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Bangladesh India Relation On Tran's Boundary Rivers Water Sharing Disputes: A Historical Analysis

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Abstract

The two neighbors, India and Bangladesh, are organically linked- with their common heritage and shared history, common memories of tragic loss, and the separation of families on a massive scale following the Partition of India in 1947. India and Bangladesh are not just neighbours, but are bound by an umbilical connection of ethnicity and kinship. India attaches highest importance to bilateral relations with Bangladesh because of our shared history, heritage, culture, language, physical proximity and passion for music, literature and arts. Also, Rabindranath Tagore created the national anthems of both Bangladesh and India in 1905 and in 1911 respectively. However the bilateral relations between the two Nations formally started after the Bangladesh liberation war, 1971 which had played a key role along with the Mukhti Bahini, thus helping East Pakistan (as called then) to separate from Pakistan and emerge as an independence nation. India was the first country to recognize Bangladesh as a separate and independent State and established diplomatic relations with the country immediately after its independence in December 1971. The two nations can together play a significant role for the development and prosperity of the entire subcontinent and beyond. The edifice of this unique relationship between the two neighboring nations are based on the unwavering faith in democratic values, principles of liberalism, egalitarianism, secularism and respect for each Other sovereignty and integrity. The cordial relation is reflected through multidimensional expanding relations between the two countries in the four decades, the two countries have continued to consolidate their relations, and have built a comprehensive institutional framework to promote bilateral cooperation in all areas. The relations between the two countries have been characterized as a special relationship although some disputes remain unresolved. The historic land boundary agreement was signed on 6th June 2015 which settled decades old disputes, while negotiations are still ongoing over the sharing of water of the Trans Boundary Rivers. In this context my paper would traces the disputes on the Trans Boundary river water sharing between the two countries.

Key Words: Partition, ethnicity, liberalism, Trans Boundary etc

Introduction : Rivers, the Just as the relations between India and Bangladesh had been marred after partition by difficulties which arose over the sharing of river waters in the Indus basin, the problem of an equitable distribution of river waters in the Eastern region has strained relations between India and Bangladesh.¹ The roots of this problem go back to 1947 when an arbitrary boundary line divided Bengal and East Pakistan emerged as territory comprising one of the largest deltas of the world, which several river networks crisscrossing its terrain. Of these head-works of fifty four rivers, including the three largest ones, are located upstream outside the territory which being lower-riparian has little control over them.² Former United Nations water expert Dr. S.I. Khan said that, “The water dispute with India is as old as the inception of Bangladesh. It started even before Bangladesh when India’s ill-conceived Farakka Barrage on the Ganges was built to divert water for flushing silt from the Hooghly River”.³

Unfortunately, the bypassing of international laws and unilateral diversion of water from trans boundary Rivers has been the long-standing policy of India. Without any agreement with Bangladesh, it has embarked on constructing dams and diverting water from many Tran’s boundary rivers such as Teesta, Gumti, Khowai, Dharla, Dudkumar, Monu etc. India also reportedly blocked rivers such as Muhri, Chagalnaiya, Fulchari, Kachu, and many others in Tripura flowing into Bangladesh. This caused a steady reduction in water flow, mainly due to intensive water diversion by India.

The gap between the supply and demand of water in Bangladesh is ever increasing. When the state will fail to supply it, this will cause intense unrest and social instability. During this regard, the Chairman of the National Disaster Management Advisory Council said, “Water availability in Bangladesh is around 90 billion cubic meters (BCM) during the season against the demand of about 147 billion cubic meters, a shortage of nearly 40 percent, leading to a drought-like situation in large parts of the country”.⁴

Against this backdrop, water scarcity will trigger conflicts and instability, its consequences may spill over state borders, and regional tensions will become a threat to international peace and security. The paper argues that the water issue need not be a cause for tension; rather, it can be a catalyst for cooperation as in the eastern Himalayas and Mekong river basin. Such cooperation is the only remedy to avert future water conflicts, obtain collective gains, and ensure sustainable ecosystems.

