

INDIA FOUNDATION JOURNAL



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India Foundation is an independent research centre focussed on the issues, challenges, and opportunities of the Indian polity. The Foundation believes in understanding contemporary India and its global context through the civilizational lens of a society on the forward move. Based on the principles of independence, objectivity and academic rigour, the Foundation aims at increasing awareness and advocating its views on issues of both national and international importance.

With a team of dedicated professionals based at its office in New Delhi, the Foundation works with partners and associates both in India and overseas to further its stated objectives.

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The India Foundation Journal is led by an Editorial Board of eminent scholars and leaders from various spheres of Indian public life. The bi-monthly journal covers a wide range of issues pertinent to the national interest, mainly focusing on international relations, national security, legal and constitutional issues and other issues of social, religious and political significance. The journal seeks articles from scholars with the intent of creating a significant body of knowledge with a nationalist perspective and establish a recognised forum for debates involving academicians and policymakers.

A Changing World Order: Challenges for India

Dhruv C. Katoch*

Introduction

The last couple of years have witnessed two cataclysmic events which are now shaping a new world order. The first of these was the emergence of a pandemic, caused by the spread of the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), which caused the coronavirus disease (COVID-19). The first reported case of COVID-19 occurred in China as early as November 2019. The virus would soon engulf the world in a pandemic that still has not been brought under control, despite the fact that we now have a vaccine to ward off the more lethal aspects of the disease. The second event was the takeover of Afghanistan by the Taliban on 15 August 2021. Both these events, when viewed through the prism of national security, throw up a series of possible challenges which India may have to confront in the coming years. These would require to be addressed at the highest policy making levels.

Three additional factors that will contribute to global instability, and which India will have to confront are the impact of climate change, the global thirst for natural resources and the quest to be a leader in the development of advanced technology.

The Pandemic

SARS-CoV-2 is possibly a man-made virus, which emerged from the Wuhan Institute of Virology (WIV), in Wuhan, China. Chinese

reticence in the matter and the fact that it withheld information, has fuelled suspicions of a “lab-leak”.¹ But the strategic implications are important for India to take note of. We are entering the era of bio-weapons and while these may have been banned by the UN Biological Weapons Convention, which effectively prohibits the development, production, acquisition, transfer, stockpiling and use of biological and toxin weapons,² many countries still continue to carry out such experiments, and may even have stockpiled such weapons. The possibility of such man-made disasters occurring in the future, or the deliberate use of such weapons by a hostile power, hence cannot be ruled out.

India had limited resources to handle the pandemic in early 2020, but facilities were soon ramped up and through preventive measures such as closing down the country, a large-scale tragedy was averted. But we cannot be in a governance mode which is only dependant on shutting off people from work in order to save lives, as this impinges on the livelihood of the poorest of India's poor. We need to have organisations and systems in place to provide early warning of emergencies which may occur due to biological or any other form of attack and have plans in place to deal with such eventualities. The strategy must be to formulate preemptive policies on national emergencies and not act through disaster management procedures. This requires a measure of political unity across party lines and a very agile and forward-looking

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bureaucracy, which can assess a situation and take focussed action on a geographical area to contain the spread, rather than a 'one size fits all' approach. Obviously, a lot of advanced thinking and contingency planning would be required, which can be put into motion as and when the need arises. For this, all organs of the state must work in synergy to overcome the challenge at hand. Prompt action is important. India did not study the China case immediately after it occurred, perhaps because the Chinese kept a tight lid on the matter. In any case, the information available was sketchy and little was known then about SARS-CoV-2, but in future, all our embassies abroad as well as the health ministry in the Centre and in each state need to keep track of any such occurrence anywhere in the world, to enable a more strategised and coordinated approach to tackling future pandemics.

On the positive side, the efforts of India's scientist in developing a vaccine, which many thought was not possible for India to achieve, was indeed laudable. The Prime Minister and his government gave full support to all such efforts, which was why India has emerged as the major supplier of vaccines, not just for its own population, but also to the world.

A major fall out of the pandemic has been the disruption of supply chains. The supply shock that started in China in February 2020 was followed by a demand shock as the global economy shut down exposing vulnerabilities in many critical sectors and leading now to what can loosely be termed as economic nationalism.³ This is a lesson India and indeed the rest of the world has learnt to its cost, as many countries had critical dependencies on China. The need for diversification of

imports for critical items, especially in critical sectors such as pharma has to be ensured, to avoid shortages in times of crisis.

The Taliban Takeover in Afghanistan

The Taliban takeover of Afghanistan was a foregone conclusion, once an agreement was reached between the US representatives and the Taliban leadership in Doha on 29 February 2020.⁴ The Afghan government was not part of the accord which further eroded its credibility. President Biden committed the US to withdraw all forces in Afghanistan by 31 August, the deadline being given to mark the passage of two decades of the September 11 terror attacks on the United States. The Taliban however did not wait for the deadline to end and by mid-August, in a series of attacks on the Afghan forces, had taken over most parts of the country and were on the outskirts of Kabul. By the evening of 15 August, Kabul fell to the Taliban without a shot being fired, leaving the country in total control of the Taliban.

The implications of the Taliban takeover of Afghanistan are many. It marks a shift in the geo-strategic landscape of Central Asia, with the US no longer a major voice in the region. Surprisingly, none of the regional players, especially Russia and China have moved in to fill the vacuum left by the withdrawal of US forces. As of 31 October 2021, no country has accorded recognition to the new regime. An essential condition to regime recognition will be a more inclusive government and the grant of rights to women in Afghanistan. The Taliban may be constrained in treading a more liberal path as other terrorist outfits in Afghanistan, such as the Islamic State could exploit this to further their

own agenda. In the meantime, the possibility of Islamic terrorist organisations making their way to Afghanistan, to seek a safe haven, is high. This could lead to such groups using Afghan territory to plot attacks in other parts of the globe. How the situation unfolds is to be seen, but the possibility of Afghanistan slipping into civil war remains a high possibility.

For India, the events in Afghanistan can have three possible major repercussions. One, it could lead to a spurt in terrorist activity within the Union Territory of J&K. This is premised on the possibility of Pakistan sending in terrorists from Pakistan based organisations such as the Lashkar-e-Taiba, which were earlier fighting alongside the Taliban and which now can be used against India. This level of threat however, will pose but a limited challenge to India, as security in the hinterland as also along the Line of Control is adequate to deal with such elements.

A more insidious threat however, is the spurt in radicalisation that could occur within India, through a virulent Islamic ideology emanating from Afghanistan, calling for the establishment of an Islamic state in India. Some of the states that could be vulnerable to such an insidious form of subversion are West Bengal and Kerala as also the Union Territory of Jammu and Kashmir. Indian agencies would need to keep a tight watch on the social media and on the activities of subversive groups to prevent such an occurrence from gaining credence. It would show in civil disturbance movements which could align themselves with political groups and NGOs, ostensibly to highlight local concerns, but with an ulterior motive of destabilising the state.

The third threat that could possibly manifest is the Pakistani state coming under Taliban rule, facilitated by the military. While the possibility is low, seeing the extent to which Pakistani society has been radicalised, it cannot be summarily dismissed either. The danger to India would be a human crisis in Pakistan that could potentially lead to millions of Pakistanis fleeing their homes to seek shelter in India, just as the Afghans are fleeing their homeland now. How such a situation is to be dealt with, should it come about, needs to be thought of and factored into our security calculus.

Non-Conventional Threats

The threats we face are not confined to the internal and external security domains but reflect in other sectors as well. Here, I make mention of three potential areas of concern, whose impact on India could be debilitating. The first of these is the impact of climate change leading to a rise in ocean levels. Amongst India's neighbours, Bangladesh would be greatly impacted, with large swathes of its land mass getting submerged. This could possibly lead to a huge human migration, with the only refuge being in India. How such a contingency can be handled, would also need to be a part of the security matrix of the country.

Shortage of resources caused by a black swan event could also be a critical destabilising factor. We need to look into probable events that could occur, such as the possibility of a conflagration taking place in the Gulf, which could potentially lead to the closure of oil producing facilities as well as of shipping across the Strait of Hormuz. As India is dependant on energy from the Gulf, such an eventuality would be catastrophic and would

set back India's development effort by many years.

Of equal import is the need to protect our indigenous industry. Not just our hostile neighbours, but all our competitors would like to see India dependant on them. As an example, there is a distinct attempt being made to stifle India's copper and aluminium production. The intent is covered under the garb of environmental protection and other such social causes. But we need to take a deeper look at who the beneficiaries are in this game and ask why buying from them is not creating similar environmental concerns in their country. We need to stop being gullible and chart a course that is in India's interest and not get enslaved again by foreign powers.

Advanced technologies will play a major role in the ability of major powers to gain dominance in the world order. Emerging fields such as Artificial Intelligence, Quantum Computing, spatial computing, Green Hydrogen, Biometrics, Augmented Reality/Virtual Reality, Blockchain, Robotics, Internet of Things (IoT) are some of the exciting technologies that will shape the way we live, work and interact with each other. The leaders

in these fields will be the dominant players in the new world order, and India cannot miss the bus as we did earlier in the industrial revolution. This is a field where competition is intense and the line between friend and foe get blurred. India will not only have to invest in these technologies, but will have to ensure the safety of our scientific manpower.

Conclusion

The challenges India faces in the emerging new world order are immense and encompass a wide range of conventional and non-conventional threats. Our ability to maintain social harmony will be a critical factor to enable the achievement of development goals. We have a political leadership that has the vision to take India forward, but it would require a very agile bureaucracy to foresee potential challenges and to implement the goals set out. A change of mindset in the bureaucracy from controllers to facilitators is also the need of the hour. Bharat can rise if the ordinary Indian is unshackled, the society remains cohesive and an environment for excellence is created across all domains.

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A World Union Based On Resurgent Asianism

Ram Madhav*

Hindu and Buddhist priests and monks were the first people to carry India's influence across its boundaries two millennia ago. The Buddhist monks largely chose the land routes with the exception of Sri Lanka, where Buddhism was taken by the son and daughter of emperor Ashoka – Mahinda and Sanghamitra – in 3rd century BCE. Monks from Northern India had traveled to Tibet, China, Mongolia and Bhutan carrying the religion of Buddha. On the other hand, the Hindu priests too managed to reach countries as far as Cambodia, Vietnam and Indonesia in the initial centuries of the first millennium carrying with them the benign religion of Hinduism. While there were references to instances of the Greek and Hindu scholars exchanging philosophical ideas in the pre-Christian era, recorded evidence of Hindu influence over the countries in the Indian Ocean region dates back to 4th century CE.

Almost for a millennium after that, the region, which is today described as South East Asia, used to be called as Greater India. Although the southern empires like the Cholas and Pandyas had undertaken military expeditions through the great oceans to expand their influence over remote islands like Borneo and Bali, it in effect remained cultural only to a great extent. The religion and culture of the benign colonisers were heartily welcomed by the subject societies leading to establishment of not only the religious customs and

traditions but also large temples and monuments. From Bali in Indonesia to Cham areas in Vietnam to Angkor Wat ruins in Cambodia, the living and historical evidences of the influence of India is conspicuous to this day.

History progressed, and socio-politico-religious realities of these lands had undergone major changes over centuries. India too was preoccupied with its battles against the invaders for almost a millennium, and hence had no time for its cultural empire. Yet, the historical memories did not fade away. When the time came to unshackle from the imperialist yoke, India did not think only about itself, but the entire Asian neighbourhood. If Rishi Aurobindo talked about Asian renaissance as India's historic responsibility, Gandhi and Nehru talked about Asian relations for anti-imperialist brotherhood.

In his address to a radio station in Tamil Nadu on the eve of independence, which also happened to be his birthday, Rishi Aurobindo talked about his five dreams.¹ While advocating for freedom and unity for people of India as his first dream, Aurobindo turned to Asian resurgence as his second dream in which India had an important role to play. "Asia has arisen; large parts are now quite free or are at this moment being liberated; its other still subject or partly subject parts are moving through whatever struggles towards freedom. Only a little has to be done and that will be done today or tomorrow. There, India has her part to play and

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has begun to play it with energy and ability which already indicate the measure of her possibilities and the place she can take in the council of nations,” he exhorted.

A few months before Aurobindo’s exhortation came the Asian Relations Conference on 23-25 March 1947 called by Jawahar Lal Nehru with the objective of bringing about a “psychological revolution,” “a new imagination of Asia”. There were 230 delegates and observers from 30 countries at the conference, highlighting the faith and trust reposed by many of them in India’s leadership. A new ‘Asianism’ or ‘Third Worldism’ was born at the conference. Unlike the Asianism of India thus far, which was limited to the cultural remnants in Greater India, Nehru’s mission was to create an Asian federation that would eventually be a step in the direction of greater world federation. Interestingly, Aurobindo too talks about the same idea as his third dream a few months later.

Although Nehru declared that his intention was not “against anybody,” he and other speakers at the conference were equally categorical that the new Asianism would make sure that Asians wouldn’t become the “playthings of others”. There was a clear desire articulated by many speakers at the conference that Asia should be free of Western influences. It cannot be Communist either. Hence the idea that Asian nations should form a coalition as Third World countries.

Gandhi was invited to deliver a speech on the last day of the conference. He made certain interesting observations. Terming all wise men from Zoroaster to Buddha to Jesus to Mohammad – not to talk of Rama and Krishna – to be belonging to East, Gandhi emphasised on Asia’s antidotal

message to the West. “What I want you to understand is the message of Asia. It is not to be learnt through the western spectacles or by imitating the atom bomb. In this age of democracy, in this age of awakening of the poorest of the poor, you can redeliver this message with the greatest emphasis. You will complete the conquest of the West, not through vengeance, because you have been exploited, but with real understanding. I am sanguine, if all of you put your hearts together - not merely heads - to understand the secret of the message these wise men of the East have left to us, and if we really become worthy of that great message, the conquest of the West will be completed. This conquest will be loved by the West itself”, Gandhi told the conference.²

Asian Relations Conference did not survive for long. Nehru’s Asianism dream died its quiet death after the Bandung Conference of Non-Aligned nations in Indonesia in 1955. But Asianism and Third Worldism did not die. Asianism survived through different experimentations in the region like EAS, SAARC, BIMSTEC and IORA. It manifested through the principle of ‘Neighbourhood First’ in 1990s and transformed into the principle of ‘together we grow’ under Prime Minister Narendra Modi. Third Worldism took the shape of non-alignment in later years and ‘strategic autonomy’ today.

At a time when a new Cold War is beginning to threaten the world order, India needed to turn a leaf or two from the old-world politics of Asian centrality and strategic neutrality. More importantly, it should realise that it has a much bigger role to play in the world politics than what Nehru had intended to seven decades ago.

Asianism of the last century did not succeed partly because India and China – two large nations in the region – could not get along. The Sino-Indian War of 1962 had thrown water over Indian romanticism about leading the Third World with Asian centrality. But the fact that its immediate playground is its Asian neighbourhood was never forgotten. With the formation of SAARC and BIMSTEC, it tried to return to its pet theme. It evolved further when India became a full dialogue partner with ASEAN in 1995 and developed its own ‘Look East policy’.

Nelson Mandela, the legendary leader of South Africa visited India in the same year. That visit had resulted in the birth of another regional coalition called the Indian Ocean Rim Association – IORA. During Atal Bihari Vajpayee’s regime, the Look East policy has been upgraded into Act East policy. Through these initiatives India tried to revive its Asianism theme. It had its Achilles’ Heel to its west in Pakistan and by extension the Arab and Islamic Middle East and West Asia. In the last few years, Prime Minister Narendra Modi has successfully attempted to overcome the jinx and build stronger ties with that region too.

While the 20th century ended with the collapse of the Cold War politics, the world did not remain multilateral for long. A new Cold War is taking shape in the new century with Eurasia and Indo-Pacific emerging as the epicentres of global power politics. Unlike the last century when the Cold War between the Soviet Union and the United States was fought in far away Pacific-Atlantic region, the new Cold War is raging in India’s immediate neighbourhood.

One of the central themes of the Asianism of 1940s and 50s was that Asia wouldn’t be allowed

to become a playground of big power rivalry. In his Shangri La address in 2018 at Singapore, Prime Minister Modi reiterated it by insisting on Indo-Pacific region to be inclusive and peaceful.³ Many Asian nations aspire for it as new war clouds gather in the region.

Like at the time of budding Asianism in the last century, China remains a challenge in this region now also. During the last Cold War, China benefitted massively by siding openly with America from 1970s onwards. China’s current economic prosperity is a gift of America in the 1980s and 90s. India cannot afford such politics because the new Cold War is being fought at its doorstep. Aggression of China in the Indo-Pacific region and formation of new military alliances like AUKUS led by America to counter that aggression have the potential to turn the Asian region into an Armageddon. Together, they will bring highest number of nuclear submarines in India’s backyard.

India needs to recalibrate its response to this evolving challenge carefully. Western Quad may be a romantic idea to checkmate China in UAE and Israel, but what is more important for India is the Indian Ocean region. Countries in this region look up to India as the biggest power in the neighbourhood. At the Asian Relations Conference, there were a large number of leaders present from this region and they were the most supportive of all to India’s leadership. In a way, it is India’s natural region of comfort.

India needs to invest more energy on this region. It’s relations with immediate neighbours like Nepal, Bhutan, Myanmar, Bangladesh and Sri Lanka, with whom it shares a strong cultural and people-to-people bonds, need greater attention.

China's footprints are all over in the region. India needs to go beyond its diplomats and build newer and firmer bridges with leaders and peoples in these countries.

There is a misplaced obsession with India's soft power potential in its neighbourhood among sections of Indian political establishment. It is time we realised that soft power in its conventional form is an over-used and outlived concept. Need of the hour is smart or sharp power, where the cultural advantages are used strategically to secure national interests. Building an International Airport at the Buddhist pilgrim centre of Kushinagar in Uttar

Pradesh by Modi government is one such example of smart power in action.⁴

While we should continue to benefit from our growing bonds with America and other western powers, we must never give up on the core principles of foreign policy set at the time of independence that include Asian centrality, inclusivity, and strategic autonomy. While China is a 'risen power,' India is the 'rising power' in the region and if strategised well, it has the potential to play the pivotal role in building a 'world union' envisaged by Aurobindo and other leaders of independence on the basis of a resurgent Asianism.

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Afghanistan and the New Grand Chessboard

Sandhya Jain*

The return of the Taliban in Afghanistan has triggered a new ‘Great Game’. From the time Tsarist Russia and the British Empire vied for influence in Central Asia, Afghanistan has been a pivot of great power rivalry. While London and Moscow avoided conflict and the British retreat from the subcontinent in 1947 provided a lull, things changed with the Soviet invasion in 1979. Moscow retreated a decade later, leading to the eventual rise of the Taliban, till the 2001 terror attacks on American soil led to US intervention. Washington’s retreat two decades later facilitated the Taliban’s return; its impact is reverberating across the globe.

AUKUS–NATO

Soon after Taliban walked unopposed into Kabul on 15 August 2021, President Joe Biden announced a security alliance on 15 September 2021, comprising Australia, the United Kingdom and the United States, known now by its acronym - AUKUS.¹ This nuclear coalition was created to bypass a declining North Atlantic Treaty Organisation (NATO) and European Union (EU), balance the constraints of the Quadrilateral Security Dialogue (Quad), defend Taiwan, and contain China’s assertiveness in the Indo-Pacific region. The AUKUS stunned Washington’s NATO and EU allies; France’s US\$ 90 billion submarine deal with Australia was collateral damage.

Mocked by critics as an Anglo-Saxon pact, AUKUS is an alliance of three nations, neither of whom have land links with Eurasia. Britain, once the paramount naval power, is keen to return to

Oceania, while the United States is the world’s preeminent naval power. Between them, they can provide heft to the Australian navy and help overcome Canberra’s concerns about a direct attack from Beijing, to which it has closest proximity. Australia was the natural choice to complete the alliance as it is a member of the “Five Eyes” intelligence gathering system presided over by the United States.

The new trilateral alliance was needed because pacts like A-NZ-US have long been dead. Moreover, New Zealand had opted for nuclear disarmament in 1985 and reiterated its decision to deny nuclear-armed or nuclear-powered ships access to its ports.² The European Union is not a military power and some members desire a truce with China that is now the EU’s largest trading partner and investor. Europe also relies on Russian oil and gas for energy. The Association of Southeast Asian Nations (ASEAN) is keen on a vast free trade area that includes China. Philippine Foreign Minister Teodoro Locsin, however, welcomed the pact as ASEAN member states lack the military resources to maintain peace and security in the region.³

The key concern in Washington and London is Taiwan, which the People’s Republic of China may try to seize by force. Analyst Ram Madhav observes in the event of conflict in the Taiwan Straits, Washington would need Australia as a base as the Okinawa base in Japan has become obsolete with China’s improved missile capability.⁴ The AUKUS Pact will bring the trio to Taiwan’s rescue.

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At the G7 summit in Cornwall, UK, in June 2021, Japan emphasised the importance of Taiwan's security. Analyst Thierry Meyssan believes that Biden, Morrison and Johnson discussed the new alliance in Cornwall.⁵

The presence of Australian Foreign Minister Marise Payne and Defence Minister Peter Dutton in Washington suggests the pact goes deeper than buying nuclear submarines and could cover space, missiles, quantum computing, cyber-warfare, underwater systems, long-range strike capabilities, artificial intelligence and grey warfare on the internet. Vice-Admiral David Johnston, Vice Chief of the Australian Defence Force, also attended the White House meeting.

The AUKUS will equip Australia with Tomahawks and Hornet missiles and involve it in research into hypersonic missiles that can compete with Russian nuclear missiles.⁶ Over 18-months, the allies will decide whether the British or American submarine is the best option for Canberra, along with workforce, shipyard and training needs. Construction would begin "within the decade" and the first submarines could be operational by end-2030s.

Diplomatic engagements, however, continue. On September 10, President Xi Jinping made a telephone call to President Biden to resolve the issue of Meng Wanzhou, chief financial officer of telecom giant Huawei, who was detained in Canada at Washington's request in December 2018. She was released on September 24 after all charges were dropped; simultaneously, former Canadian diplomat Michael Kovrig and businessman Michael Spavor, held soon after Meng's arrest, were released from Chinese jails and sent back to Canada.⁷

On September 28-29, the 16th round of US-PRC Defence Policy Coordination talks were held

between Michael Chase, US deputy assistant secretary of defence for China, and Chinese Major General Huang Xueping, via video conference. In early September, Beijing urged Canberra to facilitate its joining the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, hinting at the need for cooperation despite some glitches (Beijing imposed punitive sanctions against Australia because Canberra sought an investigation into the origins of the coronavirus pandemic). In return for TPP-11 membership, Beijing could reopen its markets to Australian products before the elections of 2022.⁸ Reuters, China applies to join Pacific trade pact to boost economic clout, Sep 17, 2021.

Meanwhile, President Biden spoke with President Macron on September 22; France agreed to send back the French ambassador to Washington.⁹ The two leaders will meet in Europe in late October. It is pertinent that France is the only European nation with nearly two million citizens in the Indo-Pacific, an Exclusive Economic Zone (EEZ) of 11 million sq. km., and a military presence of 8,000 personnel. It is an important pillar of America's Indo-Pacific strategy.

President Macron also spoke with Indian Prime Minister Narendra Modi on telephone on September 21.¹⁰ They reaffirmed a commitment to act jointly in an open and inclusive Indo-Pacific, including in the framework of the Europe-India relationship and European initiatives in the Indo-Pacific. Both leaders expressed concerns about the situation in Afghanistan, and urged the new authorities in Kabul to sever ties with international terrorism, permit humanitarian bodies to operate throughout the country, respect the fundamental rights of Afghan women and men, and permit evacuation operations to continue unhindered.

QUAD

The burning question, after the AUKUS emerged as potentially the world's most powerful military bloc, is how will it complement the Quad? The Quad members resent China's claims in the South China Sea and East China Sea, but have articulated a broad social agenda and shied away from being perceived as an "Asian NATO". As India is the only member sharing a large land border with China, the advent of AUKUS has spared New Delhi from being "driven" into military confrontation outside its comfort zone. India's goals are to protect its northern frontiers and the Indian Ocean Sea lanes.

Indian foreign secretary Harsh Vardhan Shringla explained that the Quad is a "plurilateral grouping of countries with a shared vision of their attributes and values," while the AUKUS is a trilateral security alliance.¹¹ Shringla said there is no link between the Quad and the Malabar naval exercise conducted by the navies of India, US and Japan, which Australia joined for the second consecutive year in 2021. However, the Quad agenda includes counterterrorism exercises and could include Quad-plus exercises such as the French-led La Perouse exercise in the Bay of Bengal in early 2021.

