

JOINT DECLARATION OF THE PRIME MINISTERS OF INDIA AND BANGLADESH

March 19, 1972, at Dacca

At the invitation of His Excellency the Prime Minister of Bangladesh, Bangabandhu Sheikh Mujibur Rahman, the Prime Minister of India, Shrimati Indira Gandhi, visited Dacca from the 17th to 19th March, 1972. The Indian Prime Minister was accompanied by the Foreign Minister, Sardar Swaran Singh, Professor S. Chakravarty, Member of the Planning Commission, Mr. P. N. Haksar, Principal Secretary to the Prime Minister, Mr. T. N. Kaul, Foreign Secretary, Mr. P. N. Dhar, Secretary to Prime Minister, and other officials. During her stay in Dacca the Prime Minister addressed a mammoth public meeting and was accorded a civic reception. The affection and warmth shown by the people of Bangladesh on these occasions towards the Indian Prime Minister were symbolic of the close friendship and fraternal feelings that characterise the relations between the peoples of India and Bangladesh.

2. The two Prime Ministers discussed matters of mutual interest at length on several occasions during this visit. The Indian Foreign Minister, Sardar Swaran Singh, also held separate talks with the Foreign Minister of Bangladesh, Mr. Abdus Samad Azad, on bilateral relations and on the international situation.

3. The opportunity of this visit was utilised to have substantive discussions at the officials' level on all aspects of relations between the two countries and also to review the international situation with special reference to the problems that Bangladesh and India face in the context of recent developments in Asia. On the official level talks on political matters the Bangladesh side was represented by Mr. Ruhul Quddus, Principal Secretary to the Prime Minister, Mr. S. A. Karim, Foreign Secretary, Mr. S. A. M. S. Kibria, Secretary, Ministry of Foreign Affairs, Bangladesh Ambassador to India, Dr. A. R. Mallick, Mr. Justice Munim, Law Secretary, and Mr. Nurul Islam of the Home Ministry.

4. At the talks on economic matters the Bangladesh side was represented by Dr. Nurul Islam, Deputy Chairman of the Planning Commission, Dr. Musharraf Hussain, Member, Planning Commission, Professor Rehman Sobhan, Member, Planning Commission, Mr. Matiul Islam, Finance Secretary, Mr. B. M. Abbas, A. T., Adviser to the Prime Minister on Irrigation, and Flood Control, Mr. Nur Mohammad, Commerce Secretary, Mr. A. Samad, Transport Secretary, Mr. Al-Hussainy, Secretary, Power and Irrigation, and other officials.

5. The Prime Minister of Bangladesh expressed admiration for the valiant armed forces of India who made supreme sacrifices in fighting shoulder to shoulder with all sections of the brave *Mukti Bahini* to end the tyrannical colonial rule of Pakistan in the sacred soil of Bangladesh. He mentioned with appreciation the impeccable behaviour of the Indian troops during their brief stay in Bangladesh. Having accomplished their mission, the last units of the Indian armed forces had withdrawn earlier than the deadline agreed upon.

6. Reviewing the international situation with particular reference to recent developments in Asia, the two Prime Ministers took note of the forces threatening the security, stability and territorial integrity of countries of the region. They affirm their solidarity in resisting these forces. Both the Prime Ministers express the confidence that the close and firm bonds of friendship between the peoples of India and Bangladesh would effectively counter efforts by interested countries to reverse the course of history.

7. In this context the two Prime Ministers declare their determination to continue to adhere to the policy of non-alignment which has played a positive and constructive role in strengthening national sovereignty and independence and the forces of peace, stability and prosperity in international relations.

8. To give concrete expression to the similarity of views, ideals and interests between India and Bangladesh, the two Prime Ministers decided to sign a Treaty of Friendship, Cooperation and Peace.

9. The two Prime Ministers further decided that in order to strengthen cooperation between the two countries regular consultations shall be held between the officials of the Ministries of Foreign Affairs, Defence, Planning Commissions and the Ministries and Departments dealing with economic, commercial, cultural and technical affairs of the two Governments. Such consultations will take place periodically, at least once every six months.

10. The Prime Minister of Bangladesh drew the attention of the Prime Minister of India to the plight of the Bengali population in Pakistan and emphasized the imperative need for their early repatriation. The Prime Minister of India assures the Government of Bangladesh of all assistance in facilitating the process particularly in giving transit facilities for such repatriation.

