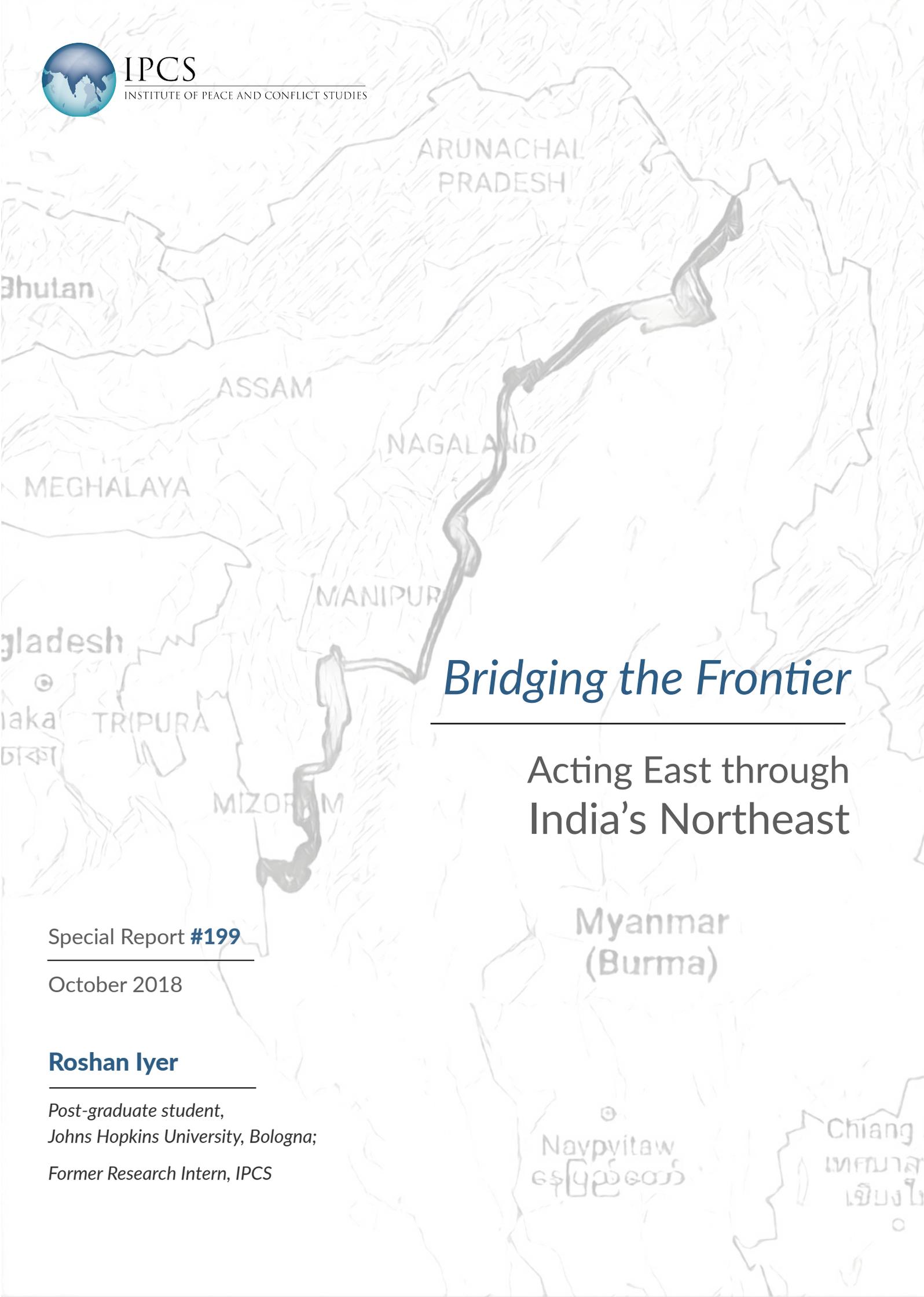




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Bridging the Frontier

Acting East through
India's Northeast

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EXECUTIVE SUMMARY

“Borders are places of economic and political opportunity for nations and states as well as for a host of other interest groups and agencies, legal and illegal.”