As the AUKUS and Quad summits were hosted simultaneously by President Biden, the Australian Prime Minister brought his intelligence chiefs for additional heft: Andrew Shearer (director general, Office of National Intelligence); Rachel Noble (head of Australian Signals Directorate); Mike Burgess (ASIO chief); and Paul Symon (chief of overseas spy network, Australian Secret Intelligence Service). They interacted with their counterparts from India and Japan during the Quad dialogue.

The Biden Administration had hosted the first-

ever virtual summit of leaders in March 2021, and on September 24, it hosted the first in-person summit, attended by Australian Prime Minister Scott Morrison, Indian Prime Minister Narendra Modi, and Japanese Prime Minister Yoshihide Suga.¹² The Quad identified several areas of co-operation, notably COVID and Global Health (including delivering free vaccines in the Indo-Pacific); Infrastructure; Climate (including a Clean-Hydrogen Partnership); Critical and Emerging Technologies (including a Semiconductor Supply Chain Initiative; 5G Deployment and Diversification; Biotechnology Scanning); Cybersecurity (including sharing Satellite Data to Protect the Earth and its Waters); and People-to-People Exchange and Education (including a Quad Fellowship to nurture next-generation talent in all countries in the STEM fields).

The members observed that Beijing achieves supremacy by controlling technologies, building infrastructure and creating dependencies by encouraging debt. They proposed providing reliable alternatives to China's BRI (Belt and Road Initiative) by building better infrastructure, ensuring equitable growth, fighting climate change and controlling pandemics. Offering infrastructure could meet a felt need of developing countries in the Indo-Pacific region. Since 2015, the member countries have collectively delivered thousands of projects and over US\$ 48 billion in official finance for infrastructure in the region.

The Coronavirus pandemic revived the altruistic spirit and Quad pledged to provide 1.2 billion Covid vaccine doses in the Indo-Pacific by 2022, in addition to doses financed through COVAX, India's decision to resume export of Covid-19 vaccines, including to COVAX, beginning October 2021, was acclaimed widely.¹³ A Quad-

Plus group has been formed with New Zealand, South Korea, and Vietnam, to coordinate responses to the pandemic.

The meeting highlighted the security threats posed by China and Pakistan, and the need to monitor Pakistan's ambitions in Afghanistan by ensuring that UN Security Council resolution 2593, passed in August under India's presidency, is upheld. It urged that Afghan territory should not be used to shelter or train terrorists. The joint statement denounced "the use of terrorist proxies" (Pakistan-sponsored) and called for "denying any logistical, financial or military support to terrorist groups which could be used to launch or plan terror attacks, including cross-border attacks".¹⁴

SCO

On 17 September 2021, Tajikistan President Emomali Rahmon hosted the 21st meeting of the Shanghai Cooperation Organisation (SCO) in hybrid format. Prime Minister Modi, who attended virtually, highlighted the dangers of growing radicalisation and extremism in the broader SCO region and proposed that SCO consider working to promote moderation and scientific and rational thought with the region's youth.¹⁵ The SCO Summit was followed by an outreach session on Afghanistan between SCO and the Collective Security Treaty Organisation (CSTO). In his message, Modi suggested that SCO develop a code of 'zero tolerance' towards terrorism in the region, and highlighted the risks of drugs, arms and human trafficking from Afghanistan.¹⁶

Iran entered the SCO as a full-fledged member. President Ebrahim Raisi expressed Iran's desire to expand ties with countries in Central and East Asia.¹⁷ He said Iran brings major geopolitical advantages to the group, including its large

population, abundant mineral wealth and strategic location in the Middle East. China is keen to expand its BRI westward. Russian President Vladimir Putin observed that the MoU between the SCO Secretariat and Eurasian Economic Commission will further Russia's idea of a Greater Eurasia Partnership covering the SCO, the Eurasian Economic Union, Association of Southeast Asian Nations and the BRI.

After the Quad summit, some analysts suggested that India align completely with the United States and withdraw from the SCO. This is unwarranted as India straddles two tumultuous regions: Eurasia and the Indo-Pacific. It faces strategic and security challenges in Eurasia and needs the Indo-Pacific for trade. India's main security concern is terrorism and Washington's ability to restrain terrorist militias in Pakistan and Afghanistan has declined sharply. A favourable development is that Moscow and Beijing are also threatened by terror outfits in the Af-Pak region (IS-K, Al Qaeda, ETIM etc.)

The SCO is an Eurasian political, economic and security alliance, including three-fifths of the Eurasian landmass, 40 per cent of world population and over 20 per cent of global GDP. It promotes trade, cultural and humanitarian cooperation among its members and espouses a multipolar world order and adherence to the principles enshrined in the UN Charter. There is little merit in exiting this organisation. India is not an island, but a major Asian nation linked with the Eurasian landmass. It needs the goodwill of land neighbours to mitigate the challenges it faces. Currently, and in the foreseeable future, it faces no major threat in the IOR and thus should not lose the leverage afforded by a land-based fraternity. However, amidst fast-changing regional dynamics, India may benefit by

focusing on strategic autonomy and Asian centrality. As great powers converge on the Indo-Pacific, it must concentrate on its neighbourhood while minding its strategic interests in Eurasia and the Indian and Pacific Oceans.

AFGHANISTAN AND TALIBAN 2.0

The assumption that some countries would be friendly towards the Taliban proved premature; at the time of writing even Islamabad had not recognised the new regime in Kabul. Iran refused recognition after the Taliban failed to form an inclusive government and its shabby treatment of (Shia) Tajiks and Hazaras. Ankara followed, angry at the exclusion of Turkmen (Turkish-speakers) in the cabinet. But the more serious problem is the surfacing of deep schisms within the Taliban barely a fortnight after its victory, which put a question mark on the regime's longevity.

The Durand Line drawn by the British in 1893 and inherited by Pakistan in 1947, which divided the Pashtun community and was disowned by successive Afghanistan governments, is currently dividing the 'moderates' (Doha group) and 'hardliners' (Haqqani Network). The 'moderates' led by Mullah Abdul Ghani Baradar favour inclusion of all ethnic groups and women in the cabinet so that the regime gains international approval; they oppose the Durand Line. The Haqqani Network that dominates the government, however, wishes to recognise the Durand Line in gratitude for Pakistan protecting and nurturing the group during the two decades of American occupation.

Differences erupted on September 3, 2021, with reports of fisticuffs between Mullah Abdul Ghani Baradar and a cabinet minister, and injuries on both sides as their respective followers opened fire. Reports of the incident and possible death of

Baradar were strenuously denied even as Inter-Services Intelligence chief, Lt. Gen. Faiz Hameed, rushed to Kabul on September 4 to help finalise the cabinet and entrench the Haqqani Network. Mullah Baradar disappeared from public view, surfacing only on September 13 in an audio clip claiming he was well. Later, in an interview to the state-run television, Baradar said he was travelling and denied any discord. In reply to a question, he said he could not meet Qatar foreign minister Sheikh Mohammed bin Abdulrahman Al-Thani on September 12 as he did not know that Al-Thani was coming!

However, on September 15, BBC reported that there were heated exchanges between Deputy Prime Minister Baradar and Minister for Refugees Khalil ur-Rahman Haqqani at the presidential palace. The disputes centred on cabinet formation and who should take credit for the victory in Afghanistan. As it was a smooth takeover, Baradar felt credit was due to the diplomacy of the Doha group; the Haqqani group disagreed.¹⁸ After the fight, Baradar reportedly went to Kandahar to confer with Haibatullah Akhundzada, Amir of the Emirate. Here again, mystery persists as the supreme leader has not been seen in public for over two years, not even after returning to Kandahar after the Taliban victory.

Kabul is also grappling with a financial crisis as Washington froze over US\$ 9 billion in funds held in the US Federal Reserve after the Taliban took over the country. In August 2021, the International Monetary Fund (IMF) froze over US\$ 440 million in aid (due August 23, 2021) and blocked access to Special Drawing Rights assets that can be converted to government-backed money, due to "lack of clarity within the international community" over recognising a government in

Afghanistan.¹⁹ Soon, the World Bank suspended funding for projects in Afghanistan and the independent money transfer company, Western Union, suspended services to Afghanistan.

Lacking the financial resources to help the Taliban regime, Pakistan's Foreign Minister Shah Mahmood Qureshi visited several countries to garner support for Afghanistan. So far, Pakistan and Qatar have sent humanitarian aid (food and medicine) and China has pledged a minuscule US\$ 31 million in aid. Pakistan National Security Adviser Moeed Yusuf warned that the world faces the spectre of refugees, drugs, weapons, and transnational terrorism from a destabilised Afghanistan. Conceding that Taliban leaders need to govern Afghanistan more inclusively, he pleaded that the international community create a "conducive environment" or Pakistan would be left to "bear the brunt of any negative spillover from Afghanistan".²⁰

It is pertinent that the Taliban removed Uyghur freedom fighters from Afghanistan's border with China. Unsurprisingly, Taliban spokesman Zabiullah Mujahid stated, "China is our most important partner ... [We] care a lot about the Belt and Road project... We own rich copper mines, which, thanks to the Chinese, will be modernised. Finally, China represents our ticket to the markets around the world".²¹ Scholar Andrew Small, however, believes that Beijing may make some modest investments, but longer-term investments would depend on there being enough stability and security to make them viable.

The financial crisis is severe; there are reports that Taliban fighters are pressing local people for money to buy fuel and food, even seizing food from people in Kunduz, Badakhshan, Takhar, Baghlan, Kapisa and Ghazni provinces. The Taliban is unable

to pay its fighters in the provinces or salaries to public servants, or even settle import tariffs on containers of food that have arrived at Karachi port. Yet, it is adamant not to allow women and girls to return to their jobs and schools so that the country can receive international aid.

Taliban brutalities have sent waves of panic across the country. Despite formal promises of amnesty for those who served the previous regime, members of the Afghan diaspora are reporting revenge killings.²² In several provinces, former officers of the Special Forces and women employees of the previous government have been killed at home, in front of their families. At times, family members were also murdered. The killings are filmed and sent to commanders in Arg.

On September 24, Taliban fighters forced 482 Hazara families to leave their homes in Gizab, Daikundi province, and bombed the houses when the families resisted. The people say this is "ethnic cleansing". On October 10, journalists reported that a Taliban court gave 2000 Hazara families in the fifth district of Mazar city, Balkh province, three days to evacuate their homes.

A Shia Mosque bombed in Kunduz during Friday prayers on October 8 killed over 70 persons and injuring nearly 150; Islamic State-Khorasan claimed responsibility. On October 9, the fourth mass grave was found in Rokha district of Panjshir; all bodies had hands tied behind their backs. Unfazed by the rising sense of horror in the international community, Taliban co-founder Mullah Nooruddin Turabi told Associated Press that they will restore punishments such as executions and amputation of hands, though perhaps not in public. He said, "No one will tell us what our laws should be. We will follow Islam and we will make our laws on the Quran."

On October 15, the Islamic State attacked another Shia Mosque in Kandahar, causing heavy casualties that had not been counted at the time of writing.²³ Within hours of the attack came reports that Fatemiyoun (Fatimid Division) of Afghan Shia Hazara fighters, trained by late Gen Soleimani to fight Islamic State in Syria and Iraq, were returning from Syria. Some had returned in June after IS was marginalised. The development could make Iran a regional stakeholder in Afghanistan.

Impact in Pakistan

Pakistan soon witnessed violence in North and South Waziristan districts that impacted business and trade as the militants indulge in extortion and kill those who do not or cannot pay. The Tehreek-i-Taliban Pakistan (TTP) claimed responsibility for a suicide attack in Quetta, Baluchistan that took many lives. Emboldened by the rise of Taliban in Afghanistan, the TTP is promising to bring Sharia to Pakistan, causing concern in Islamabad.²⁴

The October 1 ceasefire between Islamabad and the TTP collapsed almost immediately as the TTP hit a military vehicle in Spinwam, North Waziristan, killing five Frontier Corps soldiers on October 2. On October 4, TTP claimed to have killed two Pakistani soldiers in Gharior Tehsil, North Waziristan. Further, reports suggest that East Turkestan Islamic Movement (ETIM) and TTP were behind the Dasu terror attack that killed nine Chinese on July 14, 2021, and the August 20 attack by a suicide bomber on Gwadar East Bay expressway project, killing two Pakistanis and injuring three persons, including a Chinese national. More significantly, Islamic State-Khorasan and al Qaeda are operating independently after their cadres were released from Afghan prisons in August. The IS-K was behind the terror attack on

Kabul Airport on August 26, while the United States was evacuating its embassy staff and allies; it aimed at undermining the Taliban.²⁵ The TTP reportedly receives ideological guidance from al-Qaeda and funds from Islamic State.

Anti-Taliban resistance

Military experts say the National Resistance Front (NRF) led by Ahmad Massoud, former vice president Amrullah Saleh and former minister Bismillah Khan Mohammadi needs to recapture Badakshan province to link Tajikistan and Panjshir, in order to have a winning chance. It is pertinent that as Washington was planning its final withdrawal, the Taliban employed a sophisticated drone unit to assassinate Pizam Qul, an ethnic Uzbek warlord and veteran of the anti-Soviet war in the 1980s.²⁶ Qul joined many anti-Taliban Afghan factions, including Ahmed Shah Massoud's Jamiati-i-Islami; his stronghold was in Takhar province on the Tajikistan border. He was assassinated on May 2, 2021, after which the Taliban moved against Atta Muhammad Noor (Ustad Atta), a powerful ethnic Tajik, former governor of Balkh province and overlord of the city of Mazar-e-Sharif. His home was attacked on July 1, when he was hosting a meeting with other warlords and politicians.²⁷ Though Atta escaped unhurt, he disappeared by the time the Taliban captured Mazar-e-Sharif on August 14.

However, a section of the Afghan army fled to Uzbekistan when the Taliban approached Kabul.²⁸ As the Taliban fails to provide food, water, medicines and economic security, and IS-K and/or al Qaeda operate in the country, Moscow may be forced to allow an anti-Taliban force to support the Panjshir Resistance from Uzbekistan and Tajikistan. Russia could underwrite the security of

both nations via the Collective Security Treaty Organisation (CSTO). New Delhi could offer passive support as it fears that Taliban rule could inspire radical Sunni fighters in Kashmir.

International Diplomacy

The annual meeting of the South Asian Association for Regional Cooperation (SAARC), scheduled for September, was cancelled by the foreign ministers' meeting (September 23, 2021) after Islamabad insisted on including the Taliban regime that has not been recognised by the international community.²⁹

The British representative for Afghan transition, Simon Gass, met with Taliban leaders, including acting Deputy Prime Minister Mullah Baradar and Abdul Salam Hanafi of Taliban's political office in Qatar, on October 5, to discuss aid to mitigate Afghanistan's humanitarian crisis.³⁰

Gass stressed the importance of preventing Afghanistan from becoming an incubator for terrorism, and the need for continued safe passage for those wanting to leave the country. He raised the issue of treatment of minorities and the rights of women and girls.

Russia has invited Taliban representatives to join international talks on Afghanistan in Moscow on October 20, which India has agreed to join.³¹ A US delegation met with Taliban representatives in Doha on October 9 and 10, 2021.³² The State Department spokesperson Ned Price stated that the US delegation focused on security and terrorism concerns and safe passage for US citizens, other foreign nationals and America's Afghan partners, besides human rights, and the participation of women and girls in society. The US expressed a desire to provide humanitarian assistance directly to the Afghan people.

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Non-State Actors and the Emerging Security Challenges – Islamic State of Khorasan in Perspective

Amalendu Misra*

Introduction

With the return of the Taliban to power in Afghanistan the entire geo-strategic environment in greater South Asia has taken a turn for the worse. The Taliban's ascent to power poses reconfiguration of the strategic dynamics in the region. Contrary to the general perception, it is not the Taliban that would be the net contributor to the security volatility in the Afghanistan-Pakistan region. Currently there are close to a dozen radical Islamic non-state outfits operating in Afghanistan. However, the most powerful and dreaded of them happen to be the Islamic State of Khorasan (IS-K). The radical intervention of the IS-K, in the region's geopolitical affairs, can be deeply problematic.

This essay has four key objectives. First, it argues why failures in governance leads to that political entity becoming an attractive haven for non-state actors such as terrorist outfits. It does so by introducing the theory of state failure to explain this phenomenon. While staying on that theme, it suggests, how a collapsed state, such as Afghanistan under the Taliban, lacking recognition (both internal and external) has become the preferred destination for many non-state actors with ambitions of undermining regional stability.

Second, while staying on the topic of non-state actors it examines the ideological and strategic

characters of the Islamic State in general and IS-K in particular. Third, it suggests why the Taliban and the IS-K having their origins in the same religion and a shared radical outlook find themselves in the opposite sides of the ring. Fourth, the essay maps out the future security challenges emanating from the IS-K beyond Afghanistan.

In the conclusion, this essay proposes, that given this all-encompassing threat, the states in the region will do well by shifting their focus from the traditional inter-state conflict dynamics and devote their energy and resource to tackling the growing menace of IS-K.

State Collapse

Afghanistan, prior to the Taliban takeover on 15 August 2021, was a failed state. However, given the manner of their ascent to power, the country's subsequent isolation from the international community precipitated the state failure leading to a state collapse.

According to realist international relations theory, viable states are characterised by high degrees of socio-political cohesion. They also possess the ability to respond to the citizens' everyday needs on a continual basis. These attributes allow them to withstand all manners of security challenges. A weak, failing and collapsed state, by contrast, is one that not only lacks internal

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socio-political cohesion but are incapable of addressing the multi-dimensional security needs of its citizenry. These weak, failing or collapsed states, as Barry Buzan puts it, exist in a “condition of effective civil war which mirrors all the worst and none of the best features of viable states (Buzan, 1991: 100-101).

Weak, failing or a collapsed states are plagued by several security deficiencies. They face fundamental existential challenges emanating from ethnic, tribal, cultural, religious contestations leading to social fragmentation along those lines. Such internal divisive dynamics severely undermine the effective functioning of the state and in turn create security and strategic nightmares for that country and those adjacent to it.

States are the fundamental units of the international system and are responsible for maintaining both order and justice within their defined borders and behave as responsible members of the global community (Misra, 2004: 11). A collapsed state, by contrast is one which not only lacks legitimacy within but is also shunned by the international community. Lacking respectability at home and abroad, it soon fails to live up to its fundamental role of addressing the question of internal order and international personality.

Compared to a ‘viable state’ a ‘collapsed state’ is often at a disadvantage when it comes to defending itself from corrupt and destabilising forces or ideas (Misra, 2004: 9). Stripped bare of resources to maintain the process of governance and existing on the margins of international society as pariahs, owing to the lack of legal recognition, collapsed states are vulnerable to invidious external

influences and intervention by non-state actors. Owing to this existential vacuum for the regime, many competing and contending non-state actors flock to the borders of this collapsed state to act out their own religious and political vision.

Collapsed states are a calamitous challenge for their citizenry and neighbours. Without a legally recognised government, the citizens in a collapsed state are more likely to come under the influence of radical non-state actors and their spurious ideologies. Since the authority of the central government is contested, many anti-state actors can take advantage of the prevailing chaos and enlist supporters to undermine the authority of the regime and freely export their own spurious ideologies.

For Robert I. Rotberg, an early proponent of the theory of state collapse, a collapsed state is characterised by “tense, deeply conflicted, dangerous, and contested bitterly by warring factions. In most failed states, government troops battle armed revolts led by one or more rivals. Occasionally, the official authorities in a failed state face two or more insurgencies, varieties of civil unrest, different degrees of communal discontent, and a plethora of dissent directed at the state and at groups within the state (Rotberg, 2003: 5). The prevalent atmosphere in Afghanistan under the Taliban easily fits the definition of a collapsed state as spelt out by Rotberg’s study.

The Taliban are painfully conscious of the fact that they have inherited a dysfunctional economy, a fearful citizenry, a civil society in flight, a near-total absence of foreign reserves, a hostile international system, and ambiguous external supporters and partners. To make matters worse,

Afghanistan, under the previous government, was dependent on external aid to cover 75 percent of its budget. The Afghan economy is already in a free fall with a tumbling national currency and a deep financial crisis. Under the circumstances, Afghanistan fast slid into a state collapse whereby the regime failed to address both the human security as well as material security needs of its citizenry.

A violent cartographic vision

The elephant in the room, of course, is IS-K. Before we consign Afghanistan and the region to its vortex of violence, it would be worth asking what the nature and character of this outfit is. What does it stand for? What makes it different from another terror organisation such as the Taliban?

IS-K was set up in January 2015 at the height of IS's power in Iraq and Syria, before its self-declared caliphate was defeated and dismantled by a US-led coalition (Gardner, 2021). In IS geopolitics, the physical space of occupied Syria and Iraq is the heartland of the end of the world of Islam. Its eastward flank constitutes the Islamic State of Khorasan / IS-K (Giustozzi, 2018). The Islamic State announced its expansion to the Khorasan region in 2015, which historically encompasses parts of modern-day Iran, Central Asia, Afghanistan, and Pakistan. The eastern territorial flanks dominated by the Muslims came to be known as the Khorasan province that necessitated taking over by IS faithful and soldiers. With that objective in mind, the IS had announced its expansion into the Khorasan region way back in 2015. Historically, the region encompassed parts of modern-day Iran, Central Asia, Afghanistan and Pakistan.

While the original Islamic State (IS) was decimated through the armed campaigns by the U.S. and a host of international actors in 2019, it managed to permeate its cartographic and strategic vision among those who subscribed to its ideology long before its demise. According to the geopolitical vision prior to its decimation, the landmass of Iraq and Syria constituted the heartland of Islam (Misra, 2015). Once displaced, plenty of ISIL fighters escaped to the chaotic landscape of Pakistan and Afghanistan, the eastern arm of their prophetic land. Once in this terrain, they have been responsible for internecine turf war with other established militant groups in the region – including the Taliban – and have unleashed their terror on both non-combatant and military targets. While the coalition forces have come under their attack in over hundreds of occasions, it is the civilian populace that have borne the brunt of their violence. IS-K has been responsible for killing innocent civilians, nurses, doctors, pregnant women and children.

In the latest of its attacks, it killed nearly two hundred people near Kabul airport which included 13 U.S. servicemen. Ever since, they have been on a killing spree across Afghanistan – mostly targeting minority Shia community members and other Taliban interests. Ousted from Syria and Iraq, the IS is in desperate search for a homeland. The crises in Afghanistan with a Muslim populace suits its core objective of using it as its base. Since the IS-K has to establish a safe haven for itself in areas of Afghanistan that the Taliban have been controlling for some time, and the Taliban have not agreed to share space with this emerging competitor, there have been these sporadic clashes between the two (Giustozzi, 2001).

The core differences

According to some analysts, the global Islamic State movement is also now depicting Afghanistan as the epicentre of its ideological struggle. The group's main propaganda organs have trumpeted the successes of its Afghan affiliate, describing the anti-Taliban campaign in an official statement as a "new stage in the blessed jihad" (George, Warrick & DeYoung, 2021). It is worth mentioning, that the Taliban have fought with the IS(K) since its emergence in 2015. During the U.S. and NATO mission in Afghanistan both the groups fought against the external forces as well as against each other. IS-K and the Taliban have been locked in bloody battles with one another for some time.

In recent months, the Taliban has intercepted and killed several IS assassins across Afghanistan. But why this armed encounter between two radical Islamic militant outfits? One is, of course, perturbed by the fact that if both were fighting against the external occupation of Afghanistan, why were they not partners? Why do IS-K and the Taliban clash as militant organisations? To answer these questions, we need to examine the core ideological and political difference that exists between the two. As Frank Gardner, BBC's long-term security correspondent argues, IS-K have major differences with the Taliban, accusing them of abandoning Jihad and the battlefield in favour of a negotiated peace settlement hammered out in "posh hotels" in Doha, Qatar. Similarly, IS-K considers Taliban militants "apostates," making their killing lawful under their interpretation of Islamic law (Gardner, 2021).

In terms of its ideological and strategic rivalry, the IS-K hates the Taliban as much as the West

(The Economist, 2021). According to a *Deutsche Welle* analysis, "an ideological gulf separates the two militant groups. While the IS belongs to the Salafist movement of Islam; the Taliban adhere to the Deobandi school (DW, 2021).

