naga and Lushai Hills and the Balipuri, Lakhimpur and Sadiya Frontier

Tracts were given the status of “excluded area to backward area”. This meant that these areas were excluded from application of provincial legislation. This legislation did not apply to the Brahmaputra and Barak valleys in Assam. It is this area which has witnessed most the impact of immigration. As a noted Assamese writer says, “The Brahmaputra valley, which has had a cultural link with India prior to the British conquest today feels a sense of alienation from the rest of the country. This has happened due to the interplay of multiplicity of factors of which continuous immigration from outside the region and a sense of economic deprivation are the most important. Ever since the British occupation there has been a continuous flow of non-Assamese Indians into Assam, which gave rise eventually to the “Asom” movement.”

Another noted writer remarked, “twenty lakh bighas (about 670,000 acres) of the best cultivable land here were settled on by the immigrants: six lakh bighas (about 200,00 acres) were acquired by them through trespass and all the other available lands were being gradually swallowed up and converted into their possessions.”

Immigration into Assam greatly increased the pressure of population on the land and the scarcity of resources. The popular agitation that began in 1979 is underlined by the above resource and land conflict.

29 Writer concerned is Kanak Sen Deka, Ibid., p.6
30 Writer concerned is Hem Barua, Ibid., p.7
**Conflict Transformation**

The northeast region because of the foreigner issue and the issue of infrastructural development that sparked off conflict now finds itself transformed into a complex conflict situation. This situation has brought in the external linkage issues as well as counter-insurgency operations. 'Table 8' lists out the insurgent outfits operating in the Northeast part of India.
Table 8

Identified Insurgent Groups in the North-East Part of India

<table>
<thead>
<tr>
<th>State</th>
<th>Groups</th>
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<tbody>
<tr>
<td>Arunachal Pradesh</td>
<td>United Liberation Volunteers of Arunachal Pradesh (ULVA)</td>
</tr>
<tr>
<td></td>
<td>United People's Volunteers of Arunachal Pradesh (UPVA)</td>
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<tr>
<td></td>
<td>United Liberation Movement of Arunachal Pradesh (ULMA)</td>
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<tr>
<td>Assam</td>
<td>United Liberation Front of Assam (ULFA)</td>
</tr>
<tr>
<td></td>
<td>Bodo Security Force (BdSF)</td>
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<tr>
<td>Nagaland</td>
<td>National Socialist Council of Nagaland (Isak/Muviah)</td>
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<td></td>
<td>NSCN-M</td>
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<td></td>
<td>Nationalist Socialist Council of Nagaland (Khaplang)</td>
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<td></td>
<td>NSCN-K</td>
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<tr>
<td></td>
<td>Naga National Council (Adino)/Naga Federal Government (NFG)</td>
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<tr>
<td></td>
<td>Naga National Council (Khadao)- NNC(K)</td>
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<tr>
<td>Meghalaya</td>
<td>Achick Liberation Matgrik Army (ALMA)</td>
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<tr>
<td></td>
<td>Hynniewtrep Achik Liberation Council (HALC)</td>
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<tr>
<td>Manipur</td>
<td>National Socialist Council of Nagaland (Isak/Muviah)</td>
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<tr>
<td></td>
<td>NSCN-M</td>
</tr>
<tr>
<td></td>
<td>People's Liberation Army (PLA)/ Revolution People's Front (RPF)</td>
</tr>
<tr>
<td></td>
<td>United National Liberation Front (UNLF)</td>
</tr>
<tr>
<td></td>
<td>People's Revolution Party of Kungleipak (PREPAK)</td>
</tr>
<tr>
<td>Tripura</td>
<td>All Tripura Tribal/Tiger Force (ATTF)</td>
</tr>
<tr>
<td></td>
<td>National Liberation Front of Tripura (NLFT)</td>
</tr>
<tr>
<td>Mizoram</td>
<td>Hmar People's Convention (HPC)</td>
</tr>
</tbody>
</table>

The External Linkage

The armed rebellion in the northeast quickly found haven in the neighbouring countries of Myanmar and Bangladesh. Financial help, arms supply, training and shelter essentially came from across the border. India’s relations with Bhutan and Bangladesh have been soured on this aspect as much as it has initiated a cooperation effort. The recent agreement with Bangladesh on combating the insurgents has helped put pressure on the half-dozen banned outfits that had training and logistics bases in Chittagong and Sylhet districts of that country. The Royal Government of Bhutan has also reached an understanding with India that it will not allow insurgents to act against India. What insurgency in the region shows is one of being an instrument in the hands of Border States to destabilise India. Pakistan, through its Inter-Services Intelligence Agency has, as report and evidences suggest, aided and abetted insurgency in the north-east to meet its own purposes.

Counter-Insurgency

Chanakya in his Arthashastra says, “the state is responsible for the welfare of its subjects but not at the cost of being held to ransom. The state must unequivocally convey to the citizens that its authority is supreme.” Keeping in mind the integrity of the country, the central government of India has followed this principle of statecraft in

the northeast region. More so because, the region just like Kashmir and Punjab lies in the frontier region.