~ Professor Liam O’Dowd

Centre for International Borders Research, Queen’s University, Belfast

The ‘Neighbourhood First’ policy and the ‘Act East’ policy are two key pillars of India's prevailing foreign policy initiatives. The former recognises the importance of those South Asian countries that share borders with India; and the latter signals India’s intent to strengthen connectivity linkages with its eastern neighbours (mainly Southeast Asia). This would require India to abandon its 200-year-old modus operandi of using its frontiers as buffer regions and instead use them as bridges—something China has effectively demonstrated with its Greater Mekong Subregion (GMS) initiative. India’s border policy continues to be dominated by security concerns which manifest in the governance of borders as barriers rather than as bridges. However, with administrative reform, the government's Border Areas Development Programme (BADP) and Border Haat Initiative (BHI) can effectively form a skeleton for an Indian frontier policy that would achieve the multiple national objectives of generating employment, providing poverty relief, bringing about socioeconomic development, and ‘Acting East’.

ACTING LESSONS

According to Sir Henry McMahon, a colonial administrator in the erstwhile British government in India and the principle negotiator of the 'McMahon Line' of 1914 between India and China's Tibetan-region, "A frontier is a wide tract of border land which by virtue of its ruggedness or other difficulty, served as a buffer between two states. A boundary is a clearly defined line expressed either as verbal description, or as a series of physical marks on the ground" (quoted in Panag, 2017). While an undeveloped frontier region served colonial interests well, ensuring that India—the jewel in the British Empire's crown—was safe from Russian influence in Central Asia to the West, and French influence in Indo-China¹ to the East, this 'cordon sanitaire' approach does not serve the interests of present-day India's push to 'Act East'.

Nowhere is the fallout of this approach more apparent than in India's eight Northeastern states which ironically form the lynchpin of New Delhi's connectivity-centric initiatives such as the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) and the Bangladesh, Bhutan, India, Nepal (BBIN) Initiative as part of the overall 'Act East' Policy.

China's engagement through its southern-most Yunnan and Guangxi Zhuang provinces with Southeast Asia as part of the GMS initiative provides an example of how South Asian countries can engage through their borders. Established in 1992, the ASEAN countries along the Mekong River² and China have cooperated in the areas of: infrastructure development, energy, telecommunication and highway construction, transportation reform (including a proposed Cross Border Transport Agreement facilitating cargo truck movement and a relaxation of visa and migratory restrictions), and allowing limited access for migrant labour and business persons into each country's respective territories fostering cross border business ties (Asian Development Bank, 2017).

¹ Vietnam, Laos, and Cambodia

² Cambodia, Laos, Myanmar, Thailand, and Vietnam



Picture 1: Satellite photo of border town of Ruili at the Myanmar-China border | *Google Maps*

Although the GMS initiative is only about five years older than BIMSTEC and the two share common focal areas (such as trade, energy, transport, tourism and environment), GMS projects have seen much more progress and involvement from all stakeholders. GMS has now been rolled into China's connectivity mammoth, the Belt and Road Initiative (BRI).

INDIAN BORDER ADMINISTRATION

India's borders are managed by the Department of Border Management (BMD), which consists of two divisions under the Ministry of Home Affairs (MHA).

Border Management-I Division (BMD-I) deals exclusively with security and protection of the borders. This includes construction of fences and roads, Border Out Posts (BOPs) and Company Operating Bases (COBs) and floodlighting (Ministry of Home Affairs, Government of India, 2018).

Border Management-II Division (BMD-II) has a broader ambit which is officially stated as “[dealing] with matters relating to coordination and concerted action by administrative, diplomatic, security, intelligence, legal, regulatory and economic agencies of the country.” (Ministry of Home Affairs, Government of India, 2018). BMD-II has two main concerns: the first is operating the Land Ports Authority of India (LPAI), which manages the various Land Customs Stations and Integrated Check Posts that house the customs officers and infrastructure; the second is the management of the BADP.

India currently follows the principle of 'One Border One Force', meaning each border has a designated agency usually drawn from the Central Armed Police Forces (CAPF). The India-China border is guarded by the Indo-Tibetan Border Police (IBTP) and the Special Frontier Force (SFF); the India-Bangladesh borders is guarded by the Border Security Force (BSF); the India-Pakistan border is partly manned by the army and partly by the BSF; the India-Nepal and the India-Bhutan borders are manned by the Sashastra Seema Bal (SSB); the India-Myanmar border is guarded by the Assam Rifles; and India's naval borders are guarded by the Indian Coast Guard and the Indian Navy. All of the land border agencies are administered and operated by the MHA except for the Assam Rifles and the Indian Navy, which are under the command of the Indian Ministry of Defence; the Assam Rifles is not part of the CAPF. The construction of major border roads is also handled by BMD-I through engagement of the Border Roads Organisation (BRO), central and state Public Works Departments (PWD) and the National Projects Construction Corporation (NPCC).