This is substantiated by several critics. According to a contemporary observer of IS, Afzal Ashraf, While the Taliban seems content — at least for now — with an emirate for themselves within Afghanistan, the Islamic State group in Afghanistan and Pakistan strives to establish a caliphate throughout South and Central Asia and has also embraced the Islamic State's call for a worldwide jihad against non-Muslims (Ashraf, DW, 2021).

With that objective in view, it has established parallel government structures and cells across Afghanistan. This strategy was revealed upon the Taliban's killing of IS(K)'s shadow governor in the Nangarhar province in mid-October 2021. One might ask what objection the IS(K) should have when there is a fellow Islamic regime in power in Afghanistan? IS-K views the Afghan Taliban both as its strategic rival in a saturated militant landscape, and as an ideological opponent (Jadoon, Mines & Sayed, 2021). Furthermore, IS-K smears the Taliban's efforts to form an emirate based on national boundaries, which is directly opposed to the Islamic State's vision of a global caliphate (Jadoon, Mines & Sayed, 2021).

Apart from the larger geopolitical objective of creating a larger Islamic *umma* across the Muslim world in the Middle East and South and Central Asia, IS also has its specific take on a rule-based Islamic legal governance. Its gripe with the Taliban stems from the fact that the latter is not interpreting

and following an orthodox Sharia law. “For IS-K, the Taliban’s views are not strict enough. IS fighters have called the Taliban apostates and bad Muslims because of their willingness to negotiate a peace deal with the United States. By doing so, they betrayed the goals of the jihad, IS fighters said (DW, 2021).”

According to its original ideological precept, to rid the Islamic world of adversaries who do not follow “true” Islamic principles necessitates an epic military engagement. But to engage its foes in this grand war, IS needs to take the combat to them. It knows that attacking its foes on their own turf will force them to join its cause (Misra, 2015). This might explain the IS-K’s terror engagement with another terror outfit such as the Taliban. Furthermore, IS-K’s activism in the region is linked to the question of its very survival. After having been routed in Iraq and Syria, the group is in desperate need to find a host geography from where to operate. As Graeme Wood in his engaging essay on the Islamic State has very eloquently put it: “Caliphates cannot exist as underground movements, because territorial authority is a requirement: take away its command of territory, and all those oaths of allegiance are no longer binding” (Wood, 2015).

Given Af-Pak regions porous ethno-geographical borders and a relatively receptive audience, the group rightly believes the region offers the best striking chance to regroup, return to its activism and establish a new homeland for its ideology and governance. The IS-K’s moves in this regard is a strategic shift borne out of pure necessity. It rightly feels the Taliban and the Pakistani state cannot compete with it, either in

terms of its specific brand of violence or building an oppositional consensus based on a specific borderless Islamic worldview. That being the objective, it is likely to up the ante.

In terms of strategic parity, there is a lot of difference between the Taliban and the IS-K. While the Taliban is in possession of a state, the IS-K remains stateless. Similarly, while the Taliban is playing to assume the identity of a legitimate government, the IS-K will forever remain a terrorist front. Added to that is the issue of military equivalence between the two. “The Islamic State has far fewer fighters in Afghanistan than the Taliban — roughly 2,000 according to the latest United Nations estimate, compared to Taliban ranks estimated at more than 70,000 — but many fear it could grow if the Taliban fractures or if disaffected Taliban members seeking a return to the battlefield peel off to join other groups” (George, Warrick & DeYoung, 2021).

This inherent strategic imbalance, however, is unlikely to deter IS-K from undertaking larger and bolder terror objectives. The group and its sleeper cells are also emboldened by the fact that they represent a strand within Afghanistan-Pakistan region who are receptive to a radical Islamic politics but do not necessarily identify with the Taliban’s core ideology.

Terrorists Against a Terrorist Regime

The linkage between state collapse and terrorism is conclusively established by several different academic and policy studies (Zartman, 1995; Rotberg, 2003; Misra, 2004; Fukuyama, 2006). In fact, one of the key indicators of state collapse is the growth of criminal violence in the

country under review (Rotberg, 2003: 5).

Afghanistan under the Taliban is experiencing prolonged encounters with non-state terrorists, growing threat of radicalisation, violent sectarianism and cross-border terrorist infiltration. Paradoxical as it may seem, there are nearly half-a-dozen non-state terrorist outfits operating in the country whose key intention is to undermine the authority of the ruling regime and undermine the stability in the region. Prominent of these outfits with the most likely lethal power is the Islamic State of Khorasan (henceforth IS-K). The group has claimed responsibility for a spate of attacks on the Taliban interests and Afghan civilians killing hundreds in the process.

After orchestrating a swift control of Afghanistan in mid-August 2021, the Taliban were quick to declare their victory over their U.S. and NATO detractors. What they did not count on was the dissent and opposition within. “After taking over Afghanistan last month, the Taliban claimed that security “has been assured” and that the county was taken out of the “quagmire of war”. But a series of attacks carried out by an affiliate of the ISIL/ ISIS, the Islamic State of Khorasan (IS-K) group in recent weeks has shattered the claims of security (Haris & Latifi, 2021).

The Islamic State “has positioned Afghanistan as a foremost priority — both in terms of media and military activity — since the withdrawal of the U.S. and the Taliban’s subsequent takeover” (George, Warrick & DeYoung, 2021). Sworn rivals of the Taliban, the IS-K pose the biggest threat to Afghanistan and regional peace.

In Afghanistan, the IS-K has emerged as “the most significant threat to the Taliban’s dominion

as well as to public safety. So far, the Taliban has failed to contain the terrorists, who have staged numerous attacks (Raghavan, 2021).” Although the Taliban have expressed in the past their commitment to an Afghanistan where the country’s territory cannot be used by other non-state actors for their own ideological cause (Misra, 2021), given their tenuous hold over the country they are unlikely to be in a position to thwart the IS-K threat. The entire IS-K initiative is of extreme concern to the ruling regime in Kabul. Whether the new regime is going to be primarily Pashtun-led, a government of national unity, an inclusive political formation or an extremely conservative one, irrespective of the nature and character this new government, the challenges it is likely to face from the IS-K can be debilitating.

Should the IS-K cells and operatives decide to rupture the Taliban’s authority, the latter cannot maintain its sovereignty effectively. There are two reasons why the new regime will find it hard to address the challenges coming from these operatives. First, the members belonging to this outfit in the country are not necessarily Arabs - to whom IS ideology is originally attributed to. Most of IS-K members are indigenous Afghans who may be outwardly sympathetic to the Taliban but could be maintaining a hard-line position in private. They are not necessarily bought over by the current regimes ideological disposition and outlook on governance.

IS-K has the capacity to easily blend into the mainstream and attack the interests of the Afghan state with relative ease. It is this inability to distinguish and differentiate them from the rest which would prove extremely challenging to the

regime – should it decide to weed them out at some point. If it does try to confront IS-K in the home territory, then, the regime stands being exposed to violent surprise attacks in every possible context and scenario. Pursuing a live and let live policy is not going to be of any help to the Taliban either. Turning a blind eye to their militancy stands capsizing the very effectiveness of the Taliban’s core ideology, governance and ultimately regime survival.

If events on the ground are anything to go by, it amply proves that Afghanistan will remain the playground of various radical Islamic outfits. That its future is going to be mired by bouts of sectarian violence is proved by the indiscriminate suicide bomb attacks by IS-K and perhaps many other radical outfits. These gory events demonstrate the fact that the regime is incapable of addressing these threats. Present day Afghanistan is a country rife with suicide bombings and empty of liveable opportunities. With al Qaeda sleeper cells operating throughout the country, the IS-K intermittent bombings, and the neighbouring Uighur radical Islamic incursion, in all likelihood Afghanistan will slide back into a terrorist safe haven fairly soon.

Proliferation of IS-K radicalism

The Af-Pak areas have been plagued by the perennial problem of lack of credible government presence. The area has lacked enough government both visible and invisible to enforce law. As the state has remained weak in the periphery and at times non-existent, it has remained in the grip of non-state violence.

IS-K is “a complex and fluid amalgam of extremist ideologies and actors. Its reach is spilling

over from its traditional stronghold in Nangarhar and risks inflaming sectarian fissures as far afield as Tajikistan, Uzbekistan, China, and India” (Muggah & Rohozinski, 2021). What is, at the moment, a small but highly active offensive against the Taliban-led government, the IS-K dynamics of insurgent violence is likely to spread to the rest of Afghanistan and the region. Unlike the Taliban, which has its focus on Afghanistan, IS-K exhibits regional and millenarian ambitions such as uniting Muslims across South Asia, Central Asia and beyond (Muggah & Rohozinski, 2021). Given that Pakistan is imploding with the rise of several hard-line radical religio-political movements, it is a matter of time before the IS-K finds a favourable condition to spread its mayhem into the neighbouring areas.

The gravity of IS-K threat is well appreciated in the upper echelons of military circles in Pakistan. Despite Pakistan having a history of hobnobbing with various terrorist outfits, for the better part of its career as a newly independent country, there is reckoning among the military as well as political leadership in the country, that they can ill afford the rise of a violent militant outfit such as IS-K which seeks to undermine the very basis of nation-state. In its bid to stem the rising tide of IS-K, the government in Islamabad has undertaken several concrete steps. Principal among these is relaying “raw information as well as helping the Taliban to monitor phone and Internet communication to identify IS-K members and operational hubs” (George, Warrick & DeYoung, 2021).

Although neither a failing state like its immediate neighbour Pakistan, or a collapsed state like Afghanistan under the Taliban, India is nonetheless a vulnerable state when it comes to

countering the influence and expansionism of IS-K. India's challenging internal religious make up and territorial insurgencies would prove a fertile ground for IS-K's permeation. An ongoing Islamic insurgency in the restive union territory of Jammu and Kashmir can facilitate establishment of alliances between indigenous and external militants. New Delhi is intimately conscious of the likely impact of a violent IS-K uprising in Afghanistan. Already, security and intelligence agencies in India are bracing for armed attacks by the group in India's troubled territory of Jammu and Kashmir (Sharma, 2021).

Added to that are the fears of IS-K inspired radicalisation in various pockets throughout India with known history of Islamic insurgency. Indian recruits have featured prominently in several recent IS terror undertakings. In the year 2020, while claiming responsibility for the Nangarhar jailbreak in eastern Afghanistan, the Islamic State Khorasan Province (ISKP)'s propaganda wing released photographs of 11 attackers, including three Indian recruits from the south-eastern province of Kerala (Basit & Sinan Siyech, 2020). This attack came in the back of 25 March 2020 attack on a Sikh Gurudwara in Kabul by the IS-K which killed some 25 innocent civilians. According to the IS press release, following the incidence, one of four-member team that was behind this attack was an Indian (Dixit, 2020). Mohammed Mushin *aka* Abu Khalid al-Hindi who was a member of this team came from Kerala's Kasargod district who had earlier joined the Islamic State.

That the IS and its eastern wing IS-K, is serious about promoting large-scale religious violence in India is proven by the fact that since February

2020, it is bringing out a monthly propaganda magazine called *Voice of Hind*, with exclusive coverage of events in India. Despite this outreach, critics have repeatedly argued that IS finding a sympathetic audience in India will be marginal. According to this view, "at its peak, IS successfully recruited over 40,000 supporters and sympathisers using the internet and social media platforms from 120 countries around the world. Yet Indians did not amount to more than 200 according to the most liberal figures (Basit & Sinan Siyech, 2020).

True, while IS recruiting drive among Indian Muslims may have been a lacklustre affair in the past, it is unlikely to remain so in the future. Indian radical Islamist's participation in any future IS-K undertaking is likely to grow and consolidate. This is due to three key factors. First, the previous IS Caliphate undertaking was geographically in a faraway part of the world. This had limited resonance on the Indian sympathisers to the cause. A full-blown IS-K insurgency in Af-Pak region would prompt a sizeable number of participants from India to engage in its ideological and militant cause.

Second, as Raffaello Pantucci, Britain's Royal United Services Institute (RUSI) puts it, "India was the birthplace of the Deobandi movement, a sect that was a source of ideas for the Taliban, and the conflict in Kashmir has for years been a rallying cry for extremist groups" (Pantucci, 2020). Third, worryingly, Islamic State-Khorasan's modest territorial footprint in Afghanistan and Pakistan is bolstered by a widening digital presence across Central and South Asia (Muggah, and Rohozinski, 2021). Simply put, despite having a robust governing structure, India is likely to fall prey to the IS-K

terror cells owing to the above two reasons. Given various degrees of dissent among some Indian Muslims towards the state, the IS-K would reach out to this constituency, not only to stay relevant among a melee of various terror outfits operating in the region but also to rebuild its ranks.

Conclusion

The US and NATO troop withdrawal from the country has provided a “god-sent” opportunity to a whole host of violent jihadi groups whose primary objective is to ferment chaos and perpetuate anarchy. The battle between rival powers to gain strategic depth in the chaotic Afghanistan-Pakistan region is not a turf war between various state and non-state actors as many observers and analysts would like to point. It is a battle for the very political survival of many actors who have a stake in the larger geopolitical future in the region.

While the Taliban will be busy maintaining its control over the restive population of Afghanistan, there will be one or more key non-Taliban radical

forces who would seek to undermine the security in the Af-Pak region and the greater South Asia. For the key actors in the region each will be driven by their own realpolitik concerns. Their respective conduct will be based more on practical rather than principled, moral, or even ideological considerations. Contrary to general strategic scripts, the Taliban has as much an interest in undermining the IS-K as other polities such as Pakistan and India. For the Taliban, reigning in the IS-K will be the very basis to its own political survival in the deeply divided fractious politics of Afghanistan.

It is bad news for everyone. The hardliner, the liberal the secular and the autocratic states are all going to face the heat when it comes to the rise and expansion of the IS-K. As for the regional actors, perhaps it is too early to send out torches and pitch forks to deal with the growing menace of IS-K. But it does not hurt to be prudent and follow a pragmatic policy of greater vigilance to address the likely security threat of this groups sympathisers and affiliates across the greater South Asian region.

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Future of India-Afghan Relations

Harkirat Singh*

Asia primarily has four regional security complexes, namely West Asia, Central Asia, East Asia and South Asia. Afghanistan occupies a location of geo-strategic importance as it lies on the periphery of all four, without merging into any of them. It is one of the few nations that remained neutral during the two world wars. Afghanistan has been more of an insulator, than a buffer, between these four complexes. Despite strong forces in its neighbourhood, it has retained its inherent characteristics of internal warlordism, cross-border terrorism and drugs trade.

The Taliban, which has now taken over Afghanistan, were earlier in power from 1996 till 2001. That rule was characterised by a harsh Islamic law, discrimination against women, providing patronage to terrorism and opium cultivation. Only three countries, Saudi Arabia, UAE and Pakistan accorded formal recognition to that government. Origins of the Taliban lie in the guerrilla training of young Pashtuns in the Pakistani seminaries in the cross-border Pashtun belt. A doctrinal mix of a more moderate 'Pashtunwali' and a fundamentalist Islam has resulted in an inconsistent ideology, this asymmetry being a source of a larger divide in the Taliban.

Though the Afghanistan political matrix has undergone great changes since 1973, Taliban has retained its significance therein, despite the loss of its founder leader Mullah Muhammad Omar and

thousands of its cadres. Its ideology has been shaped by the regional security environment and the fact that Afghanistan is a land locked country, which makes befriending Pakistan and Iran a prerequisite for trade and survival.

Regional Dynamics

The neighbouring regions of Central Asia and West Asia, particularly West Asia, are torn by internal conflicts and intervention of major powers. They are global destabilisers. Geopolitical and security literature has termed these areas as shatterbelts¹. Afghanistan, lying between these two regions, itself is facing a combination of civil wars and interventionist actions of other countries, often leading to great power competition.

Rawalpindi has always exercised significant financial, diplomatic and operational control over the guerrilla activities of Taliban. The Director General of Pakistan's Inter-Services Intelligence Directorate (ISI), a military outfit, was present at the initial government formation at Kabul in September 2021. Pakistan seeks a Taliban-controlled government in Kabul to secure its western borders and keep the Durand Line quandary under control. Pakistan's rivalry with India has prompted the latter to consider Afghanistan as a form of operational strategic depth. Afghanistan has thus become a secondary theatre of this rivalry. The Taliban leadership is well aware of these historically adversarial relations

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between its former mentor, Pakistan, and its beneficiary, India. This has given the Taliban leadership a chance to take advantage of both sides. Recent incidents in the narcotics trade can be viewed from this angle. Nonetheless, this opens a window of opportunity for India.

The Taliban Leadership

The Taliban leadership council is called the Rahbari Shura or the Quetta Shura. It decides on all political and military matters and operates a shadow government through nine commissions and three administrative organs, akin to the ministries of the Taliban government. Most of the Taliban leadership are from the Mujahideen and received their schooling in Afghanistan. Their ideology, thus, is more related to the Afghan tribal way of life.

When Pakistan created the Taliban in the 1990s, inductees were mostly Pashtuns from the madrassas in the Pakistani province of Khyber Pakhtunkhwa and the Federally Administered Tribal Areas (FATA). Ideology of the new inductee Pashtuns was different from that of Afghanistan. The movement's ideology has transformed over the past two decades from a 'traditionalist' Islam conforming to the concepts of Eastern Pashtun villages to one more characteristically conforming with the Arab world. Anand Gopal and Alex Strick van Linschoten, in their June 2017 paper "Ideology in the Afghan Taliban", have made three important observations regarding dynamism of Taliban ideology².

- Firstly, though the Taliban's ideology was rooted in the pre-1979 rural South Pashtun, and did get distorted during the civil war, it was never allowed to become an alien

phenomenon, or a product of extremist Pakistani madrassas.

- Secondly, the original Taliban's ideology has undergone a metamorphosis from *Pashtunwali* and is now closer to the Arab form of political Islam. The objectives and methodology have shifted in important ways.
- Thirdly, the Taliban's actions never reflected an unreasoned imitation of an ideology. They have been the result of an internal logic, reflecting a pragmatic concern for statecraft.

Taliban's Relations with Major Terrorist Groups

The current multi-layered leadership of Taliban is a mix of war veterans from the Mujahideen and guerrilla warfare trainees of the ISI from madrassas in Pakistan. Their occupational activities have brought them in contact with other terrorist groups. Some significant linkages are as under.

- **Al-Qaeda.** Taliban is a nationalist movement of Afghanistan, whereas al-Qaeda has acquired a global footprint. The latter is bound to the Taliban by a pledge of allegiance, "bay'ah," which was first offered in the 1990s by Osama Bin Laden to Mullah Omar and which has been renewed several times since, though not always publicly acknowledged by the Taliban.³ It is unlikely that the Taliban will sever their ties with the al-Qaeda, now that they hold power, despite the assurances given in the Doha Agreement in February 2020.
- **Tehreek-e-Taliban Pakistan (TTP).** The (Afghanistan) Taliban received active support from TTP which is ideologically intertwined with groups like al-Qaeda. The TTP too has

pledged “Bayah” to the Afghan Taliban, which is a matter of concern to Pakistan. The TTP aims to make Pakistan a Sharia compliant state and their attacks on the Pakistani forces have intensified after Kabul fell to the Taliban.⁴

- **Islamic State.** The Taliban has reportedly fought the self-proclaimed Islamic State, which is a rival of al-Qaeda and has an estimated 2,500 members in Afghanistan. Some districts in Afghanistan are reportedly under ISIS control.
- **East Turkmenistan Islamic Movement (ETIM).** ETIM is active in the Uighur insurgency in Xinjiang province of West China. It is said to receive training and other logistic support from Taliban.

The Taliban leadership would be under immense international diplomatic and economic pressures to terminate its narcotics trade and support to terrorist activities. Particularly in regard to the latter, external pressures separated from any domestic will, are likely to run into a blind alley. This has potential to lead to a non-optimal situation wherein aid in kind may be more readily available with a general reluctance amongst nations to transfer cash.

Foreign Policy

Afghanistan has always attracted big power attention due to its location at the confluence of multiple regional security complexes. This interest has been rekindled by the energy resources of Central and West Asia and China’s quest for a land access to the Indian Ocean. Pakistan’s influence on Taliban affairs, further complicated by the India-Pakistan rivalry, has drawn Afghanistan into a different security convolute.

Taliban’s deciding to keep its released prisoners at Qatar, rather than Pakistan, appear to be a step to managing this conflict.

Taliban’s foreign policy formulation has been based on factors quite akin to those on which Afghan foreign policy has historically been devised. For successful governance of the nation, Taliban will need to address certain critical aspects in the financially bankrupt and war-ravaged nation.

- Afghanistan is a large supplier of dry fruits and has rich mineral deposits all across the country. There are currently more than 1,400 discovered mineral deposits of gems, copper, iron, ore, gold, and lithium in Afghanistan, estimated by US officials as being worth at least US \$3 trillion.⁵ This potential can be optimally exploited by technical collaboration with more advanced nations, which in turn will improve its trade deficit too.
- Human resource development, such as higher education facilities and integrating women into the work force will be essential. Educating a nation is costly and has a long lead time. An intermediary measure would be to seek scholarships for higher education courses in friendly countries.
- Economic infrastructure, such as roads and dams, will help usher in prosperity in Afghanistan.
- A well-equipped and trained police force is essential for governance.

All these activities require finances that Afghanistan does not have. Any income from the narcotics trade will be closely monitored by the international community. When last in power, Taliban had tried to generate a renewable source

of revenue by progressing a gas pipeline from Turkmenistan to Pakistan and India with the American Unocal Corporation. This did not take off due to political and security instability. Loans from multilateral financial institutions and aid from friendly nations could provide a solution. This underscores the need to establish and maintain good relations with other nations even if it runs contrary to its earlier core ideology.

India's Concerns

India's core strategic interests in Afghanistan lie in regional stability and development without external interference. A stable, democratic Afghanistan that is relatively modernist and inclusive would minimise external interference in the country, thereby avoiding geopolitical imbalances in the region. It would also open up the region for flow of energy resources from the oil and mineral-rich Central Asian Republics through pipelines, which would benefit India besides other stake holders. How that is to be achieved would remain a challenge for India, especially with the Taliban government.

A core interest for India would be an Afghanistan that does not become a haven for terrorist groups from across the world. The eradication of all terrorist activities emanating from the region is hence a priority for India, which includes state-sponsored terrorist nurseries and havens along either side of the Durand Line. In a May 2020 statement, the Taliban disassociated itself from the Kashmir insurgency⁶. That statement reversed the Taliban's past ardent opposition to Indian presence in Kashmir by terming the Kashmir situation as a 'domestic issue of other countries

that the movement did not seek to interfere in'.⁷ Whether the Taliban sticks to this commitment remains to be seen.

Pakistan's quest for strategic depth in Afghanistan would not affect India strategically as Pakistan's internal fault lines will deny it success. Pakistan's commitment to the Sunni cause in Afghanistan has led to violence against its own Shia minority—a strategic error that is potentially of the same gravity as that which cost it East Pakistan, now Bangladesh.

India's Aid Paradigm

Afghanistan needs sustained external aid to develop in its preferred areas. International aid is generally directed towards the donor nation attaining economic, political or security benefits; however, a pillar of New Delhi's aid to Kabul has been development partnership. This aid is formulated primarily on basis of Kabul's stated needs.

India, as the sixth largest donor to Afghanistan, has given over US \$ 4 billion aid in the last two decades. It has built more than 2,500 miles of roads, which includes the 218-kilometer Zaranj-Delaram Road to the Afghanistan-Iran border for facilitating movement of goods and services to the Iranian port at Chabahar. This highway, completed in 2010, connects Iran with the Garland Highway, which links Kabul, Kandahar, Mazar-e-Sharif, Herat and Kunduz. It has built the Afghanistan-India Friendship Dam (AIFD), also called 'Salma Dam', in Herat District, hydropower plants, electricity transmission lines, hospitals, schools and the country's new parliament building. Three major characteristics of Indian aid are that it is bereft of any strings attached, overheads are minimised by

use of its existing structures and it is provided as per the end-use determined by Kabul.

Where India goes from here, after the Taliban takeover, will depend to a large extent on the type of government the Taliban runs. In February 2020, the Taliban's political spokesman, Suhail Shaheen, told Turkey's Anadolu News Agency that the Taliban has "no issue with any country". Then on 26 August 2021, in an interview to the News Channel CNN-News 18, the same spokesperson candidly stated that the Taliban would be happy if India completed the ongoing projects and would welcome any new projects which were for the welfare of the people.⁸ How this ultimately pans out is yet to be seen, but it would be prudent to keep in mind the fact that the Taliban government in power is not inclusive and is largely controlled by the Haqqani Network, which in turn is beholden to Pakistan. So further assistance by India will depend on how the situation in Afghanistan evolves.