Because of the insurgents training in guerilla warfare and use of sophisticated weapons, the central government has been forced to seek the Army’s help in combating and controlling the insurgency. Insurgency and counter-insurgency is the last point in the conflict transformation in the region. The environmental effect of this low-intensity warfare has been devastating in the region.

Owing to its composition of land and people, the region can be divided into four distinct groups: the civil populace, the armed forces, the government and the quasi-military insurgent groups. The land is divided into the so-called “built-up environment” — cities, agricultural land and forests with wildlife. The destructive acts of insurgency and counter-insurgency are directed either intentionally or incidentally at the composition mentioned. Both the insurgents and the counter-insurgents have large array of destructive weapons and techniques to carry out such acts. Low intensity warfare exerts a substantial effect on the civil populace. A fraction of the people can be killed or displaced, their sources of food denied for extended periods, or their homes or means of livelihood destroyed. The environmental damages, that is the disruption of agricultural and wildlands that imbalances the eco-system is substantial.

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33 Patrick Sullivan and Jesse W. Miller, The Geography of Warfare (Kent: Croom Helm Ltd., 1993), p.25
The damage done during fighting as stated above can be deliberate or incidental. The deliberate aspect represents a systematic and intentional feature of warfare in order to deny cover to enemy troops, to destroy food crops and to terrorise the population. This has been a prime cause of degradation in the region. Combined together the strife in northeast region has left a telling effect on the economic and social activities, which in turn has put additional stress on the environment. People who are clearly affected by this warfare are unlikely to practice careful, productive agriculture, especially in cases where they have lost their essential means for living. Those forced to become refugees are unlikely to get satisfactory new land and usually suffer trauma and problems of adapting to new environment, which hinder return to normal livelihood.

**Maritime Boundary Conflict**

In governing the maritime boundary, the UNCLOS III (United Nations Conference on the Law of the Sea III) states that maritime boundaries between adjacent and opposite nations should be delimited by agreements between the nations. While the UNCLOS gives the guidelines for sensible agreements based on equidistance and equity, yet the South Asian maritime zone remains very much disputed and a potential conflict issue.

Because of competition for territory, varied interpretation of the convention, economic gains and a general mistrust in the sub-continent, the maritime boundary remains unsettled. For example, the attitude of Bangladesh on the delimitation and selection of extraordinary baseline has its basis in India's assessment of her economic needs.

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Likewise, Pakistan's stand on the transit right of the landlocked states and its insistence on more rights for coastal states lies in its economic and strategic importance. The support of Nepal and Bhutan to the issue of Common Heritage of Mankind is based on their respective needs of sharing the economic benefits of the vast resources of the Indian Ocean.

The geographical contour of South Asia makes UNCLES difficult to be incorporated. While, undoubtedly the maritime issue and maritime pollution gives a good chance for regional arrangement and cooperation yet, because of the conflictual situation, remains dim. Any suggestion that the maritime issue can be solved under a geopolitico-legal framework has first to understand the interplay between domestic policies and foreign policies in the region. India-Bangladesh maritime issue is a specific case in point.

**India-Bangladesh**

The South Asian marine affairs are more on lines of discord and divergence. The most active jurisdictional dispute that exists among the Indian ocean littoral states is one between India and Bangladesh in the Bay of Bengal, where an area of 4,000 sq. nautical miles is under dispute in the Bengal basin.

In 1974, when Bangladesh issued exploration right to six companies, India reacted to it as an encroachment upon the "Indian-claimed" sea bed areas, particularly around the
Ashland block. The territorial sovereignty issues with respect to the newly emerged islands within the Bay of Bengal further complicated these overlapping claims.\textsuperscript{35}

The continental shelf area covering these two countries has immense resource options. Hydrocarbons and a teeming fishing sector are primary resources. Although India has an area of 587,600 sq. miles in her 200-mile Exclusive Economic Zone (EEZ), the shelf area, however, is only 131,000 sq. miles.\textsuperscript{36} Bangladesh on the other hand have a smaller coastline but a huge continental shelf area. It is clear hence, that who claims how much of the resource potential continental shelf is at the heart of the dispute and which has become an irritant factor in the two countries bilateral relations.

The conflicting claim lies in the choice of method for lateral definition of the continental shelf around the Ganga delta. India’s claim of EEZ is based on the equidistance principle, while Bangladesh on the other hand, to mitigate the negative effect of a recessed coastline prefers to have a 10-fathom baseline for measurement of 200 nautical miles EEZ, thus enclosing hundreds of square mile of shelf within its internal waters. Bangladesh with this claim brought the Ashland region within its EEZ. On April 30, 1982, India outrightly rejected this claim.\textsuperscript{37} Another problem arose due to the 1971 Indian navy’s discovery of the U-shaped island named New Moore (named Purbasha by India or South Talpatty by Bangladesh) lying 5 nautical miles off the

\textsuperscript{35} M. H. Rahman, “Assertion of claims by Bangladesh to newly formed offshore islands”, Law Asia, 1985, p. 169

\textsuperscript{36} United States, Dept. of State, Office of the Geographer, Limits in the Seas, no. 46, 1972

Ganges delta. India claims the island on the grounds that the flow of the Harinbhanga River is to the east of the island and that the island lies on the natural prolongation of Indian territory. Bangladesh claim is that the river flows to the west of the island so it is not possible to clearly distinguish the natural prolongation of Indian territory.

