

The Daily Star

A new horizon of cooperation

Ishfaq Ilahi Choudhury



THE judgment on the maritime boundary dispute between Bangladesh and India and its acceptance by both parties has ushered in a win-win situation for all. The maritime boundary between the two countries was not delimited since partition in 1947. The Radcliff Award that partitioned Bengal left the boundary between the two states at the “Mid-stream of the Hariabhanga River.” In 1974, Bangladesh drew a line due south from Hariabhanga River in the west and the Naaf River in the east up to 200 nautical miles, bringing the whole region within its Exclusive Economic Zone (EEZ). This was disputed by both India and Myanmar, who drew their own lines that included a large sea area claimed by Bangladesh.

Bangladesh had faced problems with both the neighbours with fishery rights and energy

search due to the undemarcated maritime boundary. While our dispute with Myanmar involved a much larger sea area with higher economic potential, the dispute with India was often exploited as a political tool by elements within Bangladesh. The South Talpatty, a small island that emerged in the mouth of the Hariabhanga River became a bone of contention between the two states. In the early 1980s, the incident even led to deployment of naval and coast guard ships from both countries, trying to establish their claims. Thankfully, the tiny island that emerged after the Great Cyclone of November 1970 gradually disappeared by 2000.

From Bangladesh side, while there was much rhetoric, there was little substantial work done to solve the maritime boundary problem, either bilaterally or through international mediation. In fact, our preparation to build up a case in our favour was quite inadequate. Rear Admiral (Retd) Khurshed Alam, then a young Naval Officer, was a lone fighter -- writing, talking and arguing about the urgency of settling this issue, but hardly anyone was in the listening mood at the time.

Credit must be given to the Awami League government that came to power in 2008, when for the first time a process was started to build a case for EEZ for Bangladesh in the international tribunal. The initiative definitely belonged to Prime Minister Sheikh Hasina and then Foreign Minister Ms. Dipu Moni. Cdre. Alam was recalled from retirement and promoted to the rank of Rear Admiral, and a separate cell was created under his leadership within the Ministry of Foreign Affairs to deal with the issue of EEZ.

Thanks to the hard work, meticulous planning, collection and collation of huge details, and finally presenting a solid case, we have got favourable judgments in both Myanmar and India's case. In case of Bangladesh-India, of the disputed 25,602 sq.km, Bangladesh got 19,467 sq.km. i.e. 76% of what was claimed by us. Prior to both the judgments, the country was sea-locked, i.e. our access to the continental shelf was blocked by the two claimants on our east and west. With this judgment, we now have unimpeded access to the continental shelf.

Peaceful and amicable settlement of maritime dispute between Bangladesh and its two neighbours could be an example in the international arena at a time when in many parts of the world maritime disputes are emerging as major flash points. For example, in the South China Sea, disputed maritime boundary between China and its neighbours -- Vietnam, Indonesia and the Philippines -- is causing grave tension. This has resulted in increased military expenditures, especially naval build up, in the region. US Naval presence in South China Sea is now at its height since the end of the Vietnam War. The recent decision by Japan to reorient its forces from purely defensive to offensive posture is also a result of the increased tension in the South China Sea. Against these backdrops, peaceful settlement of Bangladesh-Myanmar and Bangladesh-India maritime boundaries is a major achievement.

All the three countries now can go ahead with their plans of search and extraction of energy and mineral resources and exploitation of fisheries. This could be an occasion to remind ourselves that through mutual understanding, goodwill and if need be, with international arbitration, we can solve many issues that act as irritants and obstruct mutually beneficial relationships. It would be in India's long-term interest to speedily implement the Land Boundary Agreement and sign the Teesta River Water Sharing Agreement with Bangladesh. These will further open up new vistas of win-win relationships between the two countries.

The writer is Air Commodore (Retd), and Registrar, East West University.

Published: *July 10, 2014*