11. The Prime Minister of Bangladesh apprised the Prime Minister of India of the steps taken by the Government of Bangladesh to expedite the trials of members of Pakistani armed forces and civil servants who are guilty of committing war crimes, genocide and crimes against humanity in Bangladesh, in accordance with international law. Both the Prime Ministers express the hope that these trials will bring the guilty persons to justice and also bring home to the world at large the enormity of the sufferings of the people of Bangladesh. The Prime Minister of India assures the Prime Minister of Bangladesh that the Government of India will fully cooperate with the Government of Bangladesh in bringing those guilty persons to justice who are responsible for the worst genocide in recent times. At the same time the two Prime Ministers agree that seriously sick and wounded prisoners of war who are not guilty of war crimes will be repatriated to Pakistan as a matter of priority by mutual consent.

12. In the context of the declared adherence of the Government and the people of Bangladesh to the ideals and objectives of the United Nations Charter, the Prime Minister of India assures the Government of Bangladesh of the Government of India's full support and cooperation for the admission of Bangladesh to the United Nations and other U. N. agencies. Both the Prime Ministers agree that Bangladesh's joining the UN would be a significant step forward in promoting world peace and ensuring stability in South Asia.

13. The two Prime Ministers declare that the Indian Ocean area should be kept free of great power rivalries and military competitions. They express their opposition to the creation of land, air and naval bases in the area. It is their conviction that this is the only way of ensuring the freedom of navigation and safety of the sea-lanes in the Indian Ocean for trade and commerce which is vital to the development and stability of the littoral States. The two Prime Ministers further express their determination to endeavour to make the Indian Ocean area a nuclear free zone.

14. Consistent with the decisions taken at the meetings of the Foreign Ministers of Bangladesh and India in January, 1972 and of the Prime Ministers early in February, 1972 to strengthen economic and developmental cooperation, the two Prime Ministers decide:

- (A) To establish a Joint Rivers Commission comprising of experts of both countries on a permanent basis to carry out a comprehensive survey of the river systems shared by the two countries, formulate projects concerning both the countries in the fields of flood control and to implement them.

Experts of the two countries are directed to formulate detailed proposals on advance flood warnings, flood forecasting, study of flood control and irrigation projects on the major river systems and examine the feasibility of linking the power grids of Bangladesh with the adjoining areas of India, so that the water resources of the region can be utilised on an equitable basis for the mutual benefit of the peoples of the two countries.

- (B) The Prime Minister of Bangladesh expressed his gratitude to the Prime Minister of India for the economic assistance extended so far and for assurances of future assistance according to the requirement of Bangladesh. The two Prime Ministers reviewed the progress of deliveries of supplies of foodgrain and other commodities under the economic assistance programme and recognised the need to accelerate deliveries under this programme in view of the urgent economic need of the rehabilitation programme in Bangladesh.

- (C) Both the Prime Ministers approved the Principles of the revival of transit trade and the agreement on border trade. They directed that these agreements as well as the general trade and payments agreements should be signed by the end of March, 1972.

15. Keeping in view the important role that science and technology plays in accelerating economic and social development, the two Prime Ministers direct that experts and officials of the Government of Bangladesh and India shall have consultations and exchange information on: -

- (i) Peaceful uses of nuclear energy,
- (ii) Technological and scientific research for industrial development, and
- (iii) Utilization of future space research of communication purposes.

16. Conscious of the close historical and cultural affinities between the peoples of India and Bangladesh, the two Prime Ministers decide that concrete steps should be taken by the appropriate agencies of the Governments to strengthen cultural relations between the two countries. The two Prime Ministers direct that the concerned authorities of the two Governments should undertake immediate discussions for the signing of a bilateral agreement on cultural, scientific and technological cooperation.

17. The two Prime Ministers are fully satisfied at the progress made and the concrete results achieved during their talks at Dacca and express the hope that these understandings and agreements would constitute a sound and durable basis for cooperation between India and Bangladesh for the mutual benefit and prosperity of the peoples of the two countries.

18. The Prime Minister of India thanks the Prime Minister of Bangladesh for the hospitality, affection and kindness shown to her and her colleagues by the Prime Minister and Begum Mujibur Rahman, the Government and the People of Bangladesh during her visit to Dacca. The Prime Minister of Bangladesh expressed satisfaction that the Prime Minister of India found time in spite of her many preoccupation to visit Bangladesh.

19. The two Prime Ministers express the conviction that the bonds of fraternity and friendship forged during the freedom struggle of Bangladesh and cemented by the sacrifices made by the peoples of both the countries, shall continue to grow and become a vital factor in strengthening the forces of peace and progress in Asia and the World.

Sd/-
(INDIRA GANDHI)
Prime Minister
For the Republic of India.

Sd/-
(SHEIKH MUJIBUR RAHMAN)
Prime Minister
For the People's Republic of Bangladesh.