India's Afghan Policy and Future Options

New Delhi has consistently supported a strong, democratic and violence free Afghanistan due to the latter's insulator status between the four regional security complexes of Asia. Afghanistan is party to dominant conflict in South Asia and has pronounced significance to peace and stability in the region. Its inclusion in SAARC in 2007 was promoted by India in order to expedite its strategic integration into the South Asian regional order. The current situation in Afghanistan provides India the opportunity at international power projection, as all major powers have a stake in the manner the Afghan situation pans out. The cost of engagement

has to be seen in the context of the cost of non-engagement, so some form of outreach to the Taliban may be inevitable, though this does not mean formal recognition of the government. Indian would need to closely watch the growing congruence between the Taliban and Pakistan, as also the forays that China may make in Afghanistan to pursue its economic interests.

The Indian response will have to be based on how the situation evolves. Should Afghanistan slip into civil war, then Indian support to forces that desire an inclusive government and who bat for gender equality will perhaps be on the cards. Russia is already concerned with the growing threat of the spread of radicalism in Afghanistan, which would have negative spillover effects on the Central Asian Republics and thence to Russia's Muslim population. Towards this end, a joint exercise of the Collective Security Treaty Organisation (CSTO) called Rubezh-2021 was held in Kyrgyzstan in early September in which military personnel from Kazakhstan, Kyrgyzstan, Russia and Tajikistan took part.

The exercise focused on the preparation and conduct of hostilities to destroy illegal armed groups that invade CSTO member state's territory. Iran too is deeply concerned with the sectarian killings that have taken place through a spate of suicide attacks on Shia Mosques.⁹ India could coordinate its efforts in such a scenario with Russia, Iran and the CAR's.

India could also support a UN mandated intervention under Chapter VII of the UN Charter. But as this would be a peace keeping force and not a force for peace enforcement, its utility would be negligible. In any case, the Taliban will not

accept outside forces on its land, making this option a virtual non-starter. A more pragmatic and doable approach for India would be to support efforts at providing humanitarian assistance to the people of Afghanistan. Prime Minister Modi spoke of this in the G-20 meeting,¹⁰ calling for assistance based on UN Resolution 2593¹¹ of the 15-member Security Council, which demanded that Afghan territory not be used to threaten or attack any country, reiterated the importance of combating terrorism in Afghanistan and for providing unhindered access for the United Nations and its agencies to provide humanitarian assistance to

Afghanistan. Here, the United Nations Assistance Mission in Afghanistan (UNAMA) would have a central role in providing assistance and would give India a much needed say in assisting Afghanistan's return to stability.

On the negative side, with the current dominant role being played by Pakistan in Afghanistan, Indian efforts to restore stability will be hindered by Pakistan. Would USA, Russia, China and Iran be able to dissuade Pakistan from playing a spoiler, would have to be seen, but should that happen, it could make a significant impact on restoring stability in Afghanistan.

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China's Quest for World Dominance & Its Impact on India and the Region

Gaurie Dwivedi*

It has now been over ten weeks since Kabul has fallen. This has been a tumultuous time for not just Afghanistan, but for the entire region. The takeover of Afghanistan by Taliban, which took the Biden administration by surprise due to the sheer pace of its execution, has set into motion a major geo political alignment. Afghanistan, often considered to be the graveyard of empires, may now become the epicentre of the power play between America and China. The present turmoil in Afghanistan, exacerbated by America's messy withdrawal, presents a perfect opportunity for China to exploit the fault lines in the region and challenge the present world order.

The intense rivalry between the top two economies in the world, which first started with the trade war in 2018, has since intensified. The outbreak of coronavirus marked an inflection point in China's relations with America and the world. It was during the pandemic that the full import of China's wolf warrior diplomacy and its economic and foreign policy became apparent. After long speeches at Davos singing praises for multilateralism and assurances that China will not seek hegemony, the world had been taken in by Xi Jinping's carefully crafted image of an economic super power that would not risk its trade ties for geo-political ambitions. This façade fell in 2020. For Beijing, its economic might was a means

to an end. This included changing the present political world order and establishing its own system and values.

The desire to redraw world maps, which has not been restricted to just the Indo-Pacific, has led China to pursue an alternative global order, with its money power as its fulcrum. Thus, Xi Jinping forged partnerships with like-minded countries like Iran and Pakistan that share China's deep dislike and distrust for the existing world order. These partnerships served two key objectives: to subvert the present system and undercut China's principal rivals, which were America, India and Japan. Despite its smaller economic stature, India's potential to be a balancing force against China in Asia, due to its demographics and rising economy, became a Chinese concern. To limit its ability to become a counter to it, China flanked New Delhi and redoubled its partnership with Pakistan. China also undercut America in its geo-strategic orbits by forming deep partnerships with countries like Iran and Russia; even as it enhanced the scope of its economic partnership with Israel.

For years, it was believed that China's singular focus towards achieving the numero uno position in Asia would be via the maritime route, given its obsession with Taiwan and a growing desire to undo colonial subjugation under Japan, or its 'century of humiliation'. It was assumed that

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China's expansive maritime strategy, partly explaining the furious pace of ship-building since early 2010, was a precursor to sea-based hegemonic tendencies. To this effect, China built the artificial islands in the South China Sea, almost presenting a *fait accompli* to the United States. However, Beijing's ambitions have not been limited to maritime expansion, but also extend to seeking expansion on land. To this effect, the Chinese Communist Party (CCP) has been actively working since 2016 to offset power equations, stretching from Pakistan till West Asia. In fact, much before Taliban's Kabul takeover, the superpower-in-a-hurry had started laying the ground for its ambition to change status quo in the entire region. It was a message to both America and India to jettison their efforts to contain China's expansive military strategy in Asia, which firmed up post the revival of the Quadrilateral Security Dialogue (Quad) in 2017.

Under Jinping, Beijing has been eyeing a central role in global power equations. To this effect, China has boosted its presence in a region historically considered to be America's bastion, West Asia. Of the four Indo-Pacific democracies that formed the Quad, it was Washington and New Delhi that have been at the centre of China's aggressive strategy for West Asia. As the final arbitrator in a region filled with inherent complexities and contradictions, America has traditionally played a pivotal role in deciding power equations. For India, the West Asian region is vital to secure its energy needs, which are heavily dependent on imports. China's strategy to create a nexus of countries in the Middle East has rested on its ambition to challenge American power and

create uncertainty for India's oil needs. In the last one decade, China has made significant investments in the Middle East. On one end, it cultivated wide-ranging business interests with American allies like Saudi Arabia and Israel and on the other end, it redoubled efforts to deepen strategic ties with Iran.

Beijing's Middle East roadmap had two primary facets – enhancing the scope of its partnership with Tehran and green signalling large BRI projects in Israel and Saudi Arabia, which form the backbone of the US security network in the region. This highlighted China's hunger to target the Middle East as the next arena for its power struggle with America and the liberal world. Like Asia, where Beijing built deeper ties with Pakistan to make use of its strategic location, in the Middle East too, China used a similar template. In this region also, Beijing needed a network of allies to topple the existing world order. The end objective was creation of an alternative power axis from Pakistan to Afghanistan to Iran. In its Middle East gambit, both Russia and Turkey played an important role. In fact, Moscow was vital for Beijing to spread its influence since it hoped to piggy-ride the former's historical connections and deep inroads across the region. So after challenging the status quo in Asia, the Middle East is now the next frontier where Beijing wants to establish itself as the new-age hegemon.

On one end was the USA-led first world order where Japan, India, France, the UK and other US allies played a key role. At the other end was a China-centric world order, sealed by the meeting of minds between two authoritarian leaders to

exploit the existing fault lines in geo-politics, geo-economics and geo-technology. While the American-led system was geared towards preserving the status quo, China, along with Russia, Iran, Pakistan and Turkey, are all aligned to change the same.

The present flux in Afghanistan has further cemented China's formation by creating a long corridor of nations that are averse to the US-dominated world order. Afghanistan, which has witnessed a shadow boxing match between two super powers in the past, is all set to witness another such geo-political contest. For almost a decade now, Beijing's economic strength, military might and global clout have been geared for a larger objective. In fact, China's primary goal has been to upend the world order as we knew it, one where liberal democracies with market-driven economies strive to uphold global rules. For Beijing, which became Asia's largest economy in 2010 and the world's second largest military spender in 2011, its economic muscle has always been a means to a larger end, which has been to create a Sino-centric world order.

A Sino-centric world order was envisaged as one where China's primary challengers would be subverted and their prospects blunted. In Asia, this strategy resulted in Beijing firming up its partnership with Islamabad, New Delhi's hostile neighbour to the West. China has always viewed India's growing role in the continent's geo-economics and geo-politics as a threat. The possibility of the latter emerging as a strategic pivot in the Indo-Pacific region and a counter-balancing force to Beijing's aggression has spooked Communist leaders. To

stymie the myriad possibilities a stronger India presented to the world in undercutting Beijing's clout in the region, China has been pursuing an aggressive policy along its land borders. While it is now an indisputable fact that the economic trajectories of the two countries became starkly different since the early 2000s, India's potential and ability to counter Chinese hegemony in Asia has become a growing concern for the latter. This led Beijing to solidify its economic and security cooperation with Islamabad, India's arch rival. Of course, it helped that India was the common adversary for both China and Pakistan.

Through Islamabad, Beijing created a new geo-strategic equation, one that hurt not just India's but also America's security interests. To pursue its strategy to create a parallel network of allies, China made Pakistan one of the foundational pillars of its flagship investment program, the Belt and Road Initiative (BRI). Islamabad's failed governance systems further enabled China to use its territory and resources towards its core objective. As it tied Islamabad closely to its mega BRI project by pumping in vast amounts of money in risky projects, Beijing ensured greater alignment on strategic and security issues, one of which was to contain India. As part of this policy, the BRI passed through the territory of Pakistan Occupied Kashmir (PoK) that is India's sovereign territory. The BRI's infrastructure projects allowed China access to vast resources in the mineral-rich but restive regions of Gilgit-Baltistan in PoK and Balochistan. In fact, while launching the China-Pakistan Economic Corridor (CPEC) under the BRI in 2015, China was brazenly contemptuous

of India's concerns. The CPEC, thus, marked an important inflection point in India's bilateral ties with China since it undermined the former's role in its geo-strategic orbit.

Xi Jinping's flagship global investment drive focused on Pakistan to serve China's economic interests and strategic ambitions. In the last two years alone, China has invested US \$65 billion in Pakistan, effectively providing an economic lifeline to its defunct economy. This ensured Islamabad has continued to remain afloat, and therefore, relevant to China's larger strategic calculations to contain India. The corridor, which is a network of highway and power projects, is worth over US \$80 billion after fresh contracts worth US \$11 billion were signed in 2020.¹ Out of this, Beijing's actual investment in Pakistan was nearly US \$50 billion.²

For Pakistan, Chinese funds were a boon since it was faced with a collapsing economy and widespread political uncertainty. Over time, as it continued to green light more projects and piled up more loans, Islamabad entered the infamous club of eight most vulnerable countries due to its very high level of indebtedness. On the other hand, for Beijing, Islamabad's growing indebtedness was an added advantage; it translated into higher economic and political leverage over the almost-failed state. Beijing's modus operandi was clear – exploit Pakistan's weak economy and strategic location to circumvent India and access vital infrastructure. So, China's reasons for pouring billions of dollars into Pakistan went beyond just economic interests. It was to flank Asia's third largest economy. And while it used Pakistan's locational advantage and mineral wealth, in exchange China provided

complete diplomatic immunity to its acts of terror.

For China, Pakistan serves three core interests, all of which have only been reinforced since America's withdrawal from Afghanistan that has altered the geo political dynamics. For one, Pakistani deep state has tried to ensure India remains pre-occupied with a simmering Line of Control (LoC). China's covert and overt support to Pakistan has signalled to New Delhi about the tactical disadvantages it faces as a result of the security partnership between its two hostile neighbours. Pakistan now offers tremendous utility in stretching Indian defence capabilities by forcing it to prepare for a 'two-front' war scenario. As ties with China deteriorate and with Pakistan continue to remain almost-hostile, India now needs to prepare for the possibility of greater collusion between its two neighbours. This means additional strain on New Delhi's resources. Even if the possibility of a full-blown attack remains minimal, both Islamabad and its big daddy Beijing will continue to focus on low-key attacks, which are meant to be constant irritants. The present security climate is seeing some of those possibilities coming to light, with Pakistan starting another round of killings in Kashmir and China increasing its build up around the entire Himalayan range. Post Taliban's takeover of Afghanistan, Pakistan's deep state will exploit its terror links further, in a bid to create more instability. This will present the Indian security establishment with continued challenges to address terrorism-related threats, both in the border union territory of Jammu and Kashmir as well as across India.

Secondly, Pakistan is also vital for China's

plans and ambitions for the Indian Ocean Region (IOR). China started developing the Gwadar port in June 2016 to gain access to the northern part of the Indian Ocean and the Persian Gulf for its military and economic ambitions. Through Gwadar, China aimed to secure access for its oil imports, which presently go through the narrow Straits of Malacca and are susceptible to disruptions. The Gwadar port, located in the troubled region of Balochistan and just 120 kilometres from the Iranian border, made China a stakeholder in a maritime region which was traditionally considered to be New Delhi's bastion. As Beijing has been working to blunt India's strategic advantage in this vast maritime domain, it has hoped Gwadar would serve as an ideal launch pad to gain control over maritime waters spanning Central Asia and East Africa all the way till the Straits of Malacca and beyond. The port has enhanced China's ability to dictate rules in the larger Indo-Pacific region. Together with Djibouti in Africa, Gwadar in Pakistan and Hambantota in Sri Lanka; China has sought to develop a string of strategically located ports for maritime dominance. To counter Gwadar, India was developing the Chabahar Port in Iran's east, which was meant to side-step Pakistan. The project, which allowed India to take the land route to Afghanistan and Central Asia, is now unlikely to take off after Taliban formed the government.

Thirdly, Pakistan provided the perfect platform and opportunity for Beijing to engage with Afghanistan – a region where China has for long envisaged an enhanced role for itself, in tandem with its growing appetite for global dominance. While India has made several efforts to reach out

to Kabul, including through a generous aid program to rebuild the war-torn country, it has always been disadvantaged by Pakistan's access, geographical proximity and close ties with the Taliban. Since Islamabad has been integral to talks, negotiations and transition of power in Afghanistan, it has frustrated Indian efforts to create a counter-balance. After Taliban's takeover, Indian predicament have become more pronounced, even as it has further bolstered Chinese ability to engage with Afghanistan.

By exploiting the present lawlessness in Afghanistan and Taliban's deep linkages with Pakistan, China will seek to derive maximum economic, strategic and security benefits. Increased participation by Chinese companies to rebuild Afghanistan through the flagship BRI program will translate into direct transportation links and an economic corridor between China and Afghanistan. This, by default, will undercut both Indian interests and American influence. Besides strategic interests, Afghanistan is valuable since it is home to unexplored natural resources that China covets. Access to this mineral wealth will help China to secure its long-term growth prospects.

America may have left Afghanistan, but China hopes it will fill the leadership vacuum and use it to build its alternate formation of nations. US President Joe Biden wants to prioritise the Indo-Pacific region, but there is a good chance that this is exactly what Xi Jinping also wants the US to do. It is not an either/or choice for America, and the world. Instead, China's influence needs to be responded, both on land and on sea; both in West Asia and in the Indo-Pacific.

China's quest to dominate the world has deep security and geo-political ramifications for India. China's rising influence must be contained, not just in the South China Sea, but also in the Indian Ocean Region, which is New Delhi's bastion. For India, the post pandemic altered geo-political climate has been a wake-up call for the ramifications of ceding too much space in its own backyard. Far from building on its historic relations, New Delhi has witnessed several of its neighbours been charmed by Beijing's cheque book. China has succeeded in limiting India's influence in countries that have deep socio-cultural ties with it. New Delhi must reclaim its place in the region, both with its neighbours on land and with the IOR littorals.

The Asia Pacific is now termed as the Indo-Pacific due to the widespread recognition of the role India must play in it. But to actualise this and regain its dominance, New Delhi needs a multi-pronged strategy. India must step up the process of rebuilding its partnerships with the littorals and enhancing engagements with its island neighbours. New Delhi has deep historical and cultural ties with the Maldives, Mauritius, Seychelles and Sri Lanka; and has for long been their natural ally. This equity must be harnessed and traditional social links with these countries must be strengthened. After years of relentless efforts by Beijing to buy influence in the IOR, New Delhi will now have to adopt bold diplomacy to reclaim lost ground. A starting point can be the lessons from Beijing-backed 'India Out' campaign run by opposition parties.³ The campaign maligned India and succeeded due to India's inability to counter such narratives early on. It deepened New Delhi's trust deficit with Male. To gain more clout in Male's

politics, India must leverage its historical ties and engage more. Deeper defence and security ties could begin by training Maldivian defence personnel. Male's distrust of Chinese funds after rising indebtedness can be India's gateway to reconnect.

New Delhi's biggest differentiator to China's BRI-led diplomacy should be the willingness to engage with smaller countries as equal partners. India can position itself as a more 'humane' partner by providing solutions and aid/grant to all the island nations to address their biggest concern of ecological and environmental damage. India's outreach coincides with the realisation by these small island nations about their geo-strategic importance, maritime value and enhanced role in the power play between India and China. To maximise their gains, the IOR littorals will even play India and China against each other as they jostle for more influence.

While China will entice them with more funds, India must step up its communication strategy to highlight the pitfalls of accepting them. New Delhi should offer attractive grants and assistance, which will be in stark contrast to China's high interest loans. Till it becomes a US \$5-6 trillion economy, New Delhi lacks the economic heft to match Beijing's large loan book. To overcome this handicap, India must partner with Japan and the USA to provide more assistance to the IOR littorals. Tokyo has been the biggest provider of long-term infra loans in Asia, dwarfing the BRI. New Delhi must identify common areas to work with Japan in increasing development assistance to countries in IOR. India's response to China's debt trap model should be to create sustainable

and economically viable infrastructure that boosts the local economy of recipient nations. New Delhi must communicate this message strongly to Mauritius, Seychelles, the Maldives, Sri Lanka, Comoros and Madagascar.

India's decisive pivot for the IOR revolves around its roadmap for the strategically located Andaman and Nicobar (A&N) Islands. The northern-most point of the Andaman Islands is just 40 kilometres from Myanmar and the southern-most point of the Nicobar Islands is just 160 kilometres from Indonesia. India's projection of power into the Western Pacific could begin from the A&N Islands which houses its first joint military command. Due to their geo-strategic location, the A&N Islands provide India an opportunity to become a key stakeholder in the IOR and SCS. At present, the A&N Islands are only geared towards reconnaissance; to boost capabilities and exploit the islands' full potential, engagement and collaboration with other navies must be enhanced. This would be an important message for Beijing which has incorrectly assumed India to be a passive participant in the region.

So far, New Delhi had been reluctant to forge strategic partnerships with other large navies, lest it be construed as a display of intent to escalate maritime tension. But in the wake of Beijing's regular military exercises with its partners, New Delhi's military and foreign policy must change. Regular military drills with Pakistan, trilateral exercises with Iran and Russia in the Persian Gulf⁴ and elaborate military gaming exercises with South Africa and Russia off Cape Town⁵, all point towards the future direction of China's strategy. It

is to continue its efforts to encircle India. China had set its sights on the IOR in 2013, and India needs to now respond proactively. In fact, India should have started preparations for such an eventuality after December 2019 when a Chinese research vessel entered its Exclusive Economic Zone (EEZ). Research vessels are primarily used in secret military data collection and collect information that impacts the movement and efficacy of submarines.

The A&N Islands' strategic location allows India to utilise these as an advance post to alert about any enemy vessel and must be utilised better. Despite the A&N Islands' proximity to the Straits of Malacca, New Delhi has held back from upgrading its presence due to fears that the move would be construed as blocking a crucial choke point. But it is precisely because of their strategic location that the A&N Islands can act as a stabilising factor against China's maritime aggression. India can deepen its presence and capabilities in the A&N Islands by collaborating with France and the USA. France, which has the second largest EEZ in the world, operates a large facility in the IOR on the French Reunion Island. Indo-French military and security ties have been upgraded under PM Modi's tenure and New Delhi must build on this by creating advanced capabilities in the A&N.

In any military strategy, not knowing the adversary's larger ambition or game plan is the biggest surprise factor. In China's case, though, there are no surprises; its over reach and ambition is clear. What remains unclear is the roadmap to address it.

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Political and Economic Challenges Faced by Nepal and Its Impact on Indo-Nepal Relations

Raksha Pandey*

Nepal is a Hindu majority state with religious, cultural, economic, matrimonial and linguistic relations with India. Thousands of Nepalese have married in India and vice versa which gives the bilateral ties a unique feature. Thousands of Nepalese are enrolled in the Indian Army and form part of the Gurkha Regiment. In addition, India and Nepal share an open border that is not only exceptional but has also facilitated Nepalese and Indian to live and work in each other's countries. There is no other place in the Indian sub-continent that two sovereign nations enjoy an open border where visas and passports are not necessary. A whole generation of older Nepalese studied and struggled for the independence of India side by side with Indian freedom fighters. These leaders include former Prime Ministers Matrika Prasad Koirala, BP Koirala, Man Mohan Adhikari and Krishna Prasad Bhattarai. But all these unique features are now under stress.

With the flow of time, new generation of Nepalese opt for US, Australia and Europe for their higher studies, not necessarily Indian universities. The open border has been misused by notorious elements including terrorists and both India and Nepalese governments have realised the importance of regulating this border in order to stop organised crime, smuggling, human trafficking, arms trafficking and the growth of terrorism. The

political change in Nepal in 2008 ended the Hindu monarchy and brought in secularism. This was done without a referendum. The elections to two Constituent Assemblies saw a period of great instability. Nepal has had 20 Prime Ministers in 20 years and 6 Constitutions in 5 decades. In all these major political changes, India has had a major role as a facilitator. However, the change of 2008 has introduced unprecedented challenges for Nepal as well as for India because of complexity of the polity and influence of extra-regional actors into what was previously an exclusive Indian domain. This paper shall discuss the historic dimension of Indo-Nepal relations in the religious and cultural spheres and discuss some of these challenges.

Post 1950 Nepal:

After India got independence, the Nepalese youth were also incited to end the 104 years of Rana oligarchy that had kept Nepal under the British security umbrella. King Tribhuvan took asylum in India as the anti-Rana movement became big inside Nepal. It was during the last days of the Rana regime that the 1950 Treaty of Peace and Friendship was signed between the two countries. This Treaty remains a bone of contention even till today. The Rana regime collapsed soon afterwards.

The Treaty has some unique features such as Nepalese citizens enjoying same rights as Indian

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citizens in India, including the right to hold jobs and buy property. However, the Left parties have continuously used this Treaty as an example of Indian hegemony in Nepal. Thus, we can see the period of 1950-1960 as a phase when Nepal saw the light of democracy but was unable to consolidate it. A rift erupted between Matrika Prasad Koirala and his half-brother BP Koirala. PM Nehru's Nepal policy was also full of dubiousness. On the one hand, he supported democratic forces but on the other he was furious with the first democratically elected Prime Minister (BP Koirala) in 1960 for having established diplomatic relations with Israel and Pakistan. The royal takeover of 1960 took place when the Indian Army Chief was on an official visit to Nepal. While all senior leaders of the Nepali Congress and other parties were arrested, Queen Elizabeth visited Nepal in 1961, giving full political recognition to the royal takeover. King Mahendra introduced a political system known as the party less Panchayat system, very much like the Indian Panchayati Raj. It survived for 30 years.

During this period, we can easily see that India's Nepal policy was more low key and reluctant to take any major or hasty decision as its focus was diverted to managing other internal and external crisis. A secure Northern belt provided by the royal regime safeguarded India's UP and Bihar states with external military action. The Sino-Indian border conflict of 1962 also enabled King Mahendra to expand his foreign policy ambitions to make Nepal more visible to the outside world. Nepal became active in UN, NAM and also in expanding its ties with the US and Europe. Nepal was elected twice to the UN Security Council

(1968 and 1988). A number of high-level visits from India to Nepal are also testimony to the fact that relations were satisfactory. Only in 1988, the then Rajiv Gandhi government took some stringent measures that led to the deterioration of bilateral relations. Nepalese term this period as 'Indian blockade' when petroleum supplies and daily essentials were stopped. As a result of this, a whole new generation of Nepalese became anti-Indian.