In this context it can be observed that the political will to reach a settlement on the maritime dispute be underlined by the economic consideration of the Ashland region and the strategic-security consideration of the New Moore Island.

**India-Pakistan**

The vital factors of the quest of energy, economic security and independence have thwarted any resource cooperation and demarcation of the maritime boundary between India and Pakistan in the Arabian Sea. While it goes without saying the resource cooperation would be vital for both the countries yet the hostile political climate and the threat perception between the two countries makes such cooperation a low priority.

The South Asian maritime zone according to law of the sea analysts can be settled with sensible international agreements based on equidistance and equity. But potential conflicts are based on the competition for territory and varied interpretations of the terms of the convention.

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38 Ibid., p.114
Water Conflict, Water Management and Environmental Aspects

The South Asian states have nationalised their water, particularly their rivers and seas. Water within respective boundaries is a “state property”. Such nationalisation not only produces inter-state conflict but also undermines the potential of water development through mutual collaboration and cooperation. In order to safeguard water under the state control, countries in the South Asian region have turned water into a national security issue. A report thus states, “States place more emphasis on the techniques of protection (on absurd secrecy and deployment of security forces, for instance) than on the water being protected and the people using it. This occasionally led to bizarre developments. While people hanker for water, standing in queues for hours or travelling miles to fetch it, the states keep quantifying and debating their water needs. For instance, whether the Farakka barrage has harmed Bangladesh or not, the fact that it has meant devastation for many communities in Eastern India, particularly Bihar and West Bengal, is one of the better kept secrets of the Indian state.”

South Asia is a region of large dams. India alone has about 1,500 large dams. Dams have become a symbol of national development and any criticism of mega-dams is seen as an attack on the nation, its security and its approach to modernisation. The productive capacity and utility of a dam in the region are measured less in terms of environmental, economic, cultural costs and benefits and more in terms of measures such as size, investment, financial outlay, height and grand conception.

While at the national level dams and water management assume a political significance for the ruling establishment at a joint venture level between neighbouring state/s it, however, assumes cost-benefit factors and security aspects. This is so because the South Asian region has always reflected the mix of fear and hope —— that is the legacy of the 1947. The states in the region are linked not only by history, religion, language and culture, but also by shifting economic determinants and bonds of environment which flow through political frontiers like rivers, the control of which have been a constant source of friction and irritation. All have their respective self-image and perception of strengths, weakness and vulnerabilities.

Ganges Water Dispute: India and Bangladesh

Of the 54 shared trans-boundary rivers draining through Bangladesh, the Ganges is the most important. For Bangladesh the Ganges basin is home to about 1/3rd of its population. The people are dependent on the river for agriculture, domestic uses of water, fisheries, forestry and navigation. Apart this Ganges is crucial for the maintenance of the balance of eco-system in the southwest region of the country where the Sunderbans are located. Historically, for Bangladesh the fresh water flow through the Gorai river, the only distributary of the Ganges in Bangladesh, which serves to flush down the intruding salinity upstream from the Bay of Bengal.

When India commissioned the Ganges barrage in 1975 at Farakka in West Bengal 11 miles upstream of the Bangladesh border, little consideration was given to the effect on

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the land, the people and the eco-system in Bangladesh specially during the dry season. The eco-system consideration of Bangladesh raised the issue of the Farakka barrage at the bi-lateral level between the two countries and shaped bitter relations between the two for over two decades before a settlement was reached on December 10-12, 1996 in New Delhi. The dispute, however, goes back to the partition time of the sub-continent. Our periods of negotiations can be outlined before the final settlement in 1996.

**Negotiations between 1947-71**

In 1951, Pakistan drew attention to the Indian government on its proposed project to divert large amounts of the Ganges water during the dry season, to augment the flows of the Bhagirathi-Hooghly River, which serviced the Calcutta port. India responded by describing Pakistan's concern as purely hypothetical. It is clear here that India had reasons — Calcutta port was a vital national installation owing to its export and import importance and hence of a high national interest. However, India's action was unilateral without taking into consideration its neighbouring country.

In May 1952 Pakistan again raised the issue that India was engaging in a multipurpose scheme envisaging the resuscitation of five rivers in West Bengal. India's multipurpose schemes were designed to irrigate large agricultural lands in Bihar and Uttar Pradesh that formed the core agricultural produce. India's approach was yet again unilateral.