TREATY OF FRIENDSHIP, COOPERATION AND PEACE BETWEEN THE REPUBLIC OF INDIA AND THE PEOPLE'S REPUBLIC OF BANGLADESH

INSPIRED by common ideals of peace, secularism, democracy, socialism and nationalism,

HAVING STRUGGLED together for the realisation of these ideals and cemented ties of friendship through blood and sacrifices which led to the triumphant emergence of a free, sovereign and independent Bangladesh,

DETERMINED to maintain fraternal and good neighbourly relations and transform their border into a border of eternal peace and friendship,

ADHERING firmly to the basic tenets of non-alignment, peaceful co-existence, mutual cooperation, non-interference in the internal affairs and respect for territorial integrity and sovereignty,

DETERMINED to safeguard peace, stability and security and to promote progress of their respective countries through all possible avenues of mutual cooperation,

DETERMINED further to expand and strengthen the existing relations of friendship between them,

CONVINCED that the further development of friendship and cooperation meets the national interests of both States as well as the interests of lasting peace in Asia and the world,

RESOLVED to contribute to strengthening world peace and security and to make efforts to bring about a relaxation of international tension and the final elimination of vestiges of colonialism, racialism and imperialism,

CONVINCED that in the present-day world international problems can be solved only through cooperation and not through conflict or confrontation,

REAFFIRMING their determination to follow the aims and principles of the United Nations Charter,

The People's Republic of Bangladesh, on the one hand, and the Republic of India, on the other, have decided to conclude the present Treaty.

ARTICLE 1

The High Contracting Parties, inspired by the ideals for which their respective peoples struggled and made sacrifices together, solemnly declare that there shall be lasting peace and friendship between their two countries and their peoples. Each side shall respect the independence, sovereignty and territorial integrity of the other and refrain from interfering in the internal affairs of the other side.

The High Contracting Parties shall further develop and strengthen the relations of friendship,

good-neighbourliness and all-round cooperation existing between them on the basis of the above mentioned principles as well as the principles of equality and mutual benefit.

ARTICLE 2

Being guided by their devotion to the principle of equality of all peoples and states, irrespective of race or creed, the High Contracting Parties condemn colonialism and racialism in all their forms and manifestations and reaffirm their determination to strive for their final and complete elimination.

The High Contracting Parties shall cooperate with other states in achieving these aims and support the just aspirations of peoples in their struggle against colonialism and racial discrimination and for their national liberation.

ARTICLE 3

The High Contracting Parties reaffirm their faith in the policy of non-alignment and peaceful co-existence, as important factors for easing tension in the world, maintaining international peace and security and strengthening national sovereignty and independence.

ARTICLE 4

The High Contracting Parties shall maintain regular contacts with each other on major international problems affecting the interests of both States, through meetings and exchanges of views at all levels.

ARTICLE 5

The High Contracting Parties shall continue to strengthen and widen their mutually advantageous and all-round cooperation in the economic, scientific and technical fields. The two countries shall develop mutual cooperation in the fields of trade, transport and communications between them on the basis of the principles of equality, mutual benefit and the most favoured nation principle.

ARTICLE 6

The High Contracting Parties further agree to make joint studies and take joint action in the fields of flood control, river basin development and the development of hydro-electric power and irrigation.

ARTICLE 7

The High Contracting Parties shall promote relations in the fields of art, literature, education, culture, sports and health.

ARTICLE 8

In accordance with the ties of friendship existing between the two countries each of the High Contracting Parties solemnly declares that it shall not enter into or participate in any military alliance directed against the other Party.

Each of the High Contracting Parties shall refrain from any aggression against the other Party and shall not allow the use of its territory for committing any act that may cause military damage to or constitute a threat to the security of the other High Contracting Party.

ARTICLE 9

Each of the High Contracting Parties shall refrain from giving any assistance to any third party taking part in an armed conflict against the other Party. In case either Party is attacked or threatened with attack, the High Contracting Parties shall immediately enter into mutual consultations in order to take appropriate effective measures to eliminate the threat and thus ensure the peace and security of their countries.

ARTICLE 10

Each of the High Contracting Parties solemnly declares that it shall not undertake any commitment, secret or open, toward one or more states which may be incompatible with the present Treaty.

ARTICLE 11

The Present Treaty is signed for a term of twenty-five years and shall be subject to renewal by mutual agreement of the High Contracting Parties.

The Treaty shall come into force with immediate effect from the date of its signature.

ARTICLE 12

Any differences in interpreting any article or articles of the present Treaty that may arise between the High Contracting Parties shall be settled on a bilateral basis by peaceful means in a spirit of mutual respect and understanding.

Done in Dacca on the Nineteenth Day of March, Nineteen Hundred and Seventy-two.

Sd/-

(SHEIKH MUJIBUR RAHMAN)

Prime Minister

For the People's Republic of Bangladesh.

Sd/-

(INDIRA GANDHI)

Prime Minister

For the Republic of India.