Methodology

This Article is basically qualitative in nature and based on secondary data. Secondary sources are books, reports, published research studies, case studies, newspaper articles, seminar and conference papers, publication of national and international journals, magazines and documents available in the internet, government policies and plans. The interpretation of data was carried out keeping in mind the overall perspective of the research study. Efforts were made to integrate the data collected from different sources.

The history of water cooperation in the Ganges basin is scarred by the prolonged dispute between Bangladesh and India. The conflict rolled out in 1951 when India unilaterally decided to pursue the project of constructing a barrage at Farakka point, located only 18 kilometres upstream from Bangladesh border. The main objective was to build a 38-kilometre-long feeder canal in order to increase the water flow in the Bhagirathi-Hooghly River by diverting 40,000 cusecs of water (equivalent to 1133 m³/s) from the Ganges. Despite the objection from then East Pakistan (now Bangladesh), India proceeded with the project in 1962 which completed in 1970. Bangladesh and India signed the ‘**statute of the Joint Rivers Commission**’ on **17 March 1972** which governs all rivers common to both nations. The Farakka barrage started its operation on a trial basis in 1975 for 40 days. The Ganges water negotiation became complicated when both Bangladesh and India placed their respective demand for water from the Ganges. The average minimum flow was projected only 55,000 cusecs at the Farakka point in the dry seasons of 1975. India planned to withdraw 40,000 cusecs, whereas Bangladesh’s demand was the entire flow. The water situation during the dry season got worse due to the unilateral diversion of water in the upstream that fuelled further tension between the two countries. **5**

From 1976, India unilaterally started operating the Farakka barrage on a regular basis by diverting water from the Ganges during the dry period. Both countries began to negotiate to reach an agreement on the sharing of the Ganges water.⁶ The first agreement between Bangladesh and India regarding the sharing of the Ganges water was signed in 1977 for a five-year period (Agreement on Sharing of the Ganges Waters at Farakka and on Augmenting its Flows, 1977). After its expiration, two short-term MoUs were signed in 1982 and 1985 for a two-year period each. After 1988, there was no formal agreement to regulate the sharing of Ganges water until 1996 due to the conflicting demand between the two countries. Both of them were unwilling to make any concession on their respective positions, and there was no scope for third party involvement in the negotiation as India was adamant to its strict bilateral negotiation policy.⁷ After passing eight years without any formal agreement, Bangladesh and India managed to sign the Ganges River Water Sharing Treaty in December 1996 (Treaty Between India And Bangladesh on Sharing of the Ganges Waters at Farakka, 1996). For the first time, both countries agreed to come under a cooperative arrangement for a period of 30 years. The treaty outlined a specific water-sharing formula, based on which the dry season water flow is to be shared. According to the treaty, if the Ganges flows below 70,000 cusecs at the Farakka point, Bangladesh and India will equally share the available water. If the flow stands between 70,000 to 75,000 cusecs, Bangladesh will get 35,000 cusecs, where India will be given the balance of the flow. If the water flow crosses over 75,000 cusecs, India will receive 40,000 cusecs, and the balance of flow will be given to Bangladesh (Treaty Between India And Bangladesh on Sharing of the Ganges Waters at Farakka 1996). Maryam Mastoor (2011) argues that, “The Farakka Barrage was a major breach of trust by India as it had repeatedly claimed before it started the project that the barrage would not cause any damage to Bangladesh. The same assurances are again being given over the Tipaimukh dam”.⁸ While a treaty on the Ganges was signed in 1996. Since the settlement of the Ganges issue, the Teesta River has become a source of discord. Teesta is another emotive subject between the two countries. The two countries have been trying to negotiate a deal on the same but Bangladesh expects India to release 3000 cusecs of water per day during the lean season and that might not be easily agreed to by India. At the latest meet of the JRC, Bangladesh presented an “interim agreement” on the Teesta to India and India has agreed to propose a deal on the same, in a timely fashion but there has been limited progress on the same, thus far.⁹

