Land Boundary Agreement between India and Bangladesh

Table of Content

1 Background................................................................................................................................. 2
2 Proposal of the Agreement.......................................................................................................... 2
3 Execution of the Agreement......................................................................................................... 3
4 Future Impact.............................................................................................................................. 4
1背景

- 尝试自1947年起对印度和孟加拉国（前东巴基斯坦）之间的陆地边界进行全面的解决。1958年的尼赫鲁-努恩协议和1974年《土地边界协议》旨在解决边界标记的复杂性。
- 1947年印度和孟加拉国（前东巴基斯坦）之间的边界划分存在缺陷，导致111个印度占地在孟加拉国（17,160.63英亩）和51个孟加拉国占地在印度（7,110.02英亩）。他们的居民不享受任何国家的公民权利，例如电力、学校和医疗服务。该问题在1947年协议后未得到解决。
- 1974年《土地边界协议》(LBA)于1974年5月16日签署，寻找边界划分的解决方案。尽管印度没有批准该协议，因为它涉及割让领土，并指示在地面上这些区域的界限。
- 2011年修订后的LBA协议在寻求保持现状的情况下，而不是交换领土，以尊重人们希望保留自己的土地的愿望。

2协议的提案

- 1974年《土地边界协议》:
  - 该协议于1974年5月16日签署，以解决边界标记的复杂性问题。孟加拉国批准了该协议，但印度没有批准，因为它涉及割让领土，并指示在地面上这些区域的界限。
  - 根据1974年的协议，印度保留总面积为12的Berubari Union，而孟加拉国将保留Dahagram and Angarpota占地。印度将租借“Tin Bigha Corridor”永久性地连接Dahagram和Angarpota到Bangla大陆。
  - 1974年LBA协议得到了全面实施——尽管印度没有批准，甚至在三个与未标记的边界区域相关的未解决的问题：Daikhata-56（西孟加拉）、Muhuri River-Belonia（特里普拉）和Lathitila-Dumabari（阿萨姆）；交换占地；和反向占地。
  - 印度没有批准该协议长达30年。该协议提议转移占有权和占地。

- 咨询2007年:
  - 在规划协议时，对人们在涉及的区域进行了一个详尽的咨询过程，包括通过中印—孟加拉国代表团访问一些占地和反向占地。
  - 收到的反馈表明，人们居住在涉及的区域，不希望离开他们的土地，而愿意留在他们一生居住的国家。
  - 相关政府的看法，支持重新调整边界以维持占有权的现状也得到了考虑。这与1974年LBA协议的规定相反，该协议规定交换占地，保持占有权和反向占地。
Timeline of the Agreement Process:

- **1974**: India and Bangladesh enter a pact called Land Boundary Agreement (LBA) to swap the enclaves and cede control of the APLs. India also agrees to grant Bangladesh the right to use a 178-meter long and 85-meter wide corridor - Teen Bigha Corridor. This gives Bangladesh access to its South Berubari enclave in Cooch Behar.
- **1992**: Indian government grants Dhaka the right to use the Teen Bigha Corridor. Initially Bangladesh is given the access for limited hours during the day. From 2011, Bangladesh gets complete access.
- **2011**: India signs the protocol to the 1974 pact, paving the way for LBA’s implementation. As per the protocol, the enclave residents can accept nationality of either of the countries and stay on ‘as-is’ basis.
- **2013**: As the agreement will alter national territories, Indian government introduces a Bill in the Parliament. But not cleared due to opposition.
- **2015**: Bill is ratified by the Parliament with consent from concerned states. Decks cleared for implementation.

3 Execution of the Agreement

- Bangladesh and India will implement the LBA of 1974 and the enabling Protocol in a phased manner over the 11 months from date of ratification by Indian Parliament.
- According to an estimate, around 37,000 people are living in Indian enclaves in Bangladesh while 14,000 people are staying in Bangladeshi enclaves in India.
- India and Bangladesh have already completed an exercise in July to ascertain the views of the residents in the enclaves whether they would like to take Indian or Bangladeshi citizenship.
- None living in Bangladeshi enclaves in India wants to shift to that country, as per a joint survey. However, an estimated 600 people want to migrate to India.
- The Centre has already sanctioned a Rs. 3,048 crore- package for rehabilitation of the people affected by the exchange of enclaves under the LBA implementation.
Between July 31, 2015 and June 30, 2016, the entire process, including physical exchange of enclaves and land parcels in adverse possession along with boundary demarcation, is expected to be completed.

India and Bangladesh will print, sign at plenipotentiary level and exchange the strip maps of un-demarcated sectors.

Both governments will facilitate "orderly, safe and secure passage" to the enclave dwellers along with their "personal belongings and movable property" to Bangladesh or India through proper "travel documents", according to a letter exchanged by the two countries. The passage "will be arranged by the respective governments by November 30, 2015".

India and Bangladesh have also outlined the modalities of a complex process of settlement of immovable property. The dwellers, who are hoping to move from one enclave to another country as proper citizen for the first time since Independence, will have to provide "details of the records and specifications of immovable property" to the local district administration.

The details will be posted in the public domain by the administrations and the governments will "facilitate remittance of sales proceeds" of the property.

4 Future Impact

The effective management of our borders is the first essential step to creating a defined and peaceful boundary that will provide a stable and tranquil environment for cross-border cooperation with Bangladesh.

Implementation of LBA through the exchange of enclaves will mitigate a major humanitarian issue as the residents of the enclaves have had to endure the absence of basic amenities and facilities for many decades in the absence of any such settlement.

The ratification of LBA would be a historic step culminating in the demarcation of the land boundary between India and Bangladesh, a task that has remained unresolved for decades, and not replicated elsewhere along our borders in recent times. It adds strength to India’s ‘Neighborhood First’ policy aimed at integration of the Sub-Continent by resolving protracted territorial disputes.

Both sides have arrived at this agreement in a spirit of friendship, mutual understanding and a desire to put these issues behind us. The agreement has been welcomed by the people of both countries and will lead to easier management of the international border by the border guarding forces.

The conclusion of this agreement has huge impact on resolution of other long standing border disputes with China and Pakistan.

The South Asian region is one the most conflict affected and disturbed region. By unveiling an expansive action plan in Dhaka for economic integration and trans-border connectivity, India can end the widespread negative narrative on the subcontinent’s prospects and extend the positive dynamic in the east to the north and the west.