The period 1990-2001 can be termed as a phase of political turbulence but with the constitutional monarchy as a bulwark of stability under popular King Birendra, Indo-Nepal ties did not suffer. Political parties raked up the issue of Kalapani border encroachment and Tanakpur power projects. King Birendra was the guest of honour at the Republic Day function in 1999. However, the political situation was again deteriorating with the onset of the Maoist insurgency in 1996. Initially, only the rural hinterlands were under the influence of the Maoist rebels but by 2004, the urban centres were also increasingly targeted. Due to the unfortunate cause of events of the royal massacre of 2001, stability in Nepal was again threatened. King Gyanendra took over direct power in 2005. India, this time again under the UPA government, brokered the 12-point understanding between the Maoists who had Interpol arrest notice and the political parties in 2005. This led the way to the people's movement in April 2006.

But democracy in Nepal is still being consolidated. There seems to be a total lack of respect for each other's vision, ideals and perceptions among the political parties. The main objective of democracy is to establish a strong link

between the general people and society. It demonstrates that Nepalese democratic evolution has taken baby steps and has even fallen backwards if one is to see the recent events of weakening of main organs of the state viz. judiciary, legislature and the executive.

Mal-governance, nepotism, corruption and incompetence of Nepalese political party leaders gave many opportunities to the monarch and foreigners to intervene in the political system of Nepal. The Maoist insurgency was one of the most disturbing, unfortunate events in which 18 thousand innocents lost their lives and the nation is still suffering as it lags from economic and political recovery. The deadly earthquake of 2015 gave another blow to the ravaged economy of Nepal. Reconstruction of schools, colleges, private houses, UNESCO heritage sites is still going on at snails pace. India was the first responder to the earthquake. Indian Prime Minister Narendra Modi called by phone to the then PM Sushil Koirala who was on a foreign visit to inform about the earthquake in Nepal. The Constitution enacted soon afterwards, while it was a progressive document in many respects, failed to be inclusive as the Madhesi grievances remained. The Constitution has envisioned a federal structure for the country. A new experiment for Nepal, it is hoped that the federal states will be able to address the challenges of their particular states in a better way than during a centralised polity run from Kathmandu. It ought to be remembered that 51 percent of Nepalese live in the Terai.

The economic growth has obviously been affected, and the growth rate lingers between 3-4% whereas the target is around 7.5%. Nepal still

has agrarian economy which employs the majority of the workforce of the country. But the massive unemployment in the country has forced able, young Nepalese to go to the Gulf, Malaysia, Korea, Japan and other countries for employment. Although remittance that they send contributes about 28 percent of the total GDP, there is fear that even this source of foreign currency may plunge with the COVID-19 closures.

Post 2015 Nepal: A New Hope

Mr. K.P Oli and Mr. Pushpa Kamal Dahal of the CPN (UML) and CPN (Maoist) came together to form a United Communist Party, and the merger secured a near two-third majority in parliament. But a rift soon erupted between these two chairmen of the ruling party. The new dispensation also established party-to-party ties with the Chinese Communist Party. Prime Minister Oli had sufficient time and resources to resurrect the economy and give new hope to the people of Nepal suffering from years of despair and hopelessness. However, he raked up the nationalist sentiment by changing the political map of Nepal that was endorsed by a two-third majority of the Nepalese parliament. This was the time when Sino-Indian border clash was taking place at Galwan valley. Oli also said that Lord Ram was born in Nepal and gave a public jibe at the Indian national motto by saying 'Simha Mewa Jayate'. Ultimately, after two failed attempts to dissolve the House, he was replaced by Sher Bahadur Deuba who became Prime Minister for the 5th time.

People wanted to embrace a New Nepal in 2015, but the greed for power has brought the country to its knees. All the parties have deviated

from the main purpose of a stable political system of nation-building. The leaders seemed to have forgotten that the main aim of their struggle for democracy was to create an environment where all citizens, overcoming differences of caste and creed, get equal opportunity and where all developmental needs are addressed. Instead, post-2008, they have politicised all vital organs of the state including the judiciary. According to the author Kamal Dev Bhattarai, “the country has been riding a wave of political chaos since Maoist rebels launched their war in 1996 – two decades of instability.”¹

In fact, the power struggle has toppled every single government since 1990. This has also scared away foreign investors, who are unsure of making investments amidst the political uncertainties. The industrialists have lost trust in the government due to the erratic changes not only among ministers but also officials. Political instability gives a negative impact on society increasing frustration among the people, which affects the nation as a whole. Political instability is a breeding ground for the unemployed youth to engage in political violence and armed conflicts. Inequality, inflation and the slow pace of GDP growth all are contributing factors to the instability. According to Deependra Chaulagain, ‘the infighting between the political parties has helped neither the ruling party nor the opposition’². Due to lack of governance, education, health services and the overall economy is suffering. Nepal is even hit harder by the ongoing COVID-19 pandemic. With the relaxation of prohibitory orders, the economic activities are gradually picking up among the income-generating sectors, but the government is still struggling to

generate resources to fund the rehabilitation of COVID-19 affected sectors, especially the SMEs.

Because of lock-down in India due to the COVID-19 pandemic, thousands of poor Nepalese migrant labour working in Indian cities returned home in 2020. This caused a massive spread of the pandemic inside Nepal. But with the unemployment in the country and lack of health services including lack of oxygen, they started returning back to India soon afterwards taking advantage of the open border facility. This shows the dependency of the Nepalese economy on India. It also exposed the massive unemployment prevalent in rural Nepal, especially in the far-western region.

Labor migration itself has also put Nepal in the high-risk category of HIV-aids transmission, not to mention other societal costs. The country is suffering from skilled manpower as all are setting out for work outside. Nepal has been unfortunate to face the ill effects of climate change and natural disasters too. Due to global warming, the Himalayas are at huge risk because fast-melting glaciers in the high mountains pose a huge threat to life and property. Author Sarah Karnot’s ‘disfunctionalism’ concept of the state has been recognised as the primary reason for the persistence of poverty and political instability.³ Nepal has managed to make progress in some areas, but achievements have not been even. Marginalised communities such as the Madhesis and Dalits need to be brought in the mainstream. There have been some positive strides but this is not enough. Economy has to be resurrected, tourism has to be given priority but for all this, political stability is a must.

Nepal: A Yam between Two Boulders:

Nearly three centuries ago, King Prithvi Narayan Shah had envisioned Nepal as a ‘yam between two boulders’. Nepal should have been able to benefit from being a low-income to prosperous country in between two Asian giants. Though Nepal is rich in natural resources, especially hydro-power, it fails to generate, utilise and exploit this power for sale to other countries in the immediate neighbourhood. This leads to over-dependence on foreign aid. Only recently, Indian help to build transmission lines has created synergy among the two countries and Nepal has been exporting power during the lean season. Nepal’s notorious ‘load shedding’ has also eased due to power import from India. India has been a big contributor in terms of humanitarian assistance during difficult times, like the devastating 2015 earthquake, as mentioned earlier. Modi government was also steadfast in supplying the COVISHIELD vaccines for Nepal in the midst of the covid-19 pandemic. Indian Ambassador to Nepal Vinay Mohan Kwatra also handed over medical supplies worth Rs. 18 crores in June 2021.⁴ This aid comprised ventilators, ambulances, PPEs and other equipment. India is one of the major investors in Nepal which helps in generating employment and opportunity for Nepalese people. Nepal’s major trade is conducted through the Kolkata port. India has helped provide assistance to build hospitals and educational institutions which help in exchanging students for achieving a degree.

India under PM Modi has given priority to facilitate improved connectivity and has allocated resources for building border roads and railways that will reduce poverty in Nepal. India is Nepal’s

largest trade partner and provides essential transit. As Nepal is a landlocked country, it is very difficult for it to be self-sufficient, and not rely on its powerful neighbour. The two countries have undertaken various connectivity projects to enhance people-to-people linkages and achieve economic progress but the bordering states of UP, Bihar, West Bengal and Uttarakhand also need to be in the same page in terms of giving extra attention to the development of the border regions. In some areas, the Nepalese side is more developed than the Indian side. India is also trying to look out for various ways to develop the inland waterways within its framework of trade and transit to provide access to the sea for Nepal.

Of late, China has also given top priority to Nepal and this is quite visible after the success of the Maoist movement in 2008. Two communist parties have set-up party-to-party ties as their mutual ideology of Marxism and Maoism gives a common kinship. Flurry of high-level visits, awarding of major contracts and tenders such as the Bhairahawa International Airport and Pokhara International Airport to Chinese companies show that Sino-Nepal relations is getting a strong economic tinge. Second largest cluster of tourists to Nepal are Chinese and there is much anticipation inside Nepal of the early completion of the Golmud-Lhasa-Shigatse-Keyrung railway that will connect Nepal to China via the railways. Although Chinese economic footprint is growing all around South Asia, what makes Sino-Nepal relations in the modern era truly exceptional is the dominance of communist parties in Nepali polity. These communist parties were originally having fraternal ties with Indian communist parties. Although Nepal would like to

reap benefits from the economic progress of both its neighbours and would want to distance itself from the bilateral problems between India and China, its manoeuvrability is limited in this regard. At times, Indian commentators fail to understand this phenomenon and criticise Nepal as playing the ‘China card’. Nepal’s relations with both India and China need to be seen in their own merit, the latter having become very active in terms of trade, investment, tourism and providing scholarships to students in the recent years. Instead of nitpicking on China’s economic forays inside Nepal, India has to sharpen its own traditional leverages which it has overlooked post 2006.

Conclusion

The political evolution of Nepal since the 50s, the dependence of the economy on Indian economy and the new factors adversely affecting the relationship has been highlighted above. Nepal and India share a unique, deep-rooted relationship

of cooperation and close people-to-people cultural ties, but India needs to comprehensively review its Nepal policy from time to time. We not only share an open border for the free, unrestricted movement of our nationals but also have a very close bond through marriages popularly known as *roti-beti ka Rishta*. We share very similar ties in terms of the common religion – Hinduism and Buddhism. However, official India needs to revisit our common heritage and encourage religious and cultural bonds such as the Ram-Sita Vivah Mahotsav in Janakpur. The Sanatan culture, Sanskrit and revered temples such as the Char Dhams (Four Dhams) in India, Lord Pashupatinath and Muktinath in Nepal, yoga, Kumbh Mela, Shiva Ratri, etc. are embodiments of our common heritage. The ‘Bol Bam’ pilgrims are increasing year by year from India to Nepal. Stressing on physical connectivity is not enough. No other country can replace India inside Nepal if the common religious, cultural and linguistic aspects are stressed and given priority.

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Neighbourhood Policy of Modi Government: Challenges and Opportunities

Ashok Sajjanhar*

India has shared close civilisational bonds with its neighbours over the last several centuries. For several extended periods of time in India's history, the vast swathe of land from Afghanistan in the West to Myanmar in the East was a part of Indian territory. The intimate ties of culture, history, language, attire, cuisine, traditions and faiths have however not been sufficient to ensure friendly and peaceful relations between India and its neighbours. On the contrary, many of these factors have been used at times by India's neighbours to emphasise their uniqueness and individual identities as being separate from India.

The challenges that confronted Prime Minister Modi when he first took charge of the reins of the Government on 26th May, 2014 were formidable and daunting. It was presumed by political analysts and commentators that since PM Modi's exposure to the realm of diplomacy and foreign affairs was limited, management of India's foreign relations would be the weakest suite in his governance. However, he surprised his staunchest critics and began strongly by inviting Heads of State/Government of all SAARC countries and the Prime Minister of Mauritius to his swearing-in ceremony. All the invited leaders responded promptly and positively to the Invitation, except for Pakistan whose Prime Minister took a little longer to confirm. The presence of all SAARC leaders at

this ceremonial event and at the bilateral deliberations between PM Modi and the visiting dignitaries on 27th May, 2014, launched the current government's "Neighbourhood First" policy to an inspiring start.

It needs to be recognised that most countries in the world have difficult, if not outright adversarial relations with their neighbours. This is particularly true of large countries and has been visible in the context of relations between USA-Canada, USA-Mexico, France-Germany, Germany-Italy, France-UK, Brazil-Argentina and several more. Kautilya had propounded in his Mandala Theory of Inter-State relations around 300 BCE: **"A State's neighbour is its natural enemy, and its neighbour's neighbour is its friend"**. Although exceptions to this postulate exist, its basic thrust continues to be relevant and valid in several cases even today.

In the SAARC, India accounts for around 80% of the total land area, GDP, wealth, trade, FDI, industrial and agricultural production etc of this configuration. India hence occupies a pre-eminent and dominant position in this structure. India is the only country that shares borders with all other SAARC member countries, either land or maritime, and none of the other countries shares a border with any other member except between Pakistan and Afghanistan.

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Since India's independence, there has been a huge trust deficit between India and its neighbours who consider that India flaunts a "Big Brother" attitude towards its smaller neighbours. There is also a pervasive impression that barring Pakistan, India does not devote enough time and attention to solving problems or strengthening relations with other neighbours. Even projects beneficial to smaller countries are looked upon with suspicion and scepticism, as if India has a hidden agenda favouring itself while promoting those initiatives.

To promote confidence and trust, PM Modi announced immediately after assuming charge that relations with neighbours would be given primacy in formulation and implementation of his Government's foreign policy. He followed up this pronouncement by selecting Bhutan for his first visit. This decision was taken to further cement and consolidate this "special relationship," particularly in the wake of a concerted push by China to establish diplomatic ties with Bhutan and settle its borders to the detriment of India's interests. India is Bhutan's strongest partner, with cooperation ranging from construction of infrastructure, power plants, roads and cement plants to education and health. Addressing the Bhutanese Parliament on June 16, 2014, PM Modi said: "The stronger India will be, the better it is for Bhutan and other SAARC nations. A strong and stable India is needed so that we can help our neighbours".

India's relations with Bhutan have continued to expand over the last seven years since the advent of the first Modi government. India's staunch support for Bhutan's territorial integrity was emphatically demonstrated during the Doklam

crisis in 2017, which witnessed a 73-day eyeball-to-eyeball showdown between the Indian and Chinese forces on Bhutanese territory. This sent out a strong message, not only to Bhutan but to all countries in the neighbourhood and beyond, that India will stand steadfast in protecting its own strategic interests and those of its neighbours in the face of unprovoked hostility from China.

Bhutan became the first country to receive a gratis consignment of 1.5 lakh doses of 'Made in India' COVID-19 vaccines on 20th January, within days after India launched its own vaccination drive on 16th January, 2021. Following the delivery, Bhutan's PM, Dr Lotay Tshering said that it is a gift from a 'trusted friend' who has been with Bhutan all through the decades and in this pandemic too. He stated that "we applaud the gesture that signifies the compassion and generosity of the Prime Minister of India Narendra Modi, and the people of India for the wellbeing of the humanity." During the coronavirus outbreak, India handed over ten consignments of medical supplies, portable X-Ray machine, essential medicines and medical equipment to Bhutan. Prior to the vaccine delivery, India also organised a training programme for immunisation managers, cold chain officers, communication officers and data managers from Bhutan, both at national and provincial levels.

In his pronouncements on his visits, PM Modi has sought to make India's neighbours active partners and stakeholders in its development and prosperity, encouraging them to take full advantage of India's successes. This was the theme of his next visit in the Region to Nepal in August, 2014, which turned out to be the first bilateral visit by an

Indian Prime Minister to this vital country after a long gap of 17 years. This sought to remove the impression of being neglected and taken for granted that had long been held by the people and leadership of this country. During his visit, PM Modi announced that India would like to work towards making Nepal a developed country by harnessing its resources to produce hydro-electric power and also purchasing it from Nepal at market prices to meet the growing energy demand in India.

Soon after the visit, the Indian Government responded with exemplary swiftness to provide relief and medical care to the victims of the horrendous 7.9 Richter intensity earthquake that struck Nepal on 25th April, 2015 causing countless deaths and huge destruction. The beneficial impact of this commendable government action however got diluted somewhat due to the intrusive and insensitive reporting on this tragedy by some Indian TV channels.

PM Modi's first visit to Nepal was preceded by the visit of EAM Sushma Swaraj for the meeting of the Joint Economic Commission which was convened after a gap of 23 years. PM Modi made a second visit to Kathmandu in November 2014 to participate in the SAARC Summit. Significant forward movement in bilateral ties was visible as long pending agreements on power generation and trading were signed between private companies of the two countries.

Relations with Nepal hit a road block in 2015 when months-long demonstrations and protests were launched by the Madhesi community of Nepal against the newly adopted Constitution as their demands for greater representation were ignored. This forced a blockade of vehicular movement

from India into Nepal delivering a shock to the Nepalese economy which the KP Sharma Oli government projected as a wilful act of hostility by India. Subsequently, other issues were created by the Oli government, new maps drawn up in May 2020 and the Nepalese Constitution amended to show the Indian territories of Lipulekh, Limpiyadhura and Kalapani as belonging to Nepal. This move by PM Oli was seen as an attempt to resort to hyper-nationalism as Oli was facing pressure from within his own party to resign because of his incompetence in dealing with the coronavirus pandemic, economic decline, corruption etc.

India tried to stabilise bilateral ties by deputing Foreign Secretary, the Army Chief and other senior officials of the government to undertake bilateral visits to Nepal. The manoeuvres by Oli yielded only temporary advantage to him. He was forced by the Nepalese Supreme Court to resign in July 2021 and hand over power to Sher Bahadur Deuba. Deuba's first visit to Delhi in August 2021 after assuming power has sought to stabilise and provide a fillip to bilateral ties. In keeping with its Neighbourhood First Policy, India supplied 1 million doses of the Covishield vaccine gratis to Nepal on 21st January, 2021. Further supplies were stopped temporarily on account of the second wave in India but are to be resumed shortly as India's production has grown significantly.

PM Modi has sought to improve relations with Pakistan also. He demonstrated this not only through words but more importantly through action by inviting Pakistan PM Nawaz Sharif to his first swearing-in ceremony. Relations with Pakistan thus got off to a positive and encouraging start at

the beginning of PM Modi's first tenure. This however did not stop him from calling off the Foreign Secretary level talks in August 2014 as the Pakistan High Commissioner went ahead with his meeting with the Kashmiri separatists in spite of having been advised by the Indian Foreign Office to desist from doing so. Addressing the General Assembly Session of the United Nations in New York on 27th Sept, 2014, PM Modi said: "India desires a peaceful and stable environment for its development. That is why my Government has placed the highest priority on advancing friendship and cooperation with her neighbours. This includes Pakistan. I am prepared to engage in a serious bilateral dialogue with Pakistan in a peaceful atmosphere without the shadow of terrorism to promote our friendship and cooperation."

India's initiatives to improve relations with Pakistan did not meet with a positive response. Pakistan resorted to increased firing and shelling from across India's borders and continued to mastermind and support terrorist attacks on Indian territory. The Indian Government decided that all attacks will be responded to with even greater force so that Pakistan is made to feel the pain and is punished for its actions. India has also decided that notwithstanding Pakistan's obstructionist approach to promoting social, economic, commercial and cultural cooperation amongst SAARC countries, India will continue to take new initiatives for enhancing regional and sub-regional cooperation, either with or without the presence of and engagement of Pakistan. In this context, India started placing greater emphasis on cooperation in the sub-regional groups comprising of

Bangladesh-Bhutan-India-Nepal (BBIN) and Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) whose members include Bangladesh, India, Myanmar, Sri Lanka, Thailand, Nepal and Bhutan.

PM Modi sought to normalise relations with Pakistan by agreeing on a bilateral dialogue on terrorism in their informal meeting in Ufa, Bashkortostan, Russia, on the sidelines of the BRICS/SCO Summit in July 2015. The then Pakistan PM Nawaz Sharif could however not deliver on this commitment. PM Modi again reached out to Sharif at the Paris Climate Meet in November 2015, and also paid an unscheduled, brief visit to Sharif's private home at Raiwind, near Lahore, to attend Sharif's grand-daughter's wedding, on his way back from Kabul on 25th December, 2015. These initiatives to normalise relations by PM Modi were met by terror attacks in Pathankot on 1st January, 2016 and in Uri in September 2016. This proved to be the breaking point as far as PM Modi's engagement policy with Pakistan is concerned. He declared that talks and terror will not go together and broke off all dialogue with Pakistan. A surgical strike was launched on 28th September, 2016 which inflicted severe damage to Pakistan's terrorist infrastructure. The Pulwama terrorist action in February 2019 leading to the death of 44 CRPF personnel resulted in the Balakot air strike, deep within Pakistan and caused heavy damage to the terror base located there.

These two attacks well inside Pakistan also busted the bogey of nuclear blackmail threats that Pakistan establishment has been constantly making against India. A ceasefire has been in place since February 2021 but recent developments in

Afghanistan with the Taliban assuming power on 15th August, 2021 have made the LOC and India-Pakistan border and the Union Territory of Jammu and Kashmir more vulnerable to terrorist actions from across the border. The recent spate of killings and attacks on small-time businessmen and entrepreneurs in Kashmir from different parts of the country has created considerable anxiety in the minds of the people and administration of the Union Territory. There is growing demand by the people of the country that Pakistan's perfidies should not go unpunished. The country could see some precipitate and decisive action against Pakistan in the coming weeks.

It needs to be recognised that in Pakistan, its policies relating to relations with India, USA and Afghanistan, and nuclear issues fall within the purview of the Pakistan Army and related agencies, and are outside the mandate of the civilian government. The Pakistan army is unlikely to agree to any measures to improve relations with India as it will directly impact the funding and financial resources it receives, subsequently lessening its standing and influence in the domestic power matrix. India will hence have to continue to live with the periodic shelling and incursions from across the border. It will also need to be ready to give a befitting response to these treacherous actions master-minded from across the border as it did in the case of Uri and Pulwama attacks.

PM Modi's "Samudra Yatra" which inter alia took him to Sri Lanka in March, 2015, as the first bilateral visit by an Indian PM after a gap of 28 years, was a resounding success. He was able to reach out to all segments of local society and communities and emphasise India's interest in the

integrity, sovereignty, stability, security and prosperity of Sri Lanka. He became the first Indian prime minister to visit Jaffna, a city in the northern province that is still struggling to recover from decades of war between Tamil rebels and the central government. PM Modi made a strong appeal for empowerment of Sri Lanka's Tamil minority. The change of Government in Colombo after elections in January 2015, and separate visits by Sri Lankan President and Foreign Minister, which were their first visits outside the country after assuming charge, set the stage for a productive bilateral visit by PM Modi. Discussions on some contentious issues like freedom of fishermen to fish in the Palk Straits, resettlement of the displaced Tamil refugees, up-gradation of the bilateral Free Trade Agreement to a Comprehensive Economic Partnership Agreement (CEPA) were taken up.

PM Modi's visits to Sri Lanka in 2015, 2017 and 2019 imparted a fresh impetus to the bilateral engagement. Election of Gotabaya Rajapaksa as President of the country in November 2019 was seen by India both as a challenge and an opportunity. PM Modi decided to focus on it as an opportunity and dispatched External Affairs Minister S. Jaishankar to reach Colombo a day after the swearing in ceremony of President Rajapaksa. He was the first foreign leader to visit Sri Lanka after the Presidential election. He conveyed PM Modi's message of a partnership for peace, progress, prosperity and security. PM Modi's message went on to assert that he had confidence that India-Sri Lanka relations would reach greater heights under Rajapaksa's leadership. The last two years of the Rajapaksa Presidency have witnessed

bilateral ties grow significantly. Sri Lankan President, PM, Foreign Minister and other senior officials made India the first port of their call after the elections.

President Rajapaksa has assured India that Sri Lanka will not allow its territory to be used for any activity that could pose a threat to India's security. Recent visits by Indian Foreign Secretary and Indian Army Chief have further cemented ties and expanded understanding between the two countries. Inauguration of the Kushinagar International airport by PM Modi on 20th October, 2021 at which a plane-load of Sri Lankan monks and devotees were the first to land, has sent out a strong message of friendship and cooperation between the two countries.

The then Afghan President Ashraf Ghani visited India from 27 to 29 April, 2015. It was a useful visit providing an opportunity to leaders of the two countries to have a comprehensive and face-to-face dialogue on the future trajectory of our partnership. There was considerable concern in some circles in India that Ghani's closeness to Pakistan and China would be at India's expense. Ghani chose to visit India after having undertaken visits to Pakistan, China, Saudi Arabia, USA, UK and Iran. This was an indication of his priorities as far as Afghanistan's foreign policy was concerned. PM Modi utilised the opportunity of Ghani's visit to underline and re-emphasise India's strategic interest in ensuring a stable, secure, democratic, secular and prosperous Afghanistan. India has invested heavily to the tune of US\$ 3 billion in the economic, social and physical infrastructure as well as in development of human resources in Afghanistan. India enjoys centuries old cultural and

civilisational links with the Afghan people.