Meeting increased water demand of the fast-growing population in the coming decades will be a great challenge for Bangladesh while India continues its non-compromising attitude on water sharing from the international rivers. People living within the Teesta basin face severe problems during the lean season. Bangladesh also feels insecure about India’s River Linking Project and Tipaimukh Dam Project. This is often a matter of concern regarding the longer term of Bangladesh- India water sharing negotiation. Thus, this paper has important legal, policy, and theoretical implication.

The dominant perception in India is that the growth of population, pace of urbanization, and economic development will accentuate the pressure on a finite resource and that the answer lies in large supply-side projects and long-distance water transfers. The growing demand for fresh water will create competition over access to water resources, thus becoming an existential issue. Lastly, if we examine the Hasina-Manmohan Summit (2011), it is easily understandable how important the issue is for both countries. Although India was committed to signing a Teesta water sharing treaty, it was in vain as Mamata Bannerji, chief minister of West Bengal, was not willing to give more than 25 percent of water to Bangladesh. ¹⁰

The Teesta is the fourth major trans-boundary rivers of Bangladesh and India after the Ganges, Brahmaputra and Meghna (Upriety and Salman, 2011). An agreement signed between Bangladesh and India to share the Teesta water as 36% for Bangladesh and 39% for India. The remaining 25% would leave unallocated for the natural flow of Teesta River in 1983. Two countries decided to have complete scientific studies to share the water. Joint Teesta commission established to fulfill this purpose. Due to Teesta Barrage and several hydroelectric dam constructions, the river heavily silted. The river has changed its courses in many places of lower stream Bangladesh and every year engulfing thousands of hectares land. The dream of irrigating to increase the agriculture production becomes failure in both countries. ¹¹

Expert revealed that due to the water scarcity, the Teesta barrage will lose its usefulness and there is a possibility of death of the river. Both countries involved the chairperson of the irrigation department to find out the way for the sharing arrangements into a formal documentation. However, the new bilateral treaty discussed to sign on 2012 to allocate the equal portion of water in both countries but the West Bengal Chief Minister Ms. Mamata Banarjee denied the treaty with an excuse that the state government did not have enough discussion with the West Bengal Government regarding these issues. She also mentioned that if this treaty has signed then it has adverse irrigation impact on their part. As water is a state asset of India and State Government has a coalition with the Mamata's Trinomul Party, State Government did not proceed without further consultation with West Bengal Government **12**

However, the west Bengal governments attitude on the Teesta waters sharing issues clearly showed how helpless the Union government could be if a riparian state does not cooperate on the Tran's boundary water pact. Later, the Union government agreed that it would not move on Teesta Waters Issues without consulting the State government Hence, any move on the Ganges water treaty of 1996 will test the perceived golden chapter phase scripted between India and Bangladesh in terms of water sharing. More importantly it will test the nature of Indian federalism in matters of water issues and legislation's. **13**

Again, failure to sign Teesta agreement, the bilateral discussion about the transit facilities for India through Bangladesh slowed down and the fate of the sharing of other trans-boundary river hanged on **14** Despite having of several meeting with Joint River Commission, Joint Expert Committee, Joint Technical Group, the bilateral discussion between Bangladesh and India now become intractable. The discussion was technical in nature with a very small room for discussion of social and ecological issues or other stakeholders. Public participation and civil society engagement was very narrow in this whole process of negotiation. After considering the whole scenario of Teesta river regime, the water governance in this region falls in track 1 type of water governance (Dore, 2007). Track 1 type of water governance involves government in a formal and informal way with bureaucracy in an intra and interstate forum (Dore, 2007). **15** The decision making process is more official in this type of water governance. The dominant logic behind this track is accepting the implicit rationality (Dore, 2007); and focused on the self interested behavior that is completely visible in the trans-boundary water issue management in Bangladesh and India.