COORDINATED BORDER MANAGEMENT

Coordinating border management practices grew in the mid-1990s in Europe with the intent to coordinate the actions of border agencies in order to improve effectiveness and efficiency of border procedures. The idea was best condensed in the 2008 Customs in the 21st Century strategy document (World Customs Organization, 2008). According to this strategy document:

“Better coordinated border management entails coordination and cooperation among all the relevant authorities and agencies involved in border security and regulatory requirements that apply to passengers, goods and conveyances that are moved across borders. Governments also need to

explore more effective solutions to border management. The establishment of better coordinated border management for the cross-border movement of goods requires:

- i) The recognition of Customs or the agency responsible for customs as the lead front-line administration at national borders for controlling the movement of goods. According to the UN Trade Facilitation Network, Customs administrations are usually best suited to develop integrated procedures for processing goods at points of entry; and
- ii) The introduction of the electronic Single Window concept that allows a trader to provide all necessary information and documentation once to the designated agency that, in turn, distributes the information to all relevant agencies.”

The concept of inter-agency integration has three levels as explained by the Organization for Security and Co-operation in Europe (OSCE): coordination, collaboration and integration. This concept was expanded by the Institute of Policy Studies (IPS) into a continuum of inter-governmental integration starting from informal contact between officials from both sides on an ad-hoc basis to institutionalised cross-border agency collaboration.

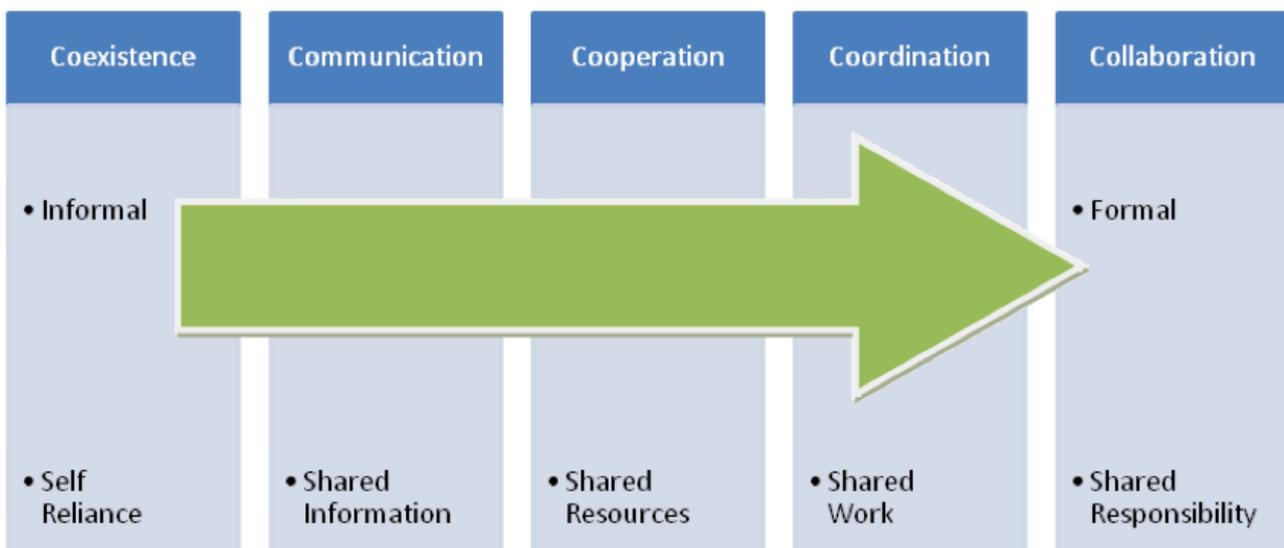


Figure 1: Inter-governmental integration

Source: Institute of Policy Studies, 2008 (As cited in Polner, 2011)

Although bilateral trade facilitation is not the subject of this paper, a similar template of cross-border management for trade facilitation and the gradual cooperation of agencies across the border can be applied to the integration of cross-border governance institutions in the eastern South Asia region for the development of the frontier.