During the past seven years, India and Afghanistan have significantly expanded their cooperation in many sectors of development cooperation. India is engaged in executing more than 500 high impact community development projects in all the 34 provinces of the country. India was able to complete the Salma Dam/Afghanistan-India Friendship Dam, which had been pending for many years as well as the parliament building. Both of these were dedicated to the people of Afghanistan and handed over by Prime Minister Modi during his visits in June, 2016 and December, 2015 respectively.

The recent takeover by the Taliban in Kabul has introduced great uncertainty and anxiety in India and several other countries in the region and beyond. The Taliban had been in contact with a number of governments in the neighbourhood through their political office in Doha. Taliban delegations also travelled to Russia, Iran, China and other countries to send out the message that it was a different entity from the one that had ruled Afghanistan in the late 1990s, that they were moderate, would be inclusive in their governance, would respect the rights of minorities and women, and would not follow the obscurantist policies of the 1990s. They have however not abided by their commitments. The caretaker government announced by the Taliban in early September 2021 is not inclusive, does not have any women and comprises of individuals who are proscribed by the UN and several countries and have bounties on their heads. There is worry around the world but particularly amongst Afghanistan's neighbours, including India, that Afghan territory could be used

as a staging ground for launching terror attacks against other countries. It is being speculated that increased violence and killings in the Kashmir Valley in recent weeks are a result of the Taliban victory in Kabul.

India has been speaking at all the international fora to apply pressure on the Taliban to safeguard the human rights of minorities and women, allow girls to go to school and not allow the Afghan territory to be used for terrorist actions. In parallel, India has also started a dialogue with the Taliban to make them aware of our interests and concerns and ensure that they are safeguarded. We have also conveyed our readiness to provide food, medicines and other emergency items to avert the human catastrophe building up in Afghanistan. Simultaneously India is in active contact with all the regional and global interlocutors like Russia, Iran, Central Asian countries, Qatar, Europe, USA and others to ensure that a common international policy is followed on the issue of dealing with the Taliban. India is also in touch with Iran, Uzbekistan and Afghanistan to promote connectivity with Afghanistan and Central Asia through Iran and the Chabahar port.

India's relations with Bangladesh today are the friendliest and most fruitful than they have been at any time since 1975 when the Father of the Nation Bangabandhu was assassinated. The upswing in relations started when Sheikh Hasina assumed the mantle of the Head of Government in 2009 and won two terms subsequently. Bangladesh has helped and supported India to deal with insurgency that was earlier being promoted from Bangladesh territory. Bangladesh has apprehended and handed over Indian militants and

extremists and closed all sources of funding, training and shipment of arms. India has generously supported Bangladesh's developmental efforts by extending financial aid for economic and infrastructure development and growth. Bilateral ties saw a significant spurt in trust and confidence between the two sides when the Indian Parliament unanimously passed the Land Boundary Agreement which had been pending ratification since the Indira-Mujib Pact was signed in 1974. PM Modi has continued the active and intense interaction with the Sheikh Hasina Government to mutual benefit and advantage. EAM Sushma Swaraj chose Dhaka to be her first destination after the Government was sworn in in 2014. This is a measure of the importance that the Modi Government attaches to its relations with Bangladesh. The first visit by Bangladesh President to India in December 2014 since the visit of Sheikh Mujibur Rehman in 1974 was also testimony to the determination of PM Modi early in his tenure to further strengthen bilateral ties with this important neighbour.

Relations between India and Maldives were tense and under stress ever since former President Mohammed Nasheed was removed from Office in 2012 and the contract of GMR to construct the Male Airport was terminated mid way. It was subsequently awarded to a Chinese Company. Maldives was be in a state of flux when PM Modi first assumed power. It was a matter of worry for India that not only was the Maldives under President Abdulla Yameen tilting perilously towards China by joining its Belt and Road Project but was also precipitously moving away from India. Tense bilateral relations however did not come in the way

of India despatching large emergency supplies of drinking water to Maldives under Operation Neer in Dec, 2014 when the need arose on account of a huge fire in the Male Water and Sewerage Plant.

Matters took a turn for the better when Yameen lost in the election in 2018 and Ibrahim Solih emerged as the winner. PM Modi was the only foreign leader to be invited to the swearing in ceremony of President Solih in November 2018. The last two years have seen a sharp course-correction in the policies of the Maldives government. Relations between India and Maldives have strengthened and expanded. The strongest demonstration of this is the unstinted support extended by India to Abdulla Shahid, the foreign minister of Maldives for his election as President of the 76th Session of the UN General Assembly. Shahid won handsomely against a candidate propped up late in the race by China. Maldives has confirmed that it is committed to an “India First” policy.

India has supplied vaccines gratis to all its neighbours, except Pakistan from where there was no request for supply of the vaccines. These have been warmly welcomed by these countries and have significantly strengthened ties with these countries. For a few months, India was not able to export vaccines because of the devastating impact of the second wave. But it has re-started the exports to the neighbouring countries. This news

has been received with great relief and satisfaction by all countries, particularly in India’s neighbourhood.

India launched the South Asian Satellite in 2017 to promote education, human resource development, entertainment, meteorological studies, telecommunications etc. in the neighbouring countries. Initiatives like this as well as enhanced development of human resources and skills *inter alia* through the Indian Technical and Economic Cooperation (ITEC) Programme have gone a long way in promoting economic development and growth amongst India’s neighbours and invigorating relations with India.

Prime Minister Modi has used his clear-headed approach to reach out to countries in India’s neighbourhood, South East Asia and India’s strategic partners around the world to carve out stronger relations for promotion of its national interests and safeguarding its concerns. He has also used his communication skills most effectively to connect with India’s major partners and interlocutors all over the world, particularly in the neighbourhood. PM Modi has been bold, creative, resolute and steadfast in seeking better relations with the neighbours. It is a measure of the success of India’s “Neighbourhood First” policy that its relations with most countries of the neighbourhood are significantly better than they were when PM Modi took over the reins of power in 2014.



An Interview with Shri Ranil Wickremesinghe*, Former Prime Minister of Sri Lanka

Nitin Gokhale*

Nitin Gokhale: Sri Lanka's geographical position in the Indo Pacific is crucially located between two well established logistics hubs—Dubai and Singapore. What role can Sri Lanka play to bring in more trade and greater exchange of flow of goods in the region? Besides these two main hubs, do you foresee Sri Lanka to be a good logistics hub?

Ranil Wickremesinghe: Singapore is a good logistic hub, lying between the Indian Ocean and between the South China Sea and the Pacific Ocean. Dubai's location on the eastern part of the Arabian Peninsula on the coast of the Persian Gulf, makes it an ideal major global transport hub for passengers and cargo. Sri Lanka has always been one of the trading centres of the Indian Ocean, even in earlier times when there was a highly developed trading system. Today, the Indian Ocean is the least integrated trading region in the world. So facilitating integration of trade in the region is one of the challenges for Sri Lanka. We also need to work on the proposition of being the gateway to India and onto the Bay of Bengal. The Bay of Bengal is developing rapidly and has become a region of great interest. We therefore, need to coordinate our shipping policies with that of India, Bangladesh and Myanmar.

We also have to see how we can go forward with some form of economic cooperation and trade integration. The Indian Ocean Rim Association

(IORA) is aimed at strengthening regional cooperation but has not so far been able to bring about trade integration. This is an issue which we have to look into, especially as there are two big ongoing projects on the side of the Western Indian Ocean. One of these is the International North–South Transport Corridor (INSTC), a multi-mode network of ship, rail, and road route for moving freight between India, Iran, Afghanistan, Azerbaijan, Russia, Central Asia and Europe. The other is the China-Pakistan Economic Corridor, that is linking Central Asia to the Xinjiang province of China and also to the heart of Russia and onto Turkey.

There is also a lot of potential in East Africa. By 2050, the population in the region between Bangladesh and East Africa, will be equal to that of India, which will make this region bigger than the Regional Comprehensive Economic Partnership (RCEP) grouping. It is important that we start looking outside our national framework towards a cooperative set up. It would be appropriate to discuss a timeframe, which could perhaps be ten years, for trade integration to take place in specific sectors. We can move slower than the RCEP but nevertheless some move has to take place. Here, India can take the lead to be the engine of growth. This big region can then interact with RCEP and perhaps later, move on to interacting with the European Union (EU).

**Shri Ranil Wickremesinghe is the Former Prime Minister of Sri Lanka.*

**Shri Nitin Gokhale is the Founder of BharatShakti.in and Strat News Global.*

Nitin Gokhale: That is a good suggestion, but would require very good relations between India and Sri Lanka. Where do you see the relationship between India and Sri Lanka currently and what should be done to improve it?

Ranil Wickremesinghe: We have had ups and downs in our relationship. We had challenges when the LTTE came in, we have them now and we had them in 2014. But we also had very good relationships from about mid-1990s till about 2005—and we worked a lot of these out in 2015. The first issue—and let us be frank about it—was the Belt and Road Initiative of China. We had to accept the fact that we had two different views, but nevertheless, that does not preclude us from working together, because we had one issue on which we both agree—that Sri Lanka should not be a threat to India and India should not be a threat to Sri Lanka. Now, if we accept that, then we can resolve our differences on trade, economy, culture and on any other issue.

There is no gainsaying the fact that Sri Lanka and India need greater integration in trade. For that, we need to integrate our ports. We could link the Colombo and Trincomalee ports with the Indian system and we were working towards that end. We worked on Colombo harbour on the East terminal, on getting the oil tanks and aiming at the Bay of Bengal, which means that there were so many projects that we had jointly put together, and also with Japan, as India came in with Japan. We need to continue working towards that end.

I had always asked India to give us a terminal in return, which would have been very good at some stage as we had two LNG plants and the floating terminal. We also had the oil tanks issue

which we should conclude quickly. From our side, we can explain the issue to the trade unions and see that their concerns are taken into account. Similarly, we were looking at development of the Mattala airport and the third section of the central expressway. At that time, the USA came in with a proposal from the Millennium Challenge Corporation (MCC) and one part of it was to study the road from Kurunegala to Trincomalee, to look at the possibilities of having industrial estates. Sri Lanka rejected that package which was worth over US \$2 billion, which perhaps could have been beneficial for us. Such like issues need to be resolved in our quest towards further integration. India and Sri Lanka already have a Free Trade Agreement, the ISFTA, which was signed in December 1998. As a step forward, we can now look into the possibility of the five southern states of India, working together with Sri Lanka as one economic grouping.

We must remember that Indo-Sri Lanka relations are not merely dependent on government-to-government relations. It is a heritage relationship as we have a common origin, with strong bonds in Buddhism, Pali and Sanskrit. We have similar Rahu Kalaya (inauspicious timings). While the sacred Buddha shrine is in Bodh Gaya in India, we have the southernmost sacred Hindu Shrine in Koneswaram in Trincomalee. We listen to the melodious voice of Lata Mangeshkar and you listen to the Sri Lankan singer, Yohani. These are cultural bonds which unite us and we should further strengthen them.

Nitin Gokhale: While civilisational and cultural ties do bind us together, another factor that is binding India and Sri Lanka as also Maldives

together, are the common maritime security mechanisms. What is your view about SAARC and BIMSTEC, the latter in reality being SAARC minus Pakistan? Do you think SAARC and BIMSTEC are good platforms to improve relations in the region?

Ranil Wickremesinghe: We need the trilateral agreement, and we also need SAARC and BIMSTEC. SAARC is the only organisation for South Asian. If we create a vacuum, then someone else will come and fill it. Both India and Pakistan were the founder members of SAARC, so, regardless of the difficulties in the relationship, we have to go along with the organisation. The problem in SAARC, as I foresee it, is with Afghanistan. If you are going to persecute people of other religions, or of different Muslim sects, and if people do not have freedom and are going to be shot on the streets, that is going to create a problem for us. With respect to Pakistan, while it does have a problem with some other countries, nevertheless, we should start moving at the official level and the ministerial level in an attempt to resolve all issues. BIMSTEC gives us a reach to the Bay of Bengal and maybe, at some later stage, to some maritime issues in the region. So, it is essential that we get this. At the moment, we have only the Trilateral Security Arrangement.

Nitin Gokhale: The elephant in the room is China. The shadow of China is very long and very thick in the region. How does Sri Lanka balance this and how does India make sure that China does not overwhelm its relations with its neighbours, especially Sri Lanka?

Ranil Wickremesinghe: Sri Lanka has had long ties with China, just as India has had, which

go back to the times that Buddhism spread from India to China and Sri Lanka. We have also had trading relations with China since earlier times. Post-independence, it was Prime Minister Nehru himself who pushed forward the cause of China. Sri Lanka had a trade pact with China in 1952, when the latter agreed to export rice to Sri Lanka in exchange for rubber. Since then, our relationship has grown and we have become close to each other. That is one thing we both have to acknowledge. But we have not allowed the Chinese relationship in any way to impact on the Indian relationship. We have to accept the fact that we may have different views, but we also know that India has a specific role to play in the Indian Ocean. India is the largest country – politically, economically, militarily and population wise. We have accepted Security and Growth for All in the Region (SAGAR). Hence, if China comes in and they want to have an economic corridor, we can handle that without coming into any conflict with India. We have the Belt and Road Initiative on one side, with multiple economic projects. On the other hand, if we can have sub regional cooperation with the five Indian coastal states as well, that too should be all right. Our relations with India are not just country to country relations, but relations with people who have the same origins.

Nitin Gokhale: Moving away from Indian Ocean and the bilateral relations, how do you see Sri Lanka responding to the increasing American footprints in the Indo-Pacific, the recent AUKUS agreement, and the traction QUAD has now got?

Ranil Wickremesinghe: In the beginning of the last century, America extended their manifest destiny out into the Pacific, with Hawaii and

Philippines. Then, after World War II, USA consolidated firstly by bringing Hawaii and Alaska as two States in the American Union and secondly, through the San Francisco system, brought Japan in. Later, with the Nixon visit to Beijing, the ice between the two countries was broken. We have to remember that China's economy was built up by America. The Asia-Pacific construct gave way to the Indo-Pacific, in the context of the US-China rivalry, with the US reframing the arrangement by pushing it into the Indian Ocean. But when we look at the QUAD, we are still wondering what exactly it stands for. The idea originated from the then Japanese Prime Minister Abe's speech at the Indian Parliament and received traction later with the speech of Indian Prime Minister Modi at Shangri La. Subsequently, President Trump gave his vision of the Indo-Pacific and now we see a reframing

of the same. So there has to be some agreement on what exactly the QUAD is to be.

If you take the last QUAD summit meeting in Washington, it talks about an inclusive Indian Ocean, which is basically what the Japanese and the Indians have been pushing for. AUKUS is a military alliance and as a military, they talk of working with the partners. We are not enthused with any military alliance in Indian Ocean, so there is very lukewarm response in Asia for AUKUS. I am pressing hard for the freedom of navigation and undersea cables in the Indian Ocean. That will take 50 percent of the problem out, but I think AUKUS is going to be a problem. And I don't know how India is going to manage it.

Nitin Gokhale: I think that's where the convergence between India and Sri Lanka will come in. Thank You.



Bangladesh@50: An Epic Saga of an Indomitable Nation

A K Abdul Momen*

Policies are ethereal. No matter what the published doctrine or strategy might be, it is quite difficult to pinpoint a specific anchorage for a policy over a period of time – at a certain point in time. What we do get, however, is a general sense of being and a spatial sense of direction as to where we might be heading as a country, or as an institution or even for that matter, a society or an individual. Foreign Policy is almost at the heart of the art of statecraft. Its evolution is highly non-linear and – if we look back in history – it moves back and forth in time like a short-stepped tango danseuse. Foreign Policy, clearly written or shaded in grey, deals both with the vernacular and with the elite and everything that falls in between. As a researcher, the earliest foreign policy books known to me is the “Manusmriti” – or the Code of Manu from the Indian sub-continent stipulated to have been rooted in the timeframes of 12th to 10th century BCE. If you would look at the treatise, particularly at Chapter VII, on Raj Dharma, you will get an even older version of Kautilya’s Arthashastra. The chapter contains what ought to be a nation or a king’s policy ought to be, with regard to countries (or kingdoms) other than their own. A near parallel grew from what is China today in the form of Sun Tzu and his ‘Art of War’ in the 5th century BCE. These were like general principles which a sovereign ruler, in this case a king, would apply to the affairs of the state and to the conduct of relations with other sovereigns –

which today – is variously termed as foreign policy. Let me proceed into the subject matter of this article with this spirit in its foundation.

Bangladesh @ 50

As I write this article, Bangladesh is celebrating its Golden Jubilee of Freedom and the Birth Centenary of its Father of the Nation, the Architect of its State, Bangabandhu Sheikh Mujibur Rahman. Most auspiciously, we are also celebrating the anniversary of fifty-years of bilateral ties with our most trusted friend and our closest neighbour, India.

The story of Bangladesh is a saga of an epic proportion. The country had literally started with scorched earth. With three million dead and two hundred thousand raped (Jahan, 2013; Sharlach, 2000; Debnath, 2017), Bangladesh started with nothing but an indomitable resolve to survive the harsh winters of December 1971. Fifty years have passed since then and what some pundits once referred to as a ‘basket case with no hope of survival’ (Jahan, 1973) evolved into a “development miracle” (Barai, 2020) and a “land of opportunity” under the leadership of Prime Minister Sheikh Hasina (Khondker, 2017; Wajed, S, 2020), the able daughter of the assassinated Father of the Nation Bangabandhu Sheikh Mujibur Rahman. Thanks to, first, strong agricultural sector production - both extension and distribution and marketing; second, the rapid expansion of RMG-led production and

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export; and third, impressive remittance that pulled the economy even when the global economy was facing recessions and meltdown, the growth engine of Bangladesh keeps roaring ahead. It is not only these three direct impetus, but also a cocktail of robust and manifest structural reforms – expanding and reconfiguring public sector investments into the formation of infrastructure assets; a freer and more transparent flow of remittances from a thriving expatriate community; diversification of exports – to higher-value brands and integration of essentially middleware design and software components, which have contributed to Bangladesh's journey towards becoming a journey of a determined and charismatic leadership (Moni & Joy, 2020). The Economy of the country has been growing at a sustained rate of more than 6% per annum for the last four decades and had it not been stifled by the sudden onslaught of the COVID19 paradox, it would have been lifted to an 8% paradigm starting 2020. Even after nearly two years of COVID19-induced constrictions, Bangladesh's economy grew an astonishing 5.2% in 2021 and our growth projections are close to 7% again in the year coming up ahead.

Bangladesh is often tagged, and consequently, anointed as a model of development by the international financial institutions including the World Bank and IMF – despite their erstwhile reservations and skepticism about the very survival and growth of the country (Sawada, Mahmud and Kitano, 2018). The astute foreign policy dimension of Prime Minister Sheikh Hasina not only complements but also acts as a primary vortex for international connectivity, fiscal stability and economic growth both for the country and for the

region. As a secular, sovereign and independent nation-state Bangladesh is formulating its foreign policy goals and objectives to advance its national interest based on the core dictum of Bangabandhu Sheikh Mujibur Rahman, 'Friendship to All, Malice towards None' (Rahman, 1998).

Bangladesh has been slowly but steadily walking through various stages of its survival and growth as a Westphalian country in the geospatial, geo-strategic and geo-economic milieu of South Asia – bordering on the Indian Ocean and sitting on the tip of a thin land bridge to Southeast Asia and the theatre of the East. When we speak of the Foreign Policy imperatives for Bangladesh emanating from its economic realities, we must remember that Bangladesh had started with all the ingredients of a nation-state – except that its productive capabilities, assets, and revenues were either uncollateralized or impossibly immutable either to free-flowing cash or to high-powered foreign currency denominators. Securing and nurturing interest in the country came at a high personal cost and with a high degree of personal sacrifices. Indeed, the nation-building initiative of the country revolved around a mostly idealistic notion centred on Bangla as a language and Bengali as a dominant mode of cultural expressions – which survived not only two hundred years of British and Pakistani occupation but also nearly 21 years of successive autocratic regimes after the assassination of Bangabandhu Sheikh Mujibur Rahman and defied many attempts on its intended national and institutional architecture.

Therefore, in retrospect, the foreign policy of Bangladesh evolved sparingly around our core constitutional principles - nationalism, socialism,

democracy, and secularism - radiating from the spirit of the glorious war of liberation in 1971. Though Bangladesh had a few collaborators to the Pakistani regime installed as Ministers and even once as a Prime Minister by the Military autocracy (Mookherjee, 2015), it has somehow never forgotten that the constitution of Bangladesh dictates the state to formulate its foreign relations on the principles of respect for national sovereignty and equality, non-interference in the internal affairs of other countries, peaceful settlement of international disputes, and respect for international law – keeping the centrality of the united nations as an arbiter of the international order (The Constitution of the People’s Republic of Bangladesh, 2020). The famous dictum of the father of the nation, Bangabandhu Sheikh Mujibur Rahman, “friendship to all, and malice **towards** none”- remains the bedrock of the foreign policy manual – in spite of and despite the many allurements and threats from both within and from outside the borders of the country. As a nation-state, Bangladesh is committed to making friendship with all countries of the world to fulfil its destiny and to build a prosperous future not only for its people but also for the common good of the citizens of the world. The core spirit of our Liberation War guides us in raising our voice to support the oppressed peoples throughout the world – and not only for the disenfranchised Rohingyas from the North of Rakhine of the Union of Myanmar – 1.1 million of whom we have sheltered for the last four years purely on humanitarian grounds.

A core element of any nation state is the economic wealth and capability of its administrative

architecture marked by the prosperity of its citizenry. We in Bangladesh consider prosperity not as financial or economic in nature. Rather, economic prosperity is only a mere sub-set of the archetypes of human, societal and ecological well-being that define our existence as conscious and conscientious beings capable to produce and pursue grand visions. Prosperity, to us, is inclusive. Prosperity to us is the ability of the state system to enable the individual to live with a measure of pride and dignity and deploy his or her productive capacity to the fullest possible extent. Access to nutrition, health, shelter, education, and an otherwise decent living is all part of the prosperity that we understand. This was and still remains the founding principle of Bangladesh and the guiding doctrine of the Government.

Therefore, our foreign policy priorities emanate from a very basic wish list of the Government for the welfare of its people. Our priorities arise from a deep-rooted wish for synchronising our efforts with our neighbours and partners in the geosphere that we share. True to the election manifesto of 2008, Bangladesh has already reached the financial strength of a stable lower middle-income country. We aspire to become a developed country by 2041 and we are working on the Delta Plan for 2100. Lest we forget, we have rooted out the evil of transboundary terror utilising Bangladesh soil at great peril both the state and to the life of its charismatic leader, Prime Minister Sheikh Hasina.

Bangladesh as a country was conceived from the highest ideals imaginable by humans. Ideas of freedom, democracy, equality, justice and inclusivity. Amongst these, the idea of democracy was the driving force. Be it the Language

Movement of 1952, or the 6-point Movement of 1966, or for that matter, even the initial struggles of the post-1970 elections till March, Bangladesh was roused by the Greatest Bengali of all times, Bangabandhu Sheikh Mujibur Rahman for the cause of democracy. The question of a human identity, free from the oppressive clutches of autocracy and autocratic dispensations, propelled the Bengali psyche to ultimately aspire for a land of their own so that they may live with pride and dignity.

Ever since its creation through the partition of India in 1947, the country named Pakistan was a geographical and cultural absurdity. Although the GDP of Bangladesh (the then East Pakistan) exceeded that of its West counterpart during the formative stages, the discriminating economic policies and direct transfer of resources by the central government eventually turned the East into a colony of the West (Papanek, 1967; Khan, 1970). Referring to these stark disparities, Awami League proposed the famous six-point program of regional autonomy and emerged as the last resort of hope for the Bengali people, and indeed, a beacon of hope for all nationalities suppressed by Islamabad regime. Awami League won the absolute majority in the 1970 general election—the first of its kind in the history of Pakistan—in spite of the elections being held under the military dictatorship. When the authoritarian government of Pakistan denied upholding the democratic will of the people, the Bengali people under the astute leadership of the Father of the Nation become uncompromising and determined to free the country. The Pakistan military's staunch refusal to hand over power to a Bengali-led civilian government led to the genocide

which started on 25 March 1971 under 'Operation Searchlight' and ultimately the events led to a nine-month-long war of independence.