India and Bangladesh recently signed an agreement to share water from the Kushiara river. And water management experts have derided it as "A drop in the ocean". The memorandum of understanding on sharing of waters of Kushiara river will benefit people of Assam and Sylhet division of Bangladesh. "Today, we have signed an important agreement on sharing water of the Kushiara river. This will benefit Southern Assam in India and Sylhet region in Bangladesh, Prime Minister Narendra Modi said, after the talks with Hasina at a joint media interaction at the Hyderabad House. The prime minister said rivers passing through the Indo- Bangladsh border has linked to livelihood of people belong to both countries. These rivers, folk tales about them, folk songs, have also been witness to our shared cultural heritage, Modi said. Meanwhile, Hasina also stressed on the need to have more such agreements for others rivers as well. **16** The 1996 treaty established a long-term solution and considerably eased strains in Indo- Bangladsh relations. **17**, **18** there are 54 rivers that between the two countries, and Kushiara River is one of the minor waterways. **19**

Importance of Tran's boundary water Resource:

Tran's boundary water resources contribute to the economic, social, and environmental well-being of communities around the globe. Despite their inter connectivity (national, sect oral), challenges remain in efforts to integrate the management of water resources that are shared across national and international borders. Wouters, P. (2013). International Law–Facilitating Trans boundary Water Cooperation. Elanders press In the case of Bangladesh, water insecurity is going to be the best threat or challenge with reference to ensuring national security as its vulnerabilities come from both internal and external. **20**

Since the Tran's Boundary Rivers are within the territory of India, it did not discuss or come to any agreement with Bangladesh on the blockage or diversion of waters of the rivers although the Indo-Bangladesh Joint River Commission (JRC) exists since 1972. After the creation of Bangladesh in 1971, the two countries resumed talks over sharing the Ganga, Teesta, and other rivers. In 1972, India and Bangladesh established the Indo Bangladesh Joint Rivers Commission (JRC) with the aim of "working together for the benefit of the peoples of the two countries", but originally focused on the joint management of the Ganges river basin. As per Article 4 of the Statute of the JRC, the Commission has the following functions – To maintain liaison for maximizing the benefits from common river systems to both the countries; to formulate flood control plans and implementation of joint projects; To formulate proposals for flood warnings, flood forecasting, and cyclone warnings." 21



Map depicting the Ganga basin which spans India and Bangladesh, Photo: Screen grab via You-Tube/ Edubaba

The absence of such agreements could lead to complex water-sharing conflicts within the future and should have negative, socio-economic, and political implications for bilateral relations between the two countries. This paper discussed Water Diplomacy and Water sharing problems between Bangladesh and India employed a triangulation research method Also, explain different International Treaties and laws associated with water. Also, attempt to identify a standard solution and proposals for resolve water sharing problems between Bangladesh and India.²²

Meeting increased water demand of the fast-growing population in the coming decades will be a great challenge for Bangladesh. Water scarcity can trigger conflicts; instability and the consequences may spill over state borders and may lead to regional tensions and conflicts. Research Questions this research investigates the major hindrances with regard to India-Bangladesh water sharing disputes.

Two central questions are especially examined:

- Why are the existing policies not working?
- What are the likely policy responses to settle the water sharing disputes?