INDIAN BORDER SCENARIO

In 2017-2018, this author conducted a series of field surveys in the areas along both sides of India's borders with Nepal, Bhutan and Myanmar; it was apparent to this author that the border areas in India's neighbouring countries enjoy better urban infrastructure (well-maintained buildings, utilities, roads, road signs, traffic signals, etc.) as well as services (telecommunications, emergency services etc.). Conversely, infrastructure in the border areas on the Indian side were poor and there were hardly any state services beyond customs and security. Nowhere is this situation more apparent than in India's Northeastern states—now eight in total—that share borders with China, Nepal, Bhutan, Bangladesh and Myanmar.

National level meetings (NLMs) and sectoral level meetings (SLMs) are organised under the aegis of the MOU on Cooperation between the Civilian Border Authorities of India and Myanmar. The Indian delegation at the NLM is led by the Home Secretary and at the SLM by the concerned Joint Secretary in the Ministry of Home Affairs while the Myanmar delegation is led by the country's Deputy Home Minister. The MOU defines the primary objectives of these meetings to be “to maintain peace and tranquillity all along the border” by “preventing inadvertent violations of each other's territories by security forces” and “to monitor and curb of all illegal and negative activities such as trans-border movement of insurgents, narco-traffickers and others involved in nefarious activities.” Additionally, every six months border liaison meetings (BLMs) take place between local area army commanders and according to a 1993 Agreement, narcotics control senior officials of both countries interact periodically to discuss control of drug trafficking. (Singh, 2000) Weekly cross border meetings between the customs and security agencies are also held on an *ad hoc* basis.

Cross-border integration of Indian border agencies with those of its neighbours would currently be at the “Communication” stage of Figure 1. Progress would require the governance of the frontier region to move away from security and instead focus on economic prosperity by leveraging cross-border trade through cross-border and inter-agency cooperation.

Photos of the India-Myanmar border towns of Moreh and Tamu



Picture Set 2: Tamu, Sagaing Region, Myanmar

Photographed by the author during a visit on 8 November 2017



Picture Set 3: Moreh, Manipur, India

Photographed by the author during a visit on 8 November 2017

The focus on security is most visible in the current administration of India's borders in two major ways. Security has been included as a key function in both BMD-I and BMD-II. Secondly, given the lack of any formal cross-border integration, all decision making takes place on ad hoc basis. In many ways, the ambiguity allows for regulations and diktats to be customised to local contexts. However, since it is the security agency at a border that is designated the lead agency in all matters, this results in all issues being analysed first and foremost through a lens of security and the agency being the ultimate decision-making authority on local cross-border issues. Retaining this paradigm dominated by security concerns severely limits the possibilities of using India's borders to bring economic prosperity to the region.

MAJOR DEVELOPMENTS

The government of India is aware of the importance of building connectivity with its Eastern neighbours; however there is a shortage of formal initiatives that effectively use the frontier region. Centre-driven dialogues in the form of institutionalised bilateral meetings form the basis of cross-border cooperation. However, this top-down approach has led to some positive developments.

BORDER HAATS

Border haats were first agreed to in a Memorandum of Understanding (MoU) between India and Bangladesh in October 2010 (Governments of India and Bangladesh, 2010). The first border haat began operating in 2011 in the Indian state of Meghalaya. The agreement allowed border populations in a 5 km radius to trade locally manufactured household goods and agricultural produce, and were exempt from all customs duties and charges. They were allowed to trade by barter or in the Indian Rupee or Bangladeshi Taka, up to a limit of US\$ 50 worth of goods per trader per day. Traders needed to register with the border haat and provide an identification document in order to gain access to the haat, which was operational for one day a week from 9 am to 3 pm.

The border haats proved to be an immediate success, attracting traders well beyond the 5 km radius, and soon became a major source of income for the local population. In addition to the stipulated goods, trade in baby products, processed foods and small electronics also rose in volume. Traders

did not predominantly belong to any caste, creed or tribe, and women traders were soon a common sight. This in turn generated local employment in the form of transporters and truck drivers who would ferry goods from the towns to the border. The border haat also served as a meeting place for community members, unintentionally serving as a tool for the commonly stated objective of building people-to-people connections. The agreement was later amended to allow for goods worth US\$ 100 to be traded and more border haats were planned. Today, there are five border haats in operation along the India-Bangladesh border and there are plans to construct border haats on the India-Myanmar border (Government of India and Myanmar, 2012). As of 2018, one haat was being opened in Pangsung Pass between the Indian state of Arunachal Pradesh and Pangsung region of Myanmar (Das, 2014) while surveys by officials from India and Myanmar of the border haats on the India-Bangladesh border have been undertaken. (Indo-Asian News Service (IANS), 2017)

The BHI demonstrates the possibilities of leveraging cross-border ties to facilitate trade and employment generation. The state simply provided the basic infrastructure and security while the local authorities implemented the policy while paying attention to the local economic context rather than blindly implementing the policy 'by the book.' However there is a greater role that the government can play in furthering the progress achieved so far.