Geopolitical Context of Bangladesh Foreign Policy

Bangladesh is located at the cusp of the vast Indian landscape and in particular of Bengal and the so-called seven sisters, i.e., the Northeastern Region, coasting on the frontiers of the Bay of Bengal funnel and touching the northwest tip of the troubled Myanmar territories (Yasmin, 2016). Its geo-spatial triangulations make it strategically important for invariably all major powers of the world. India's propensity to reconnect the economic corridors through Bangladesh has helped Bangladesh craft its foreign policy in a propitious manner, where both countries stand to gain significantly from a mutually convenient policy direction towards each other (Mantoo, 2013). A major part of this grand initiative revolves around the rivers which formed the lifelines of the greater Indian civilisation and the transfusion of products and ideas across its many ethnicities and languages. The great opening at the south, the Bay of Bengal, is also not just another sea. It is a living and breathing ecosystem of life forms; economic priorities; commercial and diplomatic effort; individual, business, and corporate interests; evolutionary tendencies of societies, nations, countries, especially those with a Westminster style democracy and those with a more regimented set of governance structures—and how each tries to influence and entice the other; and above all, of Mother Nature, with all her furies and fiery beauties and a rising sea-level (Iyer, 2017) and rapidly

worsening conditions in global warming (Elahi & Khan, 2015).

In other words, harmony, and lack thereof, amongst often conflicting priorities of economy, ecology, and security deeply influence the thought spheres which underwrite the Foreign Policy paradigms of both the country and the region. The lenses, layers, and spheres through which the Bay of Bengal could be seen are also many and multifarious. Bangladesh's foreign relations vis-à-vis other countries take account of these natural geopolitical endowments. Coupled with Bangladesh's own initiatives for regional stability and connectivity, such as the SAARC, BIMSTEC, and BBIN processes, where the Bay of Bengal holds a very prominent position, currently, Bangladesh also hosts two intersecting strategic constructs crossing their pathways across the cone of the Bay of Bengal and the landmass that is Bangladesh, i.e., the Indo-Pacific Strategy (IPS) and the Belt-and-Road Initiative (BRI).

Bangladesh is richly endowed with many layers of political economy and geo-demographic variables making it an extremely complex, dynamic and fluid cauldron of ideas, acts, movements and visualisations. Many sets of ideas are simultaneously playing out their lives on the population of the country. As such it is a magnificent milieu of levels and layers, fields and players, so far as statecraft is concerned.

At the time of the birth of Bangladesh, not only the subcontinent but also the entire world was deeply divided by the Cold War. Realising this stark reality, Bangabandhu Sheikh Mujibur Rahman manoeuvred his foreign policy to forge a bipartisan position in matters related to international politics,

and create an amicable relationship with each party and even those who wished to stay away. Therefore, just after his return to the country in January 1972, when his favourite liberation forces (Mukti Bahini) were in a state of turmoil as a result of the after-shock of a guerrilla war, requested India to withdraw its troops immediately from Bangladesh, unlike any other newly born state anywhere in the world, ever. And India, as a true friend and partner, respecting the sovereignty of the new born country, took the timely measure to withdraw its troops. Indian withdrawal of troops also assisted Bangabandhu to get recognition of many countries, 126 very quickly.

Bangabandhu's best bait was to appeal to reason and utilise the technologies of power to assert the legitimate aspirations of a sovereign and independent Bangladesh. Bangabandhu realised the nature of the evolution of power in the international domain and the sharp brakes which various coteries within the vestibules of the global power corridors exerted by means of control over the natural resources of the planet (Karim, 2020). Additionally, Bangabandhu understood the importance that Bangladesh ought to place on its rightful entry into the UN system and also into the Islamic Ummah.

As of 2021, Bangladesh is fast graduating into an economically solid and densely calibrated middle-income economy. As of 2021, our aim is to become a fully developed country by 2041. The Government of Bangladesh under the astute statesmanship of the Hon'ble Prime Minister Sheikh Hasina is working relentlessly for realising the Visions 2021, 2041 and 2100 in order to translate the dream of the Father of Nation Bangabandhu Sheikh Mujibur Rahman of a happy and prosperous

“Sonar Bangla” into a reality. The Foreign Office is also playing a key role in fulfilling these dreams of the Government. Stabilising the economy and poverty alleviation remains our foremost priority. We intend to complement this objective with a greater depth in external trading and FDI – coupled with a greater inflow of foreign remittance. During next few years, we expect to increase (a) foreign investment and diversified investment portfolio, (b) expansion & diversification of our export basket, (c) providing quality service to our diaspora and also involving them in our nation building efforts (d) transfer of critical technologies, and (e) gainful employment of our professionals and workers abroad.

Bangladesh and its Immediate Region

Since independence, Bangladesh has been maintaining a delicate balance in its regional engagements amidst the destabilising power politics affecting the South, Central, and Southeast Asian regions. Rather than going to confrontations with the neighbouring countries, it has rather chosen to resolve the issues of disputes through dialogues, and international arbitration mechanisms.

For Bangladesh, South Asia remains at the core of its foreign policy priorities. The historic Land Boundary Agreement with India in 2015 has untangled the complex territorial rights set down since as early as in 1713. The four thousand plus kilometres of land border between Bangladesh and India are now possible zones of prosperity instead of conflict (Bhattacharya, 2017). Delimitation of the maritime boundary with both India and Myanmar—a historic dispute over the resource-rich Bay of Bengal, Bangladesh was able to

persuade both countries to the international system and hold everyone including itself to the rigours of international standards. Our maritime delimitation is a rare example of engaging both the multilateral and the bilateral systems to solve regional disputes (Ghani, 2020). Despite the constant provocations of Myanmar regarding the Rohingya issue, Bangladesh has always been committed to engaging international mechanisms for their safe, democratic and sustainable repatriation, justice, and accountability of Rohingya people. Acclimatising the UN mechanism to support the persecuted citizens of Myanmar and bringing Myanmar to the UN court system without going to direct confrontations is a success story of Bangladesh’s regional foreign policy (Julhash, 2020). Bangabandhu methodically went in stages and in a step-by-step manner so that no loophole could jeopardise the sovereignty and territorial integrity of the newborn country. In spite of severe constraints and challenges, creating the seeds of a sovereign national identity – complete with the full spectrum of a Westphalian state system was a singularly important phenomenon that Bangabandhu gave birth to.

If we take a closer look at the way our diplomatic manoeuvres have been construed, knowingly, and possibly as equally, subconsciously, the immediate neighbourhood has remained a core focus of the country’s tactical formulations in the foreign policy domain. We constantly monitor the civilisational linkages across South Asia. The more recent bonds of trust, honour and shared sacrifices between Bangladesh and India remains the crux of this ideation. We have engaged the South Asian and East Asian neighbours beyond the call of

regular diplomatic overtures and have gone beyond to engage structurally so that we become interconnected to the rest of Asia in an organic way and then catapult our productive endowments to a height achievable only by synergistic configurations and not alone.

Bangladesh's Ties with India

South Asia is a unique place to be! Amongst other things, it is marked with a shared culture, concentric to the Indic civilisation; a widely varied topography; a strong lineage of family and religious bonds (and its flipside / consequent harmony and/or discord); cross-breeding societies, yet bound existence; a huge *mélange* of geographic and climatic conditions; invasions, assimilations and colonial past; the continuous interplay of strategic powers and power players; well-defined and strong administrative structures; growing economies and communities trapped in low-level equilibriums; and involvement and pre-eminence of security concerns (and consequently, security agencies).

In such a configuration, Bangladesh and India share an extraordinary relationship, so as to say. It's more congenital than architectural. Sketched, as post-Westphalian republics, out of a stretch of land and waters, which sheltered a multitude of nations, peoples and belief-systems for centuries across, Bangladesh and India are not exclusive neighbours. Rather, Bangladesh-India relations are multifaceted and deeply inter-entrenched in a shared history, geographical contiguity, cultural commonality, and economic complementarity. The psychological bonds, which stem from the association of the two countries during the 'Glorious War of Liberation - 1971' remain a dominant factor

in how peoples of the two countries see each other. While many inside India would not know, Bangladesh has always been supremely aware of the pivotal role that the Government and people of India, and especially of the Indian Armed Forces and of the supreme sacrifices made by its members, played in our War of Liberation. The shared struggle of 1971 has set the benchmark for bilateral cooperation in maintaining peace and stability and upholding the superior human values in our neighbourhood landscape. Needless to say, the War of Liberation has set in motion a dynamic *détente* that defines the entire range of Confidence Building Measures [or CBM] between the two countries.

It is often said and categorically noted that India and Bangladesh are bound by history and heritage but it is seldom understood which history and whose heritage the countries or republics - which in themselves are rather recent phenomena in the stage of world politics - share. Again, it may not be very wise to claim that we fully understand the extent, range and depth of the vision which define this relationship over the years to come (Mamun, 2015). The situation is further complicated when we are dealing with the flux-vortex of complex socio-economic parameters marked by ironies. Both countries have a relatively young population, i.e., passing through an era of demographic dividends; both countries have pervasive and hardcore poverty; both countries suffer from rising income inequalities; both countries have slow permeation of literacy and knowledge; and parts of both countries have seen aggressive religious fundamentalism. At the same time, both countries also have strong community

driven traditions of employment and inclusive prosperity. And interestingly, people of both countries have, by and large, an ambitious mindset - when national ambitions are not solely mired by putting the next meal on the table rather the aspiration levels have risen up to landing an explorer vehicle on Mars.

The intense and dynamic interlinks between the two countries in terms of trade and commerce is complemented by the fact that at least three major sweet-water river systems of the world, complete with their tributaries and branches, alluvial deltas and marshes, a full-fledged sea with a sizeable and resource-rich continental shelf, are shared by the two countries. One cannot but write with heartfelt passion when one writes about anything, which even remotely relates to the relationship between the two countries. Amongst the menaces which festered the relationship between the two countries, Land Boundary Agreement was a strange case to deal with. Complications had originally started with the Radcliffe award when on the stroke of a certain midnight in 1947, a caricatured border was produced by an Englishman who had never even visited the areas that he was entrusted to divide. Further complication had arisen with the differentiated implementation of the 1974 Treaty signed by the founder of the Independent Bangladesh Bangabandhu Sheikh Mujibur Rahman and Prime Minister Indira Gandhi. It is hard to believe but remains nonetheless true, that of the 4,096 kilometres of border between Bangladesh and India, only 6.5 kilometres remained undemarcated and it remained so in three separate pieces none of which is longer than 3 kilometres

at a stretch and one involved nothing other than a river which has shifted course many years before! The question of exchange of enclaves (111 Indian enclaves in Bangladesh with an area of 17,158.13 acres; 51 Bangladeshi enclaves in Indian territory with an area of 7,110.02 acres) and territories in adverse possession (there was 3,506.01 acres of Bangladesh territory under the adverse possession of India and 3,024.16 acres Indian territory under adverse possession of Bangladesh) also plagued the relationship between the two countries till now due only to procedural delays.

Even when technical committees headed by Envoys Plenipotentiary had signed and exchanged close to twelve hundred strip-maps, and the cabinets had approved in effect the Mujib-Indira Treaty of 1974, the issue remained pending for a lack of consensus at the Parliament. De facto issues constrained by de jure concerns. It is interesting to see how once a perfectly placid land could turn into a hotbed of division with the introduction of a foreign concept. The sub-human levels of existence that inhabitants of the enclaves and adversely possessed lands lived in was not only a problem, rather it was a shame for the two countries so long as they remained unresolved. Bangladesh had ratified this supremely important treaty in the early seventies. The ratification by the Indian Legislature effectively removed one of the last vestiges of a foreign Raj and its vicious measures to divide the Indian subcontinent. The nature of this peculiar beast – called Enclaves, Adversely Possessed Lands and Undemarcated Boundaries had literally been humanitarian and law-enforcement issues of epic proportion. The lack of a de jure agreement represented a serious

impediment to the People-to-People connect of both the countries, and led to an Achilles' Heel which undermined the security apparatus and processes of both Bangladesh and India. Although each successive Government in India worked hard to get the Constitutional Amendment Bill passed, it is Prime Minister Modi who could be credited the most for bringing all parties together into a breath-taking consensus.

An area that created headlines in each other's countries for well over three decades was the concern for security and especially the rise of autonomous non-state and sub-state actors. In last twelve years since Awami League came to power in Bangladesh, considerable momentum has been whipped up in both countries to drive out sub-state actors infringing on the sovereignty and territorial integrity of each other. Most notable amongst these are Bangladesh Government's steps to mobilise actions against the Northeast insurgents like ULFA et al. Actions taken in spite of the limited force capabilities of the law enforcement agencies of the country are symptomatic of the commitment of the government to bolster Confidence Building Measures (CBMs) taken on its part to dispel the confusion and aspersions for distrust in each other.

Since Prime Minister Sheikh Hasina came to power twelve years ago, her Government has been trying to piece together a coordinated strategy to put the relationship between the two countries on the right track, and essentially, on an incrementally upward growth trajectory. Very much within the scope of this collaboration, be it at the bilateral or at the sub-regional or at the regional level, the intention was to make collective endeavours for ensuring ecologically sustainable economic progress for the region as a whole.

Bangladesh in South Asian Region: A Model for Symbiotic Existence

For countries to exist in peace with themselves, with their constituent peoples, and with their neighbours across borders, we must ensure for each:

- First, equitable market access commensurate to the merit of comparative economic advantage (negating the infant industry argument) in the other;
- Second, a rapid expansion of the environmentally sustainable regional export basket in both goods and services – contributing to the reconstruction of the ancient value-chains (essentially supplementing its gamut with free movement of cargo and seasonal workforces);
- Third, quick transfer and assimilation of critical technologies;
- Fourth, broader employment of both professionals and workers in regional economies based purely on the principle of 'dead-weight burden' reduction;
- Fifth, commencement of regional power, energy and communication grids, and Sixth, embedding the youth, the media, the civil society and the social media, in the discourses related to policy formulation.

The various factors enabling, calling for and dictating cooperation between the two countries are geographic proximity, common language, similar demographics and consumption pattern, common development needs and experience, and common inherited industrial infrastructure to name a few. In terms of economics, these are very high positive simulators in the Gravity Model, which

would bring any two countries and their economies extremely close together – as if they were almost one yet each maintained its sovereign priorities (Mamun, 2015).

The geopolitical or rather geostrategic interests, that are a natural result of the location of Bangladesh and India in South Asia, cannot be undermined. If we trace our recorded history back to the 7th century, when Hiuen Tsang travelled through India, we would notice that the erstwhile Bengal and particularly East Bengal—which is now Bangladesh—had always been one of the most critical gateways to the vast economic and even political inner core of the Indian sub continent. Sketchier glimpses from Mahabharata or for that matter Megasthenes' Indica might only complement this fact from an even more ancient past.

At the level of pure physical and tactical security of the societies though, which inhabit today's South Asia, it is quite obvious that both India and Bangladesh share a vision of a peaceful immediate neighbourhood, and that decision-makers on both sides understand the important role being jointly played by the two countries. National security, regime stability, and territorial integrity define the baseline understanding of both Bangladesh and Indian policy-makers. From a purely operational viewpoint, Bangladesh understands the depth and breadth of security that India's friendly postures ensure and at the same time, India appreciates the value of the unprecedented security measures taken by the Government of Sheikh Hasina at a very high personal cost and commitment to free the Bangladesh landmass from anti-India elements.

This has only added to the unmatched breakthroughs in the development of the Northeast and stability across the entire Eastern theatre. After all, insurgency and terrorism are common enemies to both countries. Bangladesh has allowed the transport of heavy equipment for power generation and other industrial usage in the Northeast ending decades of disconnect between the Indian mainland and the northeast. Work is now going on to facilitate greater connectivity between and across points in India and Bangladesh.

As the world's attention zooms in on Asia and her Oceans, the two countries have successfully resolved the maritime boundary delimitation issue. It would be prudent to note that the Indian Ocean Rim region has three declared nuclear powers. Successful arbitration between India and Bangladesh for the resolution of the maritime boundary delimitation has become an issue for discussion, deliberation and introspection in far away countries. We must find ways to harness the strength of the Blue Economy for the benefits of our two peoples.

Over the last couple of years, Bangladesh and India have put in place several 'Capstone Documents' and set in motion 'Key Processes' which will define the Government-to-Government relationship in the years to come. Starting with the visionary Joint Communiqué of 2010, the Framework Agreement of 2011, and the institution of the Joint Consultative Committee (JCC) at the level of Foreign Ministers have ensured that our two countries embark on an irretrievably irrevocable process of shared and mutual prosperity and unparalleled confidence in each other. The Ministries of Home and Foreign Affairs

now meet regularly. The Border Security Instruments are now in realtime sync with each other starting with the Directors-General down to Company Commanders. The District Commissioners at the bordering Districts now meet to resolve the issues, which create tensions and hindrances in our bilateral cooperation at the state level. All these measures attest to only one thing, that leadership at the helm believe in looking ahead, that they believe in looking beyond the rear-view mirror, that they believe in creating the charts and the maps ahead, and that they don't want to go back in a time warp. Case in point – the Joint Statement of March, 2021. AI is now a core collaboration area.

With at least three nuclear powered neighbouring nations operating in the same geo-maritime spheres, it is needless to say that solving the equation to a win-win solution requires Bangladesh and India to work out close proximity anomalies.

It is said that visions grow out of facts of the past, appreciation of the present, and ideas for the future. We have vividly seen the past and are experiencing the present. Visionary thinkers from both sides are speaking of a couple of new areas to begin working on. These include, amongst others:

- First, managing Peaceful and prosperous International Borders and Security,
- Second, water Security and joint management of river basins.
- Third, energy Security and cross-border generation and trade in power,
- Fourth, connectivity and Integrated Multimodal Communication, with special emphasis on utilising inland waterways,

- Fifth, sub-regional and regional development and utilisation of mega-architectures such as regional and continental highways, rail networks, sea ports and coastal shipping,
- Sixth, investment, production, manufacturing and service sector complementarity,
- Seventh, education and health sector development and elimination of diseases, malnutrition, illiteracy and ignorance,
- Eighth, designing sustainable and forward-looking mechanisms in joint finance and marketing of both innovative and high-end value-added products and services, and
- Ninth, development of leadership across South Asia to institute measurable social and economic changes.

Dialogues at both the Track 1, Track 2 and Track 1.5 are critical to the realisation of these formulations. The India-Bangladesh Friendship Dialogue (where the India Foundation is also a major partner) which took a vertical life since 2015 is a glaring example of the Track 1.5 innovation between the two countries.

Also, endorsements are coming at private levels at the helm to take the idea of reconnecting the ancient value-based chains and networks of production, trade, commerce and communication into its pristine natural configurations. Since days have changed and times have passed, a host of value-added services and production possibilities have been added to the paradigm of our interconnectedness. Telecommunications, power, energy, university and skill-building centres, hospitals and hospitality services have been added to the regional and sub-regional architecture of cooperation.

Bangladesh and the Indian Northeast are located at the “Fulcrum Advantage Point” of such a configuration to emerge. It is imperative that we do not only make the policies and rules for our two countries, but that we effectively implement all those to boost both South Asian trade and trade with the Southeast Asian nations.

Bangladesh-India: Way forward for our shared prosperity

In the interest of sustainable cooperation, it is important to take effective steps to resolve pending issues like sharing of common river waters and bringing down border killing to zero as such incidents vitiate public minds. The policymakers should also expedite signing of the treaty for sharing of the waters of the Teesta, the river so vital for northern Bangladesh’s irrigation as it still remains a long-pending issue.

As India and Bangladesh are celebrating the 50th anniversary of their diplomatic relations, the two countries, bonded by nature, history and culture, should be bold enough to go for new areas of cooperation and connectivity, as it is the key apparatus to change the fate of the region. And that connectivity should not be in terms of land, road, and waterways alone, it must be of culture and people-to-people connections as well. The two countries’ political leaders must look beyond the borders, and forge a progressive partnership for a peaceful, prosperous, and progressive region.

As of now, benefits of trade and economic cooperation remain far below their potential. Trade between the two countries, a major part of which takes place through land ports, face formidable challenges. Cost of trading remains very high,

mostly associated with lack of appropriate trade facilitation as well as logistical difficulties and the consequent high lead time that discourages traders. Indeed, some studies show that for some products, trade costs for Bangladesh are higher than those associated with trading with Europe and North America. In spite of the fact that India imports about US\$ 450.0 billion worth of products annually from the global market, Bangladesh’s exports to India have tended to hover around only US\$ 1.0 billion. Direct B-to-B connections between productive networks and value chains remain sketchy.

It is against this backdrop that the ongoing efforts and policy shifts are important from the perspective of triggering substantive changes in going forward. The recent efforts to deepen bilateral cooperation have been underpinned by initiatives in many areas including promoting trade in goods, services and energy; establishing multi-modal connectivity; infrastructure building; initiatives to stimulate cross-border investment; and cooperation in areas of technology and capacity-building in various sectors. A large number of projects are being implemented in Bangladesh at present, with many being financed by the three lines of credit (LOC) offered by India worth US\$ 8 billion. Energy import from India; India’s involvement in building Bangladesh’s nuclear power plant; the grant provided for the Padma bridge; building special economic zones for Indian investors in Bangladesh; the signing of the coastal shipping agreement; allowing transit facilities to Nepal and Bhutan through India to use Bangladesh’s Mongla, Chattogram and Payra ports; the signing of the Bangladesh-Bhutan-India-Nepal (BBIN) Motor Vehicle Agreement and other initiatives could

usher in a sea of change in the way that trade, business, and other areas of connectivity operate at the moment. Bangladesh perceives these to be opportunities that could be leveraged to transform its comparative advantages to competitive advantages, enabling it to address the challenges of development and the dual graduation. We want to connect our river, rails, roads, aviation and shipping networks to an optimised format with India so that people-to-people and business-to-business connectivities remain unhindered and can bring the best to the fore.

I would not dare dictate the natural evolution of the relationship between our two countries. But I believe that this is time we devise a grand dream which our two great peoples could share and partake. I expect from all of us to put together a vision document which would define the core economic focus as long as the interaction between the two countries are concerned, rights and responsibilities of both the social and the economic actors, which draw the social and the economic paradigms between the two countries. Through innovative initiatives, the friendship between the two nations could be learnt as lessons by the rest of the world, and to replicate the ideas regionally and sub-regionally, in different domains – economic, social, cultural, political and environmental and so on.

This requires imaginative ideas, courageous leaders and strong and learning institutions, capable of converting these visions into reality. What if we toyed with the idea of the “Great Trans-Asian Rail-Road-River Network” to connect to the Seas in the South? May be, such are the visions of connectivity and infrastructural development,

landscaping and ultimately, “mindscaping” the entire region.

Indo-Bangladesh friendship initiatives should be viewed in the larger context of re-inventing the meaning of ‘development’, from a non-western, non-universal stand-point, of defining change and need with respect to our specific histories, experiences, economies and culture, and not as a by-product of western subordination, underdevelopment and colonialism. If we can plan intelligently, the instances of India-Bangladesh friendship would be quoted as an exemplar of ‘bilateralism and beyond’, of how a sub-regional formation locks us to each other in an unbreakable embrace for our region to prosper and for our people to find both liberty and grandeur.

People of Indian subcontinent have gone through similar history and they were invaded by the Persians, the Huns, the Moguls, the Arabs and the British. They withstood the massacres of Nadir Shah or Chengis Khan, yet they maintained their dignity of life and respect towards all faiths, ethnicity, colour, and background. No wonder Prime Minister of India Pandit Jawaharlal Nehru was overwhelmed with it and coined the word that Indian strength and beauty is in “Unity in Diversity.”

If we look towards next 50 years of South Asia, its strength should come from a tolerant society of multi-culturalism multi-ethnicity, multi-religions and multi-races.

In spite of efforts, millions of people in many parts of the world are being uprooted from their homes and traditional jobs due to violence, wars and terror. Many are becoming victims of ignorance and spread of venom of hatred. Forcibly

displaced people of Myanmar known as Rohingya are such victims. Therefore, to establish a peaceful world across nations, it is time to inculcate a mindset of tolerance, a mindset of respect towards others irrespective of ethnicity, colour, race and religion. Bangladesh proposed such a resolution in the UN known as “Culture of Peace” and it was adopted with consensus. Let this South Asian leadership prove to the rest of the world that they truly can realise “Culture of Peace” in the subcontinent for a secure, peaceful and stable South Asia.