Significance of the Study

This study has great significance for both Bangladesh and India. As a crucial and basic life supporting element, water is the most precious resource for any country. It is indispensable for the continued security and survival of a state. While the demand for fresh water is increasing day by day around the world, its supply is decreasing. Thus, the gap between demand for fresh water and its supply has been ever-increasing globally. In this regard, a major report recently issued by the 2030 Water Resources Group including the World Bank estimated that, the gap between global water demand and reliable supply could reach 40 percent over the next 20 years; particularly in the developing regions, the water deficit could rise to 50 percent. **23**

Therefore, fresh water shortages are becoming a major cause of conflict both domestically, as well as between states. The growing world population, further need for irrigated agriculture, and rapid industrialization will make increasing demands on scarce water resources which will create future conflict. Therefore, water scarcity is one of the major ingredients in the security discourse. In the case of Bangladesh, water insecurity will be the greatest threat or challenge with regard to ensuring national security as its vulnerabilities come from both internal and external sources. **24**

On the other hand, India also faces shortages in meeting fresh water demand. Furthermore, to meet growing demands, India and China are going to build 200 big and small dams on the Ganges, Brahmaputra, Meghna, and Yangtze rivers which will bring disastrous impacts on Bangladesh, leading to tensions between these states. **25, 26**

Therefore, this topic is of great importance for both countries. The gap between supply and demand of water in Bangladesh is ever increasing. When the state will fail to provide it, this can lead to intense unrest and social instability. In this regard, the Chairman of National Disaster Management Advisory Council said, “water availability in Bangladesh is around 90 billion cubic meters (BCM) during the dry season against the demand of about 147 billion cubic meters, a shortage of nearly 40 percent, resulting in drought like situation in large parts of the country” **27** On the other hand, India's overall per capita water availability has also declined from over 5,000 billion cubic meters in 1950 to 1,800 billion cubic meters in 2005. **28** may reach the threshold level of 1,000 billion cubic meters per capita in 2025. This is a matter of concern regarding the future of India-Bangladesh water sharing negotiation, as India has not shown any compromising attitude. Thus, this research has important legal, policy, and theoretical implications.

Conventional Wisdom

The conventional wisdom is that, with regard to water sharing with India, the existing policies are not working for lack of political and national consensus in both countries and for lack of regional cooperation. An alternative explanation is that there are other hidden reasons like poor water governance, water scarcity in countries, selective (regime-wise) foreign policy, and unwillingness to abide by international law of rivers from the Indian side.

Water Diplomacy

Water management is a crucial point on the worldwide agenda within the twenty-first century. To enhance the effectiveness of water diplomacy, it's of utmost importance to spot the factors that influence cooperation; Water diplomacy supported a mutual gain's approach, may therefore play an increasingly important role in preventing, mitigating, and resolving the growing water conflicts. It could involve formal high-level diplomatic interactions between riparian states or relationship building through unofficial dialogues organized by civil society organizations. Key elements within these encounters include fact-finding and therefore the involvement of third parties because they support the dialogue on the idea of which commonality and shared understandings are –

hopefully developed. To improve the effectiveness of these measures, it's essential to spot the factors that influence water cooperation at different levels. The various tracks of diplomacy are often defined as:

Track 1 traditional official diplomacy:

- 1) Dialogues or negotiation between officials, which mostly include politicians, policymakers, and high-ranking military personnel during a nation-state centered perspective.²⁹
- 2) Track 2“Diplomatic initiatives that are facilitated by unofficial bodies, but directly involve officials from the conflict in question”. ³⁰
- 3) Track 3: As defined by, “unofficial, informal interaction between members of adversary groups or nations, who can interact more freely than high-ranking officials, to develop strategies, to influence popular opinion, and organize human and material resources in ways in which might help resolve their conflict”.³¹
- 4) Track 4: People-to-people or grassroots-level diplomacy undertaken by individuals, civil society, and personal groups to encourage interaction and understanding of communities’ issues, and to get awareness for empowerment within these communities.