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However, in May 1953 India expressed the desire for cooperative development of the water resources of the Ganges with Pakistan.

In June-July 1960 talks between the two countries took place without any conclusion. In March 1961, in London, the Prime Ministers of the two countries agreed to initiate Minister-level consultations, but these never materialised. In 1965, India and Pakistan fought a war and animosity reached a new height. Between 1968 and 1970 five meetings at Permanent secretaries levels were held which was merely a routine exercise without any degree of seriousness. India, however, went along with its project and completed the construction of the barrage in 1970. In 1975 the Feeder canal at Farakka was completed.

**Negotiations between 1971-75**

In 1971, Bangladesh emerged as a new actor after separating itself from Pakistan. Bangladesh under Sheikh Mujibar Rahman took the water issue on a top priority basis with India. In March 1972, India speculating a potential ally in Bangladesh and hoping for a good bargain went in for comprehensive talk. The result was the establishment of the Indo-Bangladesh Joint Rivers Commission (JRC). In the same declaration, the two Prime Ministers announced their intent to sign a Treaty of Friendship, Cooperation and Peace. The statute of the JRC was signed in November 1972. Interestingly, the question of sharing the waters of the Ganges was kept out of the purview of the JRC, to be settled at the level of the two Prime Ministers. This was a tacit acknowledgement that

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42 Ibid., p.220
the Ganges water had acquired political dimensions and implications and, therefore, had to be resolved politically at the highest level.

In 1974, the two Prime Ministers met to discuss the Ganges water again. The two sides expressed their determination that before the Farakka project was commissioned they would arrive at a mutually acceptable allocation of water available during the periods of minimum flow in the Ganges. The JRC was given the task to take up the question of augmentation. Differing perceptions held by the two sides prevented the JRC to arrive at any agreed conclusion.

In April 1975, two ministerial level meetings also failed. However, India's proposal that a test run of the Feeder canal of the Farakka Barrage was necessary in view of the lean period of the dry season that year, enabled Bangladesh to agree. Scarcity of a natural resource (in this case the Ganges waters) was a compelling factor and an initiator for an agreement. Hence, the two sides agreed that India would carry out varying discharges ranging from 11,000 cusecs, in 10-day periods from 21 April to 31 May, while ensuring continuance of remaining flows for Bangladesh.

A few months after the breakthrough, a bloody military coup took place in Bangladesh. Sheikh Mujibar Rahman along with his family members (except for two daughters) was assassinated. With the coup the entire political climate in Bangladesh changed. The junta that emerged was stridently anti-India and rigid in its approach. The change in the

43 Ibid., p.222
domestic climate of Bangladesh critically affected the relations between India. All meaningful communication on important issues, including the all-important Ganges waters, effectively ceased.

Negotiations between 1976-1990

With a hostile political climate in Bangladesh, India continued with its uni-lateral withdrawals. Feeling the pinch in the dry season of 1976, President Ziaur Rahman took the issue to the United Nations in Nov 1976.44

Under the initiatives of the United Nations General Assembly (UNGA), both countries signed an Agreement on November 5, 1977 for sharing the dry season flows of the Ganges available at Farakka for a period of five years (1978-82). The sharing was apportioned according to a schedule of 10-days flows, from January 1 to May 31. Under this arrangement, roughly 60% of the Ganges flows as available at Farakka were allocated to Bangladesh. The flows at Farakka were reckoned at 75% availability of waters as per observed data of flows from 1948-73. The Agreement incorporated a Guarantee clause under which, during the leanest period (from April 21 to May 31) in case of exceptionally low flows (below 50,000 cusecs), Bangladesh was to be guaranteed at least 80% (27,600 cusecs) of her stipulated share for the concerned 10-days period.45 The key question of augmentation was still unsettled. While the JRC was instructed to look into it, no agreement came about as both sides hardened their

44 Ibid., p.223
45 Ibid., p.223
previously enunciated respective positions on Storage dams (Bangladesh) and Link canal (India). The 1977 Agreement expired on 31 May 1982.

Two Memorandum of Understanding (MoU) was signed. One in 1982 this extended the terms of the 1977 Agreement for a period of two years (until 3 May 1984). The other signed in 1986 extended the 1977 Agreement to May 31, 1988. Th clause of the MoU stated that difference between the lowest flow and the standard flow of Ganges water was to be shared on a 50:50 basis. However, the acceptable solution for augmentation still remained unsettled.\textsuperscript{46}

After May 31, 1988 a long period of vacuum followed. With it a slump in the political relations was witnessed and all meaningful dialogue on the subject ceased till the end of 1990 when the political climate in Bangladesh changed.

**Negotiations between 1991-95**

In 1990 following a mass movement led by an alliance of all the opposition parties, the government of President Ershad was forced to step down. As the new government of Begum Khaleda Zia (widow of President Ziaur Rahman) took over, the water situation in Bangladesh worsened owing to the unilateral withdrawals by India since 1988. The changed poetical environment in Bangladesh and the impact of water that was leaving a telling effect enabled the water sharing discussion as a priority issue again.