BORDER AREA DEVELOPMENT PROGRAMME

In the mid-1990s, India established the BAPD initially in a bid to deploy infrastructure aiding the BSF, but later to generate overall socioeconomic development at the frontiers (Ministry of Home Affairs, Government of India, 1999).

Funded mainly by the central government³, projects are decided upon by a state-level nodal authority in each border state which receives proposals from the ground-level by Panchayati Raj institutions, Autonomous Councils and Gram Panchayats (NITI AAYOG, Government of India, 2015). Project monitoring is undertaken by a district-level committee headed by the District Magistrate and includes the Superintendent of Police, the District Forest Officer, the District Planning Officer and the Commandant of the local border force (Ministry of Home Affairs, Government of India, 2018).

In addition to problems of corruption and delays that consistently plague state-level initiatives in India, the programme had numerous inherent flaws. The programme was designed to facilitate

³ The proportion shouldered by the state and centre differed between states, but in all cases the centre funded more than 50 per cent.

development strictly from the boundary inwards, which meant resources had to traverse the undeveloped frontier regions first to begin work on development projects—a costly and cumbersome affair. It was also noted that a majority of the BADP funds had been spent on government structures and roads. Since state bureaucrats viewed the BAPD simply as another fund to be exhausted, they incentivised capital heavy one-off projects instead of crucial services. Additionally, little was done to ensure the functioning of the clinics, libraries, tourist centres and school buildings that were constructed. These issues were reported first by the Indian Planning Commission (Planning Commission, Government of India, 2001) and then 14 years later by its replacement body, the NITI Aayog (NITI AAYOG, Government of India, 2015).

However, the programme does have the potential to bring innovative solutions. For example, in Meghalaya, the densely forested mountainous terrain obstructs the construction of roads and transport infrastructure, hampering the movement of the agricultural goods that support the local economy. In 2013, the BAPD constructed a network of mountain ropeways which was then operated by the local farmers' cooperatives, bringing the cost of transporting a sack of grain down from IN₹ 150 to IN₹ 40 (Nongspung, 2013).

REFORMS

Keeping in mind the intention to develop the frontier region as a connecting region centred on trade and people-to-people connections, the main aim of the reforms proposed would be to build on current progress by the BHI and the BADP and to shift cross-border inter-agency integration from “Communication” to “Cooperation” (in the integration process suggested in Figure 1) and perhaps even limited “Coordination” over time.

SHORT-TERM

In the short-term, reforms should be carried out with the objective of shifting the paradigm of border governance from security to development.

Joint Lead Agency

The appointment of a joint agency rather than retaining the security force as the lead agency would be the first step in shifting the focus of frontier governance from security to development. The Joint Border Agency (JBA) could be a committee comprised of an equal number of representatives from each border agency (security, customs, immigration etc). There are two potential templates that could be considered:

The establishment of the CBSA brought together all the major players involved in managing the movement of goods and people into Canada. The CBSA combined several key functions previously spread among three organisations: the Customs programme from the Canada Customs and Revenue Agency; the Intelligence, Interdiction and Enforcement programme from Citizenship and Immigration Canada; and the Import Inspection at Ports of Entry programme from the Canadian Food Inspection Agency (Aniszewski, 2009).

Le Centre de Coopération Policière et Douanière (The Police and Customs Cooperation Centre): The CCPD-Geneva operates as a 'back office' for the France-Switzerland border crossing points. CCPD-Geneva staff includes officers from French Customs, Swiss Customs and Border Guards, French Police and Swiss Cantonal Police, French Gendarmerie and Swiss Federal Police. There are more police officers than customs officers working at CCPD. The Swiss and French sides provide funding for the CCPD on an equal basis. Thus, an important feature of the CCPD is that both sides are represented by coordinators. Because of such a 'double-headed' structure, the decisions have to be taken on the consensual basis. However, it should be noted that the coordinators are mostly involved in administrative matters, such as budget, resource allocation, joint use of equipment, and so on, and do not influence the operational side of business. It is a reactive service, whose activities are mostly limited to information collection, update, analysis and dissemination. (Polner, 2011)

MEDIUM-TERM

In the medium-term, the focus should be on expanding the BADP and the BHI to prioritise livelihood generation of frontier populations through cross-border trade.