Multi-track water diplomacy

Integrative approach Bangladesh may specialize in an integrative approach to water negotiation. An Integrative approach in water negotiation emerges when a celebration recognizing that water isn't a hard and fast resource. supported this assumption, policymakers and diplomats believe improving the general efficiency of water use, which, in effect, can “create” more water. In an integrative approach, parties in negotiation consider multiple issues simultaneously as they will attempt to create value and maximize benefits by tradeoffs between them. In this respect, both countries can consider multiple issues just like the transit issue, trafficking, terrorism simultaneously with water negotiation. Multi-track water diplomacy refers to effective water cooperation for maximizing mutual gains and achieving joint wins for all parties. This framework has great potential to create a sound bridge from the particular or potential conflict to effective cooperation and practical solutions. Thus, both Bangladesh and India may consider this approach to unravel the water-sharing problem.

International Law

- 1) International law is formed usually when Nation states need to cooperate with other nation-states. This need to cooperate creates an incentive to comply with international law. However, conditions do change, which can lead to violations of international law. Law-breaking nation-States may attract diplomatic pressures, measures adopted by the U.N. Security Council, sanctions, counter measures, and in extreme cases, military intervention, responses, some of which may themselves be unlawful.³²
- 2) International water law, like international law in general, may take either of two general forms: treaty law or customary international law. Three separate international agreements predominate the 1997 UN Watercourses 20; the 1992 UN ECE21; and the 1966.³³

General rules of law concerning the use of international water course more than 400 treaties apply to various aspects or forms of trans-boundary water resources.³⁴

There are several rules of international law of a general and fundamental nature that govern the conduct of the nation-States in relation to international water courses. The most basic of these are the following requirements:

1. A State that uses an international watercourse has a general duty to cooperate with the other States sharing the watercourse;
2. A State uses an international watercourse in a way that is equitable and reasonable vis-à-vis other States sharing the watercourse;

3. International watercourse States take all appropriate measures to prevent significant harm to the co riparian States; International watercourse States provide prior and timely notification to other international watercourse States concerning any new use or change in existing uses of an international watercourse that may adversely affect those other States, together with relevant technical information, and that it consult with another international watercourse States. There is probably also an emerging rule requiring the protection of the ecosystems of international watercourses.



Sources: Tran's Boundary river in Indo-Bangladesh-search Images (bing.com)

Lack of Political, National Consensus

Lack of political and national consensus works as an impediment towards reaching any agreement. In this regard, Syed Saad Andaleeb, Editor of the Journal of Bangladesh Studies claimed, "We have developed a great deal of mistrust between the two nations. If we cannot insure that agreements with India will remain consistent over the long haul because of internal political discord between the two major parties, why would India commit to anything?"

Ramswami R. Aiyar, former water resource secretary of India, in an interview almost a decade ago said that, "The fate of water sharing depends on political decision. When bilateral relations between Bangladesh and India are not as sweet as it should have been, all bilateral issues including water sharing become tough to resolve. Politically, good relations are the key to water sharing disputes. You see, when Hasina was elected as Prime Minister in 1996, it was possible to reach an agreement on the Ganges." 35

According to water expert Ainun Nisat, "It is not possible to get Teesta water without political consensus of both (India-Bangladesh) the parties. Water sharing between Bangladesh and India is not a technical matter but political. If the political leadership is cordial then technical resolution is not a [difficult] matter at all". Faridul Alam, Chairman, Department of International Relations, Chittagong University also believes that, "Lack of political understanding between the ruling party and the opposition always criticizing each other, is one of the major obstacles with regard to water sharing with India".

Furthermore, absence of national consensus in both India and Bangladesh works as a hindrance with regard to water sharing. In the recent Hasina Manmohan Summit (2011), there was severe absence of political, as well as national, consensus within the Hasina government. On the other hand, there was also absence of political consensus between Congress and Mamata's Trinomul Congress.