\textsuperscript{46} Ibid., p. 224
The matter was raised at various summit levels in 1992, 1993, and 1995 but for various political reasons and linkage issue like the Chakma refugees and particularly since the situation had become vastly complicated with the passage of time, the negotiations failed to achieve any momentum. Apart from the Foreign secretary level talk during June 23-25, 1995 no further substantial talks were held. The main point of the talk of 1995 was: to arrive at a permanent sharing arrangement on the basis of existing dry season flow in the Ganges without linking it to the augmentation question.

**Negotiations between July 1996-December 1996**

In 1996 a political change was witnessed in both the countries. In May 1996, the United Front government of Mr. H. D. Deve Gowda came to power in India. A month later, the Awami League under Sheikh Hasina took control in Bangladesh. The serious discussion that followed was marked more by the nature of political change in India. Firstly, the Indian government being a coalition represented a broad interest rather than a one-party thought process. Secondly, it had an External Affairs minister in Inder Kumar Gujral who felt the need for a quick and total settlement. Thirdly, because the Communist party both the CPI and CPI(M) formed the coalition, hence the positive role of the West Bengal Chief Minister, Jyoti Basu was a critical departure from previous negotiating practice.

The final Treaty that was signed on December 12, 1996 by the Prime Ministers of India and Bangladesh highlights an important fact. The fact is the importance of politics in determining resource cooperation. The history of Ganges water sharing has shown that
though resource concern acts as a catalyst in bringing shared and mutually acceptable agreement it is however, the politico --- shaped as it is by domestic compulsion and domestic power configuration --- that finally determines and seals an agreement. Likewise, it is the same political compulsion that can mar an agreement.

A Good Treaty Opens up Other Concerns

The signing of the treaty was a result of political will and determination. The main features of the treaty is as follows:

- The validity is for 30 years from the day of signing. Such long-term duration helps in water resource planning. Donor countries and agencies will be more receptive to requests for assistance in water harnessing projects in Bangladesh. Earlier the agreements were on a short-term basis.

- The treaty has fail-safe provisions against treaty-vacuum. The two sides are bound to meet every five years to take stock and even make adjustment. With this Bangladesh will not be deprived of a fair share of the waters even if the two sides fail to arrive at an agreement at the end of review period. Such share of water will not be below 90% of the agreed share of water in the treaty.

- The sharing will be by ten-day periods from January 1- May 31 every year.

- The sharing will be on a 50-50 basis if the availability at Farakka is 70,000 cusecs or less.

- Bangladesh will get 35,000 cusecs and India the balance of flow if the availability at Farakka is between 70,000 and 75,000 cusecs.
• India will get 40,000 cusecs if the availability is 75,000 cusecs or above. Bangladesh will get the rest.

• During the most critical month of April, Bangladesh will get a guaranteed flow of 35,000 cusecs in the first and last ten days of April and 27,633 cusecs during the period 11-20 April.

• If the flow at Farakka falls below 50,000 cusecs in any 10-day period, the two governments will enter into immediate consultation to make adjustments.

• The sharing of waters is not contingent upon augmentation, as in previous agreements. The treaty mentions the importance of augmentation in the context of long term benefits but will not effect in any way the sharing arrangement.

The treaty has allowed India and Bangladesh to move forward to other areas of dispute:

• The sharing of the waters of the Teesta river on which the continued viability of the Teesta Barrage in Bangladesh is dependent.

• The formation of the South Asian Growth Quadrangle (SAGQ), a sub-regional group under SAARC comprising Bangladesh, Bhutan, India and Nepal was set during SAARC Summit at Male in 1997. This grouping will look into cooperation between the four countries in trade, infrastructure, development and exploitation of natural resources and joint projects involving the ecology and environment.

• The long-festering Chittagong Hill Tracts problems have moved forward with an agreement between the Bangladesh government and Tribal leaders in exile in India. The repatriation of the tribal refugees from the Indian State of Tripura has been completed and their rehabilitation is in progress.
• The two countries have made rapid progress in completing demarcation of the remaining 49 km. Of their common border under the Border Demarcation Agreement signed in 1974.

Water-Resource Conflict: India-Nepal

The headwaters of some of the major rivers in the sub-continent lie in Nepal, which is the upper riparian. Harnessing the waters is vital to Nepal, this can be stated by the fact that the arable area in Nepal is about 2.6 mill. ha. of which only 1.8 mill. ha. are irrigable, of this 0.5 mill ha. is in the hill region. Being predominantly an agricultural country and given the limitation of its irrigable land, water for Nepal is vital. The problem that Nepal faces is that it has not the resources to harness the larger rivers on its own while donors are reluctant to fund these projects without an assurance of India’s willingness to buy the energy surplus to the Kingdom’s requirements and share the cost of other benefits. There is also a perceptional problem that goes back to the Mahakali (Sharda) commissioning in 1928 and that being in Nepal’s view that it did not get the advantage as it was entitled to.