Prioritise Livelihood Generation with the BADP and the BHI

The next step would be to amend the BADP for livelihood generation rather than pursuing a blanket policy of regional development. While social infrastructure is indeed important, improving the livelihood options of the border population should be the primary focus. The premise of “saturating the border regions outward with infrastructure” would also need to be abandoned; instead the aim should be to identify and support specific sectors. These specific sectors should be selected only after a state or area-specific study has been undertaken on the specific nature and needs of the border economies. This author, during his field research, found that most frontier communities are agricultural economies supported heavily by cross-border trade.

Supporting the BAPD and Expanding the BHI

The border haats of the region suffer from a lack of necessities, from basics such as sanitation facilities, to financial services such as ATMs and authorised currency exchange outlets. Despite these issues, the BHI has been a success and therefore should be expanded in all aspects such as the work times/days, authorised volumes of traded goods and the number of approved vendors. There is no reason to not have a 24-hour trading hub on the border facilitating frontier community trade. The BADP can then play a supporting role by focussing on sectors such as roads, transport services and marketplace infrastructure.

LONG-TERM

In the long-term, cross-border sub-regional governance of the frontier regions would allow for true integration between the countries allowing for India to 'Act East'. This would be a radical departure from India's arcane *modus operandi* of 'governing' its frontiers.

Joint Border Economic Zones

A creation of a joint 'growth zone' with the sole purpose of encouraging business—and supported by two or more governments where the focus would be on attracting local investment to a common region—could serve the economic needs of both countries while the investment could benefit from a set of mutually agreed regulations as well as gain access to both markets. Before this can be undertaken, significant reform would be required in the bilateral trade policies between India and its neighbours. Cross-border trade often takes place through illicit channels rather than licit ones. A

deregulation of trade restrictions and providing training to traders on both sides of the border on appropriate customs procedures would help bring the livelihoods of many frontier communities into the legal, formal fold.

Cross-Border Economic Governance

On a much longer scale, it makes administrative and economic sense to govern similar regions and peoples similarly. The stark difference in the levels of development and availability of state services on the two sides of many Indian borders can be evened out by allowing for the joint provision of some state services on both sides of the border. From a developmental perspective, medical facilities, emergency services and utility provisions can be a starting point to this kind of cooperation. Law and order and security provide opportunities for cooperation. Meanwhile, the level of cooperation at the borders could be strengthened by coordinating trade management operations. This can begin with coordinating bank and customs workdays and timings. In the future this can be expanded to allow for a single authority to undertake activities that are currently undertaken by separate authorities of both countries. This could be applicable with customs procedures where a single customs official undertakes both the import and export procedures, allowing for single window clearance of a consignment. It could also take the form of simultaneous coordinated patrolling by the security agencies of two or more countries.

The ultimate aim for such reform would be to utilise the linguistic, cultural and economic links that already exist along India's borders in order to bring economic prosperity through trade, so as to realise the national strategic objective of 'Acting East' through trade and cultural (people-to-people) connections.

LOOKING AHEAD

Policy-making invariably involves taking measured risks in the face of uncertainty, for one has neither a prior template nor the luxury of indecision.⁴

Such a policy shift could lead to an upswing in illegal activity such as illegal immigration and narcotic smuggling as the borders soften. However if India actively engages with its neighbours through its borders, it would accomplish multiple objectives such as providing significant poverty relief and employment to its border populations, strengthening transnational economic ties as cross-border business flourishes, and bolsters integration with India's eastern neighbourhood.

'Acting East' is an excellent strategy as India enjoys much better relations with the Southeast Asian countries—built largely on shared values and bilateral interests—compared to China's brand of easy loan diplomacy. However, India must define a clear frontier policy that transcends the backward security focus and redefines its frontier regions as a bridge rather than a buffer. Harnessing cross-border and transnational ties that were severed as a result of colonisation and mismanaged during decolonisation is the first step toward the larger goal of South Asian and pan-Asian regional integration and economic cooperation.

⁴ A quote from *I Do What I Do* by Raghuram Rajan, Former Governor of the Reserve Bank of India.

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