Lack of regional cooperation

Lack of Regional Cooperation on Water Sharing Lack of regional cooperation with regard to water sharing is a prime cause. Many scholars and experts think that it is not scarcity but lack of coordination and cooperation with regard to water disputes between the two countries. In this regard, Professor K.B. Sajjadur Rashed claimed that, "There are reasons for dispute between countries over sharing water, but basically it is because of lack of coordination, cooperation, and lack of legal umbrella". 36

Theoretical and Policy Implications

Many theories have been developed with regard to the environment. It can be said that from a realist perspective. Two central concepts are **power** and **national interest**. The international society is an anarchic state-system. The system is therefore a self-help one. Realism assumes that states and their populations need natural resources to survive. There is competition between states for these scarce resources. War is often the result of such competition and conflict. As Hans Morgenthau indicates, it leads to "the struggle for power and peace." Extreme versions of realism, such as the geopolitical theories of Karl Haushofer, look at the security implications of strategic raw materials. Both German and Japanese expansion in the 1930s was partly a search for raw materials. Some see President George Bush's intervention in Iraq as an attempt to secure the oil resources of the Middle East.⁴⁷ Many scholars think that the recent USA-led coalition intervening in Libya was not for protecting human rights but to insure its energy security.⁴⁸ Lastly, if we look at the present Manmohan-Hasina summit (2011), India did not show any compromising attitudes with regard to water sharing although commitments were made. In this regard, Mamata Banerjee said: "We have no enmity with Bangladesh but first we have to uphold our national interest. We can call the agreement as we found the agreement 'detrimental to the interests' of West Bengal". 37

A realist point of view is clearly reflected in Mamata's stand with regard to Teesta water sharing. Policy Implications Water scarcity has to be taken as a serious problem from a long-term perspective. As a gradual process, it may seem less severe today, but we have to think about the next generation and whether they will get fresh water to meet their thirst. To address the issue of water scarcity, some policy recommendations are presented below for the government of Bangladesh and India.

Integrated Water Resource Management and Promoting Regional Cooperation

As water management of Trans boundary Rivers of GBM basins involve different countries namely, Bangladesh, India, China, Nepal, and Bhutan, integrated water resource management is essential. There is no alternative but cooperation with regard to regional and global issues of water sharing. Regional cooperation of the co-riparian countries is crucial for Bangladesh. It needs to build coalitions and strengthen lobbying with Nepal, Bhutan, as well as with Pakistan, as there is a water sharing dispute between India and Pakistan. Many experts suggest that it is not possible to resolve water dispute with India bilaterally and, therefore, we have to bring the issue to a multilateral forum like the UN. In this regard, former Joint Secretary A. B. M. S. Zahur said, "We have waited for 36 years and failed to solve the problem bilaterally. It appears we have no option except taking the matter before the UN to draw the attention of the world community to our miserable plight. We want dispensation of justice, not favor or benevolence."

Bilateral agreement

According to Shamsheer Chowdhury, "The water sharing dispute goes back three decades and such disputes are seldom resolved through bilateral agreements. Time has come for the ruling establishment to internationalize the issue involving the UN and the International Court of Justice."

Emergence of Regional Cooperation

Air Commodore (Retired) Ishfaq Ilahi said, "Unless the riparian countries join together to ensure optimum use of water, there is the likelihood of conflict and tension in the region in the future". M. Rashed Chowdhury claimed, "SAARC can play an important role in reducing vulnerability of future water-related disasters through regional cooperation on water management and conservation and development of cooperative projects at the regional level in terms of exchange of best practices and knowledge, capacity building, and transfer of Eco-friendly technologies." **36** Lastly, there are a number of initiatives with regard to promoting regional cooperation which must be implemented. In this regard, the Abu Dhabi Dialogue can be considered (which includes Bangladesh, India, Nepal, Bhutan, Pakistan, Afghanistan and China) as one avenue for facilitating regional cooperation in water management in the Himalayan region.

Equity and Fairness

Dealing with Teesta Waters Equity and fairness must be ensured from the Indian side not only in dealing with Teesta but other common rivers as inequity exists in the current Teesta water sharing pattern. In this regard, Praful Bidwai argues that, "India reportedly has access to 32,000 cusecs during the lean season for 8 million people, while Bangladesh makes do with just 5,000 cusecs for 20 million".