There is no denying the fact that river water cooperation between the two countries has wide advantages not only between the two countries but also for Bhutan and Bangladesh. In fact an initiation on a mutual acceptable river cooperation between India-Nepal can be advantageous to the entire Himalayan region. Such advantages are:

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• Storages in Nepal could contribute towards augmenting water supplies below Farakka — the ‘augmentation’ as discussed in the Indo-Bangladesh relations remains an important question to be settled.

• Brahmaputra the largest river in the sub-continent has a relatively small cultivable area within its basin, moreover, the area within it is highly flood-prone. Indo-Nepal cooperation on storage facilities can offer prospect of conserving destructive monsoon flows for multi-purpose benefits like energy, flood, moderation, irrigation and navigation.

The advantages, however, are brought to test with the perception (usually hostile and suspicious), the political environment shaped by domestic factors and a political will that invariably succumb to the above mentioned factors.

Between India and Nepal there has been certain features of water management since the time the Mahakali (Sharda) barrage was initiated. These are:

• River water initiatives have generally come from India and the response to it from Nepal. India’s initiatives have been based on its own interest. There have been practically no joint initiatives except, for the case of the Karnali (Chisapani) project.

• Irrigation and flood control aspects have dominated India’s interest, which directly relates to the socio-economic setting in the Gangetic plains of Uttar Pradesh and Bihar. The generation of power through harnessing the river waters has been Nepal’s priority on water resource cooperation with India. The basic conflict that emerges is a clash of interest. Only recently has India been interested in hydro-
electricity ventures with Nepal and this is owing to the growth of industrial lobby in the Indo-Gangetic belt.

- Contending priorities is further drawn to the area of sharing of costs between the two beneficiaries on various projects.

- The question of retaining all control during construction as well as in the subsequent operation and maintenance has bogged down project initiatives.\(^{48}\) This power and authority to control such important projects of vital water resource is a feature that exists in the entire Himalayan region, whether it is Indo-Nepal or Indo-Bhutan or Indo-Bangladesh.

**Indo-Nepal Projects and Line of Disputes**

The political establishment in Nepal has always trumpeted the “hydro-dollar dream” — exporting hydropower and generating money. Such approach to hydro-electricity projects reflects a political demagoguery rather than a well thought of project that agrees to eco-system.\(^ {49}\) This “hydro-dollar dream” has initiated groups of contractors, consultants and technical people who have become a strong lobby factor in projecting the dream. This has created an elitist perception in Nepal and pitted against them are poverty, poor infrastructure, dismal education system that hit the majority of people. It is for no reason that in Nepal the hydro-power projects are four to five times more expensive on a per kW basis than in India or Bhutan. In water resource cooperation

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\(^{48}\) Bhim Subba, “Tapping Himalayan water resources: problems, opportunities and prospects from a Bhutanese perspective”, *Water Nepal*, vol. 4, no. 1, 1994, p. 39

\(^{49}\) Dipak Gyawali, “Himalayan waters: between euphoria, dreams and ground realities”, in Kalim Bahadur and M. Thapa, eds., n.9, p. 252
with India—the hydro-dollar lobby and the general people of Nepal—can create considerable influence.

The Sarda (Mahakali) Project, 1928

This goes back to the British Raj but the result of this venture still rankles the Nepali public today. The British in order to meet the transforming plantation economy of the quelled rebellious Oudh Nawabiat initiated the Sarda Canal (domestic compulsion). What it needed from Nepal was the left bank of the Sarda river (Nepal calls it Mahakali) to construct a barrage. The British Raj with their power, manipulation and technical know-how convinced the feudal shogunate of the Ranas in Nepal of the utility of the project. To this effect a land swap was agreed to by Ranas and the barrage was constructed without the eco-system and people participation. The Ranas in order to protect their power and win further favours from the British Raj disregarded the village communities of Nepal and their “farmer-managed” irrigation system. Since irrigation was not a state subject, hence the Rana’s had no right to initiate the project. This perception that India is an exploiter of water resources governs a large portion of the Nepali people. The perception acts as a stumbling block for joint venture on water resource.

50 Ibid., p. 249
51 Ibid., p. 249
The Kosi Agreement in the 1950s

After gaining independence, India in order to meet the irrigation requirements and flood control in Punjab and Bihar respectively initiated the joint venture on the river Kosi with Nepal. India driven by her own domestic need ignored Nepal’s considerations. The result was that the Kosi High Dam, which Nepal then desired, was shelved and the “jacketing” of the lower reaches of the Kosi was adopted in which Nepal’s gains in terms of her perceived priority of hydroelectricity power for export did not feature.\(^{52}\)

Nepal’s argument is that the Kosi diversion schemes which was completed in 1959 by setting up a barrage near the border resulted in considerable loss of land with the bulk of the irrigation and flood control benefits going to India. The Indian response to it was that no injury was intended and that the upstream embankments in Nepal have saved a large area from inundation and brought the area under cultivation. With Nepal’s further claim and accusation, the Kosi agreements were revised in 1964. In this case as in the Sarda barrage, Nepal’s suspicion of India as an exploiter, India’s poor approach in not understanding the physiography of Nepal, poor consultation and lack of transparency led to dispute on the project.