The ambitions for South Asia is as grand and as deep as human imagination can be. We do not need to be beholden to the prejudices and to the dogma which defined our colonial past. Rather, we ought to consider constructing a layered milieu of actors and processes which would serve the region in a more meaningful way than ever before.

Across the boundaries of the nation state, we ought to consider rejuvenating the civilisational linkages which defined our characteristic traits as humans and as nations.

Ambitious as may be, over next 50 years, I would wish to have sustainable peace and stability in South Asia. Our youth must be freed from the confines of the prejudiced mind so that they can realise the visions of the enlightened soul. South Asia must show the world that it practices a ‘Culture of Peace’ and it is a region of tolerance and respect for others irrespective of ethnicity, colour, race and religion. True to the meaning of Dharma - the path of righteousness. Only by accepting the richness of our texture as a civilisation can we truly harness the potential of the individual. Ultimately, if the human individual is at peace and is in comfort for life and dignity then we have succeeded as nations and as states.

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National Security and Individual Liberty: Determining Criminality for Members of Unlawful Organisation

Bhanu Partap Singh Sambyal* & Vijay K. Tyagi*

Introduction

Freedom of speech and expression is an essential facet of democracy. Freedom of association is, likewise, a form of freedom of expression, recognised by Article 20 of the Universal Declaration of Human Rights¹ and Article 22 of the International Convention on Civil and Political Rights.² This right is also expressly recognised by the Indian Constitution read with appropriate constraints.³

Organisations/associations can however be either licit or illicit. There is no dispute as far as membership of a licit organisations is concerned. Even anti-governmental organisations which are non-violent in nature are inherently crucial for democracies. However, membership of an unlawful association is a matter of legal and political dispute. Terrorist organisations, by their very nature are “harder to deter” when compared with other organisations,⁴ which consequently bespeaks the need for appropriate legislation to curb their spread. That was the reason why anti-terrorism legislations such as the Terrorist and Disruptive Activities (Prevention) Act, 1987 [hereinafter “TADA”],⁵ the Prevention of Terrorism Act, 2002 [hereinafter “POTA”],⁶ or the Unlawful Activities

(Prevention) Act, 1967 [hereinafter “UAPA”],⁷ were introduced.

Membership in a terrorist group has been considered penal because violent acts are not the only tactic of terrorist organisations.⁸ Many such organisations now have two wings. While one wing engages in illegal activities, the other participates in social and political activities to increase its reach and support base, thus blurring the line between lawful and unlawful purposes. This raises the question: Can members of banned organisations, who engage in social and political activities of banned organisations, be charged with a criminal offence?

Three Judgements

Three Supreme Court judgments delivered in 2011, ruled that mere passive membership of an organisation cannot be criminalised except in cases wherein the member intends to contribute to the organisation’s unlawful intent. These were:

- *State of Kerala v. Raneef* [hereinafter “Raneef”]⁹
- *Arup Bhuyan v. State of Assam* [hereinafter “Arup Bhuyan”]¹⁰
- *Indra Das v. State of Assam* [hereinafter “Indra Das”]¹¹

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All three judgments were delivered by the division bench of Markandey Katju and Gyan Sudha Mishra, JJ.

The Raneef Judgement. Dr. Raneef, head of the medical team of Popular Front of India, an organisation engaged in unlawful activities was prosecuted under the Indian Penal Code, 1860 [hereinafter “IPC”]; the Explosive Substances Act, 1908; and UAPA. The bench examined the question “whether all members of an organisation can be automatically held to be guilty, once an organisation is declared unlawful,” and ruled that mere passive membership of a banned organisation cannot be criminalised. Markandey Katju, J., relied on the precedents of the Supreme Court of United States of America like *Scales v. United States* and *Elfbrandt v. Russell*. Unless the accused actively participates in the functioning of the organisation with the intention to further the illegal aims of organisation, making mere membership as punishable will amount to “guilt by association” which has no place in the USA as well as in India.

The Arup Bhuyan Judgement. Here, the accused was convicted under TADA which made membership of a banned organisation criminal.¹² The bench made a reference to the constitution bench judgment of *Kedar Nath Singh*¹³ and held that “mere membership of a banned organisation will not incriminate a person unless he resorts to violence or incites people to violence or does an act intended to create disorder or disturbance of public peace by resorting to violence.”¹⁴ The court also cited the decision of *Clarence Brandenburg v. State of Ohio* which held that “a group formed to teach or advocate the doctrines of criminal syndicalism” is not *per se* illegal. The court thus

concluded that it will become unlawful only if it provokes to imminent lawless action.¹⁵ The court also stated that the judicial pronouncements of the USA “apply to India too, as our fundamental rights are similar to the Bill of Rights in the U.S. Constitution”.

The Indra Das Judgement. In this case, Katju J. discussed the idea of active and passive membership in a very detailed manner. The substantial part of the judgment is as follows:

“In Arup Bhuyan case we have stated that mere membership of a banned organisation cannot incriminate a person unless he is proved to have resorted to acts of violence or incited people to imminent violence, or does an act intended to create disorder or disturbance of public peace by resort to imminent violence. In the present case, even assuming that the appellant was a member of ULFA which is a banned organisation, there is no evidence to show that he did acts of the nature above mentioned. Thus, even if he was a member of ULFA it has not been proved that he was an active member and not merely passive member.”

Katju J. further took backing of many cases decided by the Supreme Court of USA in 1960s,¹⁶ wherein it was observed that a seditious law ought to interfere only if there is an “imminent danger” to the country and held:

“Section 3(5) of TADA or Section 10 of the UAPA, 1967 which on their plain language make mere membership of a banned organisation criminal **have to be read down and we have to depart from the literal rule of interpretation in such cases, otherwise these provisions will become unconstitutional as violative of Articles 19 and 21 of the Constitution...**Hence, mere member-

ship of a banned organisation will not make a person a criminal unless **he resorts to violence or incites people to violence or creates public disorder by violence or incitement to violence.**"

Issues Raised by the Three Judgements

All the three cases were decided by the same bench in the same year (2011) and their findings are also similar, with some variations. Though the cases concern the constitutionality of a central enactment, no notice was issued to the Union of India, which should have been made a necessary party, to enable the Court to take note of each aspect of the controversy while deciding validity of laws that directly impact national security and sovereignty. A review petition has been filed against the decision of the division bench in *Arup Bhuyan* case which is pending before a higher bench.

The power of judicial review must be exercised in an even more cautious manner when the court is developing a law and expanding a jurisprudence. In light of the above the following issues need serious investigation:

1. Whether, by reading down the provision of a law enacted by parliament without even hearing the Union of India is violation of basic principle of "fair hearing".
2. Whether the distinction made by the division bench in active and passive membership of an unlawful organisation holds good in law.
3. Whether the concept of free speech in USA is same as that in India. Did the division bench take note of various higher bench judgments regarding applicability of the precedents of the USA in India?
4. While deciding all three cases, the Supreme Court relied on many U.S. Supreme Court decisions but did not discuss *Holder v. Humanitarian Law Project*¹⁷ decided by the U.S. Supreme Court in 2010, which is on "material support to foreign terrorist organisation". Whether this judgment is relevant in Indian context.
5. Whether the judgments by division bench in three cases operate *per incuriam*.
6. Why did the court not consider the drastic changes in security situation in the world and in India before relying on precedents from the 1960s?

Distinction between Active and Passive Membership: Is it in Conformity with Law

An unlawful assembly is defined in Section 141 of IPC as an assembly of five or more people with a common intent to disrupt peace, while Section 149 of IPC requires presence of a commonality of object coupled with physical presence at the site to be considered penal. This section states: "*If an offence is committed by any member of an unlawful assembly in prosecution of the common object of that assembly, or such as the members of that assembly knew to be likely to be committed in prosecution of that object, every person who, at the time of the committing of that offence, is a member of the same assembly, is guilty of that offence.*"

In addition, Section 34 of IPC provides for constructive liability in cases wherein the offenders have a common intention to act together. It is essential for the application of this provision that

each and every member acts in harmony with each other and there is presence of an element of active participation from all. A collective reading of these provisions suggests that for holding multiple persons liable constructively, a sense of active involvement is needed, either in the form of active participation or in the form of physical presence. The strong opposition that jurists have raised against legislative innovations that allow criminal indictment or prohibit public employment of people found to have been members of organisations whose goals are considered subversive or to have associated with persons with such purposes, demonstrates the traditional importance that jurists have placed on the idea that guilt is personal.¹⁸

TADA, UAPA and POTA were however enacted to cover those situations which could not be tackled by the already existing set of provisions in the IPC. Parliament enacted these laws, precisely to deal with offences relating to terrorism and social disruptions, wherein the elements of active participation or physical indulgence would play no role in determination of culpability. These laws, thus, ought to be interpreted in a strict sense unless a manifestly absurd interpretation emanates out of it.

These laws were enacted as statutes of strict liability where absence of presence of *mens rea* would have little role to play. Thus, the imputation of requirement of active membership is a direct attempt to infuse the requirement of *mens rea* or knowledge on the part of the accused while being a member of the organisation and this consequence is in direct conflict with the above-stated purpose. For this, reliance can be assigned on judgment of the Apex court in *State of Maharashtra v. Mayer*

Hans George,¹⁹ which stated... "The nature of *mens rea*, that will be implied in a statute creating an offence depends upon the object of the Act and the provisions thereof."

The crucial factor which acts as the dividing line between unlawful assemblies and proscribed organisations is that the latter requires formal constitution of an organisation with various stated and unstated objectives. The members complement each other through their acts and omissions to further the common objectives of the organisation. Such organisations become proscribed when their stated objectives exceed the permissible limits of law and it requires an express declaration by the appropriate authority to declare it as proscribed. In unlawful assembly, no complementary conduct is required, only commonality of object is enough. It is hence evident that the division bench judgment has embarked upon the application of purposive interpretation of the statute, thereby, exceeding the scope of interpretation attributed to a court of justice.

Free Speech: Misplaced Comparison between India and the US

The Court in all the three judgments has relied heavily on the cases related to free speech decided by the Supreme Court of USA. Katju J., has stated that the Fundamental Rights in Indian Constitution are same as Bill of Rights in USA. There are however, fundamental differences between the two, on at least three counts.

Firstly, free speech under First Amendment in USA has no reasonable restrictions by means of a law whereas in India, freedom of speech and expression is subject to reasonable restrictions.²⁰

The term ‘reasonable restriction’ was introduced into the Constitution, to allow the courts to keep a check on any legislation providing for arbitrary restrictions. The interest of national security was one of the justifiable grounds considered for restricting free speech in the Constituent Assembly debates, but this point appears to have been erroneously overlooked by the division bench, which has given free speech preference over national security concerns.

Secondly, in India, these set of rights are available only to citizens unlike in the USA where, it is available to both citizens as well as non-citizens. Thirdly, in India, article 19 can be suspended during emergency unlike in USA where there is no such provision.²¹

While the principles of law as laid down by the Supreme Court of USA can be imported in India, it is unwise to import every doctrine as the circumstances and societal structure in the USA and India are different. In the *Babulal Parate v. State of Maharashtra*,²² case [hereinafter “**Babulal**”], the Supreme Court stated:

“It seems to us, however, that the American doctrine cannot be imported under our Constitution because the fundamental rights guaranteed under Article 19(1) of the Constitution are not absolute rights but, as pointed out in State of Madras v. V.G. Row [1952 SCR 597] are subject to the restrictions placed in the subsequent clauses of Article 19. There is nothing in the American Constitution corresponding to clauses (2) to (6) of Article 19 of our Constitution.”

The division bench comprising of Katju J., was bound by observations made in *Babulal* and other

judgments delivered by larger benches which had similar observations.²³ It has thus erroneously overlooked all these considerations and precedents of Constitution Bench while relying on decisions of the Supreme Court of USA.

On the contrary, a judgement of the Supreme Court of the USA, which should have been considered is the “Holder v. Humanitarian Law Project” [hereinafter “**Holder**”], which is in conflict with the various judgments cited by the division bench to interpret the issues related to free speech in India. Here, on the issue whether the provisions of Material Support Law are in contravention of free speech guaranteed by First Amendment of the Constitution of the USA, the Court observed that material support meant to “promote peaceable, lawful conduct,” but not to further terrorism and that the government’s interest in combating terrorism is an urgent objective of the highest order. As terrorist groups systematically conceal their activities behind charitable, social and political fronts, such contributions and support further their terrorism.²⁴

In the present-day Indian context, there is a need to have stringent laws in place which can prove effective in curbing terrorist activities and ward off any impending dangers. The judgments delivered by the division bench in *Arup Bhuyan*, *Raneef* and *Indira Das* cases respectively have heavily relied on jurisprudence laid down by the US Supreme Court during the 1960s, wherein free speech was given precedence over other concerns. The *Holder* judgement delivered in 2010, however, evaluated according to the prevailing circumstances.

National security is of paramount importance

and in case free speech acts as an aid to any terrorist activities – violent or non-violent, it is liable to be restricted. Terrorist organisations often peddle their agenda in the garb of social organisations and pose a threat to life and property. The law has to be such as is able to ward off any such threat and also penalise persons involved. For this, the law needs to adapt to the need of the hour.

Per Incuriam Judgements

The law of precedent, as followed in India, entails that the prior judgments passed by larger composition of the court ought to be accepted as settled law by subsequent courts unless expressly assailed by a larger bench on proper reference.²⁵ The issues of law involved in the three judgments have been subject matter of consideration before the court previously in the case of *Kartar Singh v. State of Punjab*.²⁶ While speaking on the constitutional validity of TADA, a five-judge constitution bench embarked upon the deduction of the object of this legislation and observed as follows:²⁷

“...the meaningful purpose and object of the legislation, the gravity of terrorism unleashed by the terrorists and disruptionist endangering not only the sovereignty and integrity of the country but also the normal life of the citizens, and the reluctance of even the victims as well as the public in coming forward, at the risk of their life, to give evidence — hold that the impugned section cannot be said to be suffering from any vice of unconstitutionality. In fact, if the exigencies of certain situations warrant such a legislation then it is constitutionally permissible as ruled in a number of

decisions of this Court, provided none of the fundamental rights under Chapter III of the Constitution is infringed.”(Emphasis supplied)

The above observation makes it clear that the act of bifurcation of membership and division of liability on the basis of active or passive membership renders the very object as negated. It is thus apparent that TADA covers two categories of persons: One, those persons involved in terrorist and disruptive activities and two, those persons associated with terrorist and disruptive activities. The former category squarely covers active members and the latter category covers passive members. A necessary corollary of this observation is that the statute aims to target both active and passive members.

After upholding the constitutional validity of TADA in *Kartar Singh*, the Supreme Court in *PUC v. Union of India*,²⁸ [hereinafter “PUC”] declared that the provisions of POTA are constitutionally valid. In the light of these clear observations, the interpretation adopted by the division bench that the purposive interpretation is required to save the membership provision from being declared unconstitutional is in utter contrast with the settled law pertaining to this question. Therefore, the authors are of the view that the judgments are *per incuriam*.

Conclusion

India, and indeed the world, is under serious challenge from terrorist organisations. With respect to counter terrorism legislation such as TADA and POTA, the Apex Court has often interpreted these enactments to achieve a balance between civil liberties of the accused, human rights of the victims

and the compelling interest of the state.²⁹

The three judgements delivered by the Supreme Court in 2011 have however placed individual liberty over the security concerns of the state. Here, the Supreme Court read down provisions of central enactments passed through the Parliament of India without giving a chance of hearing to the Union of India, even though the enactments in question were Central Acts. In the judgements delivered in all the three cases, equated the membership of a criminal organisation with that of a terrorist organisation. Such an interpretation defeats the very purpose for which laws such as TADA, UAPA and POTA were enacted. While drawing upon precedents from the USA, the Three

Judgements took into account the judgements delivered in the US in 1960s, when no terrorism threat was faced by the US, but overlooked the US judgements of a later date, when terrorism was a threat and in which the judgements gave precedence to national security, as in cases from *Schneck v. United States*³⁰ to *Holder*.

While the decision of *Arup Bhuyan* is under review, it is in the interest of national security, that all members of a banned terrorist organisation, who engage in terror activities or who engage in social and political activities of banned organisations, must be charged with a criminal offence. The burden of proof must rest on those who have been so charged.

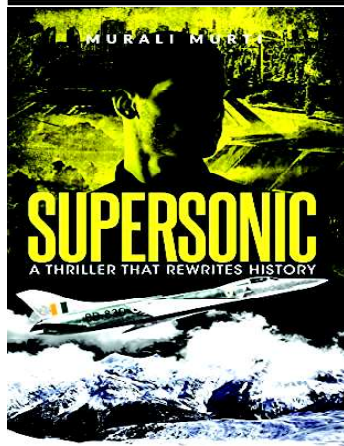
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- 9 *State of Kerala v. Ranef*, (2011) 1 SCC 784 (India) (Division Bench decision).
- 10 *Arup Bhuyan v. State of Assam*, (2011) 3 SCC 377 (India) (Division Bench decision) [hereinafter “Arup Bhuyan”].
- 11 *Indra Das v. State of Assam*, (2011) 3 SCC 380 (India) (Division Bench decision).
- 12 TADA, supra note 5, § 3(5) - Any person who is a member of a terrorists gang or a terrorist organization, which is involved in terrorist acts, shall be punishable with imprisonment for a term which shall not be less than five years but which may extend to imprisonment for life and shall also be liable to fine.
- 13 *Kedar Nath Singh v. State of Bihar*, AIR 1962 SC 955 (Constitution Bench decision).
- 14 *Arup Bhuyan*, supra note 10, ¶ 9.

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- 15 *Arup Bhuyan*, *supra* note 10, ¶ 9.
- 16 *Communist Party v. Subversive Activities Control Board*, 67 U.S. 1 (1961), *Keyishan v. Board of Regents of the University the State of New York*, 385 U.S. 589, 606 (1967), *Abraham v. United States*, 250 U.S. 616 (1919).
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- 20 *India Const. art. 19(1)(a) and art. 19(2)*
- 21 *India Const. art. 352; art. 358*.
- 22 *Babulal Parate v. State of Maharashtra*, AIR 1961 SC 884 (India) (Constitutional Bench decision).
- 23 *S. Rangarajan v. P. Jagjivan Ram*, 1989 SCR (2) 204 (India) (Full Bench decision) [“... The decisions bearing on the First Amendment are, therefore, not useful to us except the broad principles and the purpose of the guarantee.”].
- 24 *Holder*, *supra* note 17, at 25.
- 25 *India Const. art. 141 - Law declared by Supreme Court to be binding on all courts*.
- 26 *Kartar Singh v. State of Punjab*, (1994) 3 SCC 569 (India) (Constitutional Bench decision) [hereinafter “Kartar Singh”].
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BOOK REVIEW



Supersonic: A Thriller That Rewrites History

Author: Murali Murti

Publisher by BUUKS 2021

Pages: 429

Price: Rs.499/- Soft Cover, Kindle Rs.150/-

Book Review by: Dhruv C. Katoch*

On 6 August 1945, Colonel Paul Warfield Tibbets, the 30 year old commander of 509 Composite Group, US Army Air Force, flew a mission which was to bring World War II to a quick close and change the course of world history. Flying the B-29 Superfortress—an American four-engined propeller-driven heavy bomber, named Emola Gray by Tibbets after his mother, the mission was to release a 10,000 pound atomic bomb, dubbed “Little Boy,” over the Japanese city of Hiroshima. The bomb was dropped at 0815 local time, the blast killing about 100,000 people and injuring countless more. Japan surrendered nine days later, on 15 August, bringing World War II to an end. But a new era of atomic warfare had begun.

The US effort to build an atomic weapon had been designated as the Manhattan Project. The Soviet Union soon followed with its first atomic test on 29 August 1949, code-named RDS-1. Britain tested its first nuclear device in 1952, France in 1960 and China in 1964. The nuclear race had well and truly begun. But it was destined to be within these five powers, for none of them

wanted nuclear technology to further proliferate. And thus began under the radar operations to prevent other countries from acquiring these technologies—and India was in the crosshairs of such attempts.

Towards the end of World War II, a brilliant Indian nuclear physicist, Homi Bhabha, conceived the idea of setting up a school of research in fundamental physics, with special reference to cosmic rays and nuclear physics. He hoped to set up such an institute in Bombay, with support from the Tata group through their trust funds. And thus began India’s journey in this very exotic branch of science. Unknown to him, there were forces at work which would go to any length to see that he did not succeed.

Along with India’s nuclear ambitions, was the quest to produce its own fighter jet aircraft. This became another bone of contention with the nuclear haves, who wanted to deny India not only the means to produce a nuclear weapon, but also the means to deliver such a weapon.

In this backdrop, Murali Murti has set the stage for his novel, “Supersonic - A Thriller that Rewrites

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History”. The plot is reminiscent of a genre of political thriller novels comparable to the work of authors such as Frederick Forsyth, Tom Clancy and Richard Condon, which keeps the reader glued to the book. Set as a novel, it makes the reader wonder where truth ends and fiction begins. Or is this simply truth telling, disguised as fiction?

It is a fact that people who were involved in India’s nuclear programme died under mysterious circumstances. Homi Bhabha, in an interview he gave to All India Radio in October 1965, stated that if given the green signal, India could make a nuclear bomb in 18 months. Three months later, Bhabha was dead, killed when the Air India Flight 101 he was travelling in—a Boeing 707 airplane named Kanchenjunga—crashed near Mont Blanc on 24 January 1966. A few days earlier, on the night of 11 January 1966, India’s Prime Minister, Lal Bahadur Shastri died in Tashkent, after concluding a peace treaty with Pakistan, under Soviet auspices, post the 1965 India-Pakistan War. The cause of Shastri’s death remains a mystery till date. No autopsy was carried out of his body, even after it was brought back to India! Significantly, Shastri had given the green signal to manufacture the bomb. These deaths cannot be put aside as mere coincidence. Neither can the death of Vikram Sarabhai in December 1971. Sarabhai was the Chairman of the Atomic Energy Commission when death came to him in a quiet room in a Kovalam resort on 30 December 1971. His death too was not investigated. That India still tested its first nuclear device in Rajasthan’s Pokhran desert on 18 May 1974—an operation code named Smiling Buddha—is a testimony to the grit and determination of India’s scientific

community and the support it received from every Prime Minister of India.

Along with hostile attempts to sabotage India’s nuclear programme, there were attempts to scuttle the building of India’s first fighter jet aircraft. The story of Kurt Tank who helped India make its first fighter jet, the HF 24 Marut, and the devious attempts to sabotage India’s nascent fighter jet programme cannot just be wished away. Could India have had a robust aerospace sector today, had things been done differently then? One wonders! The lessons are stark and clear. In the realms of upper end technology, other nations will be out to scuttle India’s programmes. The Nambi Narayanan case, though not part of this book, is just an example to show the extent that foreign agencies can go to, to scuttle cutting edge technology development in India. Nambi Narayanan was in charge of the cryogenics division at ISRO and he was falsely implicated on trumped up charges and imprisoned. That set back India’s quest for a cryogenic engine by a good two decades.

The world of shady defence deals, and the death and destruction it brings in its wake makes for spine-chilling reading in this book. That India has remained dependent on imports for meeting its defence requirements, despite huge investments made in its defence public sector, was not due to lack of talent within the country, but has much to do, as brought out in the book, with other factors. Much of the development effort for a vibrant defence industry was scuttled by officials who could be bribed for a pittance or lured through other means. This is a story of corrupt politicians and government officials, shady arms dealers, of spies and killers lurking in the shadows, a story which

makes one sad to see how national interest can be compromised for a handful of silver. But it is also a story of hope, of rejuvenation, of women and men with unimpeachable integrity, of those occupying high office in the political realm, and also in government and in the private sector, who could not be bought and for whom the country came above all else. Many such people remain unacknowledged, primarily due to the nature of work that they were then doing and which many continue to do in the present times. It is a mix of the Good, the Bad and the Ugly, all juxtaposed in a seamless web, to come to what most certainly is a fascinating twist in the tale, in the very last chapter.

The book has been set as a work of fiction, but the narrative is a blend of real life events intertwined with the lives of fictional characters.



Some of the fictional characters too, have evidently been created from real life people, which makes the book that much more intriguing. What we eventually get is an insight into the high stakes games that are being played on the world stage, where access to and control of futuristic technologies is the prize. We see a blurring of lines between friends and foes in this world of shadows, where the rule of the game is domination and control, for which all means, fair and foul, may be used. India's quest for futuristic technologies and its potential emergence as a major producer of advanced weapons system will hence be contested by friend and foe alike. Protecting our scientists is a challenge which we are being increasingly being exposed too, and this too must form part of the larger security discourse.



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