Non-compromising attitude of India

Thus, the decisions in such meetings are usually favorable to India. Bangladesh must take immediate measures to improve their weaker position in this regard. From the above arguments, it is clear that the existing literature supports both the conventional wisdom, as well as the alternative. But India's non-compromising attitude in the negotiation table and lack of integrated water sharing management ideas are the main reasons which require immediate attention. Bangladesh's largest and most significant neighbor is India. Both countries share a vast land boundary and scholars and policy makers of both countries believe that Bangladesh's relations with India are very important geographically, politically, economically, and strategically. Bangladesh has to utilize its geo-strategic importance with India while negotiating. The deal on transit will fulfill India's long-standing demand for easier and shorter connectivity between its mainland and land-locked north-eastern states.

Tactics of diplomacy

Therefore, at the negotiation table, Bangladeshi negotiators must keep in mind the tactics of conducting diplomacy that obviously we must get something for giving something and, particularly, Bangladesh must ensure their national interest through strong diplomacy. Bangladesh can ensure just and fair water sharing through strong diplomacy. Turning to the supply side, large dam projects are not the only answer for India; there are other possibilities. Local rainwater harvesting and watershed development are also part of the supply

Through a combination of these two approaches, on the demand side, the practice of utmost economy and efficiency in water use and of resource-conservation, and on the supply side, efforts to augment the availability of usable water through extensive recourse to local water harvesting and watershed development, it may be possible to avert a crisis, though the situation will undoubtedly be difficult and will call for careful management.

Need mutual cooperation

Relations between Bangladesh and India have often been complicated, challenging, tense, crisis-ridden and overwhelmed by accusations and counter accusations. But, however negative one might be to India and vice versa, a strong, bold, healthy relationship is a must for the betterment of both countries. And with regard to water disputes, mutual cooperation is a must to resolve the issue. Finally, Bangladesh and India must respect each other's **legitimate rights and understand each other's needs**. Besides, mutual trust on commitments, implementation of commitments, and refraining from confusing statements and actions are also imperative for resolving disputes. And considering the future, both parties should minimize their differences for the sake of

maintaining good neighborly relationships; Bangladesh should also maintain close contact with states adjacent to India to avoid future misunderstanding. Lastly, if other regions or countries can reach equitable agreements, why should Bangladesh not be able to reach similar agreements?

Why are existing policies not working with regard to water sharing disputes between India and Bangladesh? The conventional wisdom is lack of political and national consensus in both countries and lack of regional cooperation. An alternative explanation is that there are other hidden reasons like poor water governance, water scarcity in both countries, diplomatic incompetency of Bangladesh, big-brother attitude and unwillingness to abide by international law of rivers from the Indian side, etc. In this backdrop, there is no alternative but regional cooperation in water management; particularly India and Bangladesh must respect each other's legitimate rights and understand each other's needs to avoid any future water-related conflict.

Conclusion

We hope that the analysis and proposals during this paper are going to be considered in a positive way for locating the way forward in bilateral relations. There's tremendous goodwill and positive sentiment in India and Bangladesh towards one another. If recommendations of this paper are implemented, it'll be possible for the two countries to beat a number of the irritants and forge ahead on a collaborative path of peace and prosperity within the region. In summary, a successful negotiation requires an agreed platform. Once this example developed, both parties can calm down all the prevailing water sharing disputes. An important point that comes out very clearly in the published work is that water issues in the region are really a product of the political relations in the region. If the relations between the countries would have been better, water issues would not have been so intractable. This is a very good indicator of the way that the countries in the region need to work on ameliorating their political relations, in an effort to improve the water problems. The reports also invariably emphasize the need for cooperation among the countries and increasing the flows of information between the nations, measures which could be taken without much effort by the nations.

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