The Tanakpur Hydel Barrage

This hydel barrage constructed on a loop in the Mahakali wholly within Indian territory, has aroused strong feelings in Nepal. Nepal feels that the left afflux ‘bund’ constructed on 2.9 hectares of Nepalese territory is an integral part of the project and along with 9

\(^{52}\) Ibid., p. 250
ha. of submerged land upstream, constitutes Nepal’s contribution towards the project. Loss of land (territory) here is taken as a bargaining chip to get more out of the Tanakpur project. Nepal’s contention, therefore, is that its contribution (loss of land) should be recognised and reflected in the sharing of benefits.

The Indian view on the project is that the left offlux ‘bund’ provides a measure of flood protection downstream and that sovereignty over this area remains with Nepal. Using its geographical advantages and the fact of being an upstream riparian state, Nepal has effectively used this for its advantage. In this particular project, Nepal is to get free of cost 20 mega kWh of energy annually, a head regulator and canal up to the border for future irrigation and a 150 cusec allocation of water.

Whether it is conflicting security perceptions or whether it is pricing, hydroelectric energy potential in South Asia (estimated to be about 250,000 mw or about 45% of world’s potential) is a politically difficult thing. The tenor of political relations shapes resource cooperation. Resource control, exploitation and use are interlinked with perceptions of national security and the role this linkage plays in perpetuating regional distrust and even dispute. This can be further highlighted in the recent India-Pakistan talks.

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54 Ibid., p. 33
Tulbul Navigation Project/Wular barrage: Indo-Pak

The first round of the second leg India-Pakistan dialogue began on Nov 5, 1998. After their respective nuclear testing in May, 1998 both countries decided for a need of talks to iron out long standing issues. The first leg of the talks at foreign secretary level started on October 15, 1998 in Islamabad. The outcome of that talk was to continue talking.

The negotiations over the Tulbul project (as India calls it; Pakistan calls it the Wular Barrage) had been reached to a considerable degree between 1989-1992. But agreements between two seemingly hostile countries with the highest level of conflict reflected through the politico-strategic, security and territorial issue can easily be ruptured. The talks, therefore, was directed at solving “minor” differences on the project.

The dispute is over the proposed construction of a barrage on the Jhelum, downstream from the Wular Lake. India wants to construct this barrage to control the flow of water in the Jhelum in the lean season to make the river navigable. The lean season, according to India is between October to February when the flow of water in Jhelum is about 2,000 cubic feet per second. Good navigability requires double the flow and depth, hence the barrage becomes crucial for India specially talking into account the navigability between two key points ---- Sopore and Baramula in Jammu and Kashmir -

55 Hindustan Times (New Delhi: November 6, 1998)
--- which are important military stations. The work on the barrage began in 1984 but was stopped after Pakistan protested in 1987.

Pakistan argument is that building a barrage on the Jhelum at the mouth of Wular amounts to storage of water which is in contravention to the Indus water treaty of 1960. The timing of Pakistan's protest in 1987 is important. During that time the two countries were on a brink of war or to lightly put it on extreme tension. India under the Congress government of Rajiv Gandhi had openly indulged in verbal bashing of Pakistan and the defence establishment (Mr. Arun Singh, Minister of State for Defence and Gen. Sundarji, the Chief of Army Staff) carried out an enormous "exercise" called 'Brasstack' in the desert of Rajasthan. Pakistan on the other hand was planning out its "low intensity warfare" by sending infiltrators into Kashmir. India's construction of the barrage was for Pakistan a propaganda in telling the international community of India's disregard of the treaty (falling in line of India being a big bully and hence creating the 'Big-Small' state perception) and also stalling vital transporting network in the area (Jammu and Kashmir), crucial for its low-intensity operations.

India's position has been that the construction of the barrage on the Wular is neither an act of storage nor of impounding the waters of the Jhelum but of controlling the flow for navigation. In October 1991 the two sides, bilaterally and under the provisions of the Indus Water Treaty finalised a draft agreement. Pakistan by then had created militancy in Kashmir and mastering proxy-war operations. In order to further this

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\[56\] Times of India (New Delhi: November 6, 1998)
\[57\] Hindustan Times (New Delhi: November 6, 1998)
interest and to create a stumbling block in India’s development schemes in the area, Pakistan wanted that India should not construct the 390 mw Kishanganga Hydroelectric project on the Kishanganga as it would affect its proposed Neelum-Jhelum power project. India understanding the importance of electricity in Jammu and Kashmir gave no commitment.

Strategic matters over Siachen and Militancy in Kashmir stalled talks on this matter. But the talks in New Delhi in 1998 hardly made any inroads. While the discussion was described as “frank and constructive” no concrete settlement was reached. The Indian Water Resources Secretary Z. Hasan said, “That is why discussions will have to be continued.” Whatever e the matter — differing interpretation on the provisions of the Indus Water Treaty of 1960 or Pakistan’s failure to convince India that the project would affect adversely its down-stream projects or India’s failure to convince Pakistan that it would not — it cannot be argued that there can be no mutually acceptable cooperation on it. What governs any settlement is the hostile political climate between the two countries, its security and strategic interest and various hostile perceptions. It is conflict at the highest level that dictates understanding on resource cooperation.

The Sir Creek Maritime Boundary Dispute

Differing positions and differences in interpreting international conventions or even bilateral agreements marks Indo-Pak relations. The Sir Creek reflects the general maritime boundary demarcation in the Arabian sea that has not reached any agreement due to the

58 Quoted in Hindustan Times (New Delhi: November 6, 1998)
lack of urgency and the inherent reluctance (of the parties concerned) to relinquish claim to the sea bed area which may later prove to have commercially potential hydrocarbon deposit —— the energy factor and economic security.

The sixth round of bilateral talks on this complex issue was held in New Delhi on November 9, 1998. Like other earlier talks, this too ended in a deadlock. In this round, Pakistan proposed international arbitration on the issue which India out rightly rejected. Raising issues at international level or calling in for third party arbitration has been an of late feature of Pakistan’s foreign policy vis-a-vis India. It seems this well thought of tactical approach has two essential aspects: one, by trying to “internationalise” issues instead of sticking to bi-lateral framework Pakistan is raising the most fundamental feature of the sub-continental political environment, i.e. the “perception” —— small state syndrome and big state syndrome. To Pakistan being a small state and even smaller when compared to India is an advantage or so it seems, in creating sympathy or favouritisim from the international community. Secondly, and more importantly it is domestically viable (keeping in mind the anti-India populace) for the ruling establishment to adhere to a third party mediation or arbitration than to agree to any Indian proposal.

The Indian side answer to Pakistan’s third party arbitration read as follows, “Pending formalisation of the boundary in Sir Creek, the two sides could consider delimitation of ... maritime boundary from seawards, by commencing at Exclusive Economic Zones
(EEZ) and proceeding landwards upto a mutually acceptable limit as per the provisions of the Technical aspects of Law of sea (TALOS)."59

However, the Pakistani side was unimpressed by this argument that the seaward approach, based on internationally accepted principles, would benefit the two neighbours in exploitation of resources in their respective EEZ.

The only truth that comes out of this dispute is that an incomplete boundary is sure to cause destabilisation in a resource-based area. The resultant uncertainty would also be a disincentive for prospective foreign oil and gas exploration companies.

**The Siachen Issue**

Siachen is the highest battleground of the world. It represents the highest point of conflict between India and Pakistan. Clearly security concern and strategic importance of this desolate area makes it a thorny issue hard to resolve. The November 6, 1998 talks failed to move forward on this issue. India favoured an incremental approach starting with the enforcement of a cease-fire (a reflection of India’s enormous drain of money to maintain military superiority in the zone as well as the rising number of army personnel death). Pakistan on the other hand insisted on the implementation of the 1989 Agreement on the disengagement and redeployment of troops in the high altitude zone.

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59 Quoted in *Hindustan Times* (New Delhi: November 10, 1998)
In responding to the cease-fire, Pakistan proposed that the truce be monitored by the United Nations Military Observers Group for India and Pakistan (UNMOGIP) thus bringing into fold the "internationalisation" of Siachen. The reason why Pakistan stressed upon the 1989 Agreement is the fact that it takes away the period of almost a decade of Pakistan-sponsored proxy war in Kashmir. This to India is very important as it linked its comprehensive cease-fire proposal to an end to Pak-sponsored proxy war in Kashmir.

In other words, the so-called 1989 Agreements harped on by Pakistan were no longer relevant in India's scheme of things, more so on account of the change in the ground situation (militancy in Kashmir) over the past nine years. Taking into account the military establishment influence in decision making in Pakistan, a status quo on the issue is favourable. As Lt. Gen. Inder Verma, the Director General of Military Operations (DGMO) of India said, "The Pakistan objective is to grab a position or at least a foothold in the Saltoro range."60

Given the political situation in South Asia, the control of resources has a strategic purpose attached to it and hence is associated with the security of the state. Resources are integral to security and important in denying a source of power to potential or actual enemy states. Thus 'the environment' has been a strategic resource. As a noted scholar says, "throughout history, the utilisation of natural resources by humans has meant....

60 Quoted in Hindustan Times (New Delhi: November 7, 1998)
fighting between social entities .... over access and distribution.”61 Another scholar suggested the rise of organised warfare in Bronze Age to environmental degradation, “food shortages resulted in raiding and plundering which became institutionalised where it paid off in the form of food, material goods and.... power and prestige.”62

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