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## INDO-BHUTAN UNIQUE RELATIONS

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### ABSTRACT

Indian Government recognized Bhutan as an independent country in 1947. Bhutan is one of the few lucky countries which are independent, never conquered, occupied, or governed by an outside power. Bhutan is a land locked country with limited economic scope and military might. It has earned the mark of a peaceful country as compared to its neighbours in the South Asian region. By the early half of the 20th century, Bhutan began to develop political relations towards its southern neighbour - nurturing a close relationship with India for enhancing its own territorial security and prospects for socioeconomic development. Indian assistance has greatly expanded in every field of Bhutan's development. India continues to provide the largest and most diverse assistance to Bhutan among all other donors. It is a "shining" example of friendship and cooperation between a large country and a small neighbor. The basis for bilateral relations between India and Bhutan is formed by the Indo-Bhutan Treaty of 1949, which provides for, "perpetual peace and friendship, free trade and commerce and equal justice to each other's citizens." India's major concerns with Bhutan are the disturbed situation in the north-east. Bhutan is expanding its interactions with the external world but it is sensitive to India's security concern. Bhutan has acknowledged the benefits from India. There is hope that the present cordial relations will continue and will benefit both the countries.

**Key words:** Landlocked country, Treaty of 1949, Development, Security concerns, Cooperation and friendship.

### INTRODUCTION

India- Bhutan relations have sustained their friendship amidst mistrust and suspicion. The treaty of 1949 between India and Bhutan is very important to both countries' relations. The relationship has been one of dynamism and change. On February 8, 2007, a new treaty was signed which further signifies the mutual trust. The treaty recognizes Bhutan's "Sovereignty and Territorial Integrity-Elements" and is a framework for future interaction. Bhutan appreciated India for its assistance and cooperated on the security front. India is also sensitive to Bhutan's development needs. The relationship has helped Bhutan to have a unique development path based on Gross National Happiness.

### OBJECTIVES

- 1 To study the treaty which link the two countries for unique relationship?
- 2 To study the Historical background and actual working of Treaty of 1949.

### METHODOLOGY

Secondary sources like Books and Newspaper reports are used in the study.

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## **DISCUSSION**

The Treaty of 1949 (ten Articles) provides the basic framework for conducting relations between the two countries. The first Article relates perpetual peace and friendship between the Government of India and the Government of Bhutan. The Article 2 states, "The Government of India undertakes to exercise no interference in the internal administration of Bhutan. The Government of Bhutan agrees to be guided by the advice of the Government of India in regard to its external relations." Article 2 of the treaty defined framework for the relationship and also implant values of trust and equality. The intensity of phrases used in the treaty such as "special relations", "privileged relations", and "strategic alliance" shows the intensity of bilateral ties. The India-Bhutan Friendship Treaty, which was redrafted and signed in 2007, set the bilateral relations on a new course. It further signifies the mutual trust. The controversial part relates to the second part of the article as it is related to Bhutan's external relations.

Other Articles of the treaty relate to the annual payment of Rs. 5 lakh by the Government of India to the Government of Bhutan. Earlier it was paid by British India. India agreed to return to the Government of Bhutan about 32 square miles of territory in the area known as Devangiri. The treaty establishes a free trade regime between India and Bhutan. The citizens of both countries will be treated on par with own citizens. The treaty has provisions for extradition of Indian citizens in Bhutan and of Bhutanese citizens in India whenever required. It is also stated that the treaty shall continue in perpetuity unless terminated or modified by mutual consent. Article 6 of the treaty refers to Bhutan importing arms and ammunition, machinery, warlike material or stores for the strength and welfare of its country with the assistance and approval of the Government of India from or through India into Bhutan.

New treaty of 2007 has two major changes. Article 2 of the India- Bhutan Treaty of 1949 now says, "In keeping with the abiding ties of close friendship and cooperation between Bhutan and India, the Kingdom of Bhutan and the Government of India shall cooperate closely with each other on issues relating to their national interests. Neither Government shall allow the use of its territory for activities harmful to the national security and interest of the other."

Bhutan is now free (under new treaty) to establish direct diplomatic relations with third countries. Under article 4, Bhutan can import arms, immunities etc., to strengthen its security in consultation with India. This arrangement will remain valid till India wants it. The revised treaty recognizes Bhutan's "sovereignty and territorial integrity", which was not there earlier.

## **HISTORICAL BACKGROUND OF THE TREATY**

To understand the treaty of 1949, two important treaties between British India and Bhutan--the Treaty of Sinchula, 1865, and the Treaty of Punakha, 1910 must be kept in mind.

Article 1 of the Treaty of Sinchula reads, "There shall henceforth be perpetual peace and friendship between the British Government and the Government of Bhutan." Article 4 explains the reasons for the compensation paid by the British Government to Bhutan. India makes an annual payment of Rs. 5 lakh due to this clause. Article 6 of the 1865 treaty gives details on surrender of Bhutanese subjects who are accused of any crime and taking refuge in British dominions and for British subjects accused of crimes and taking refuge in Bhutan. Article 9 of the treaty refers to provisions of free trade and commerce between the two governments. Article 8 refers to the British government's arbitration in matters of differences which Bhutan might have with the Rajahs of Sikkim and Cooch Behar. The British government's decision would be abided by. So Article 2 of 1949 Treaty should be read in the background of Article 8 of the Treaty of 1865.

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### **THE TREATY OF PUNAKHA (1910)**

First article deals with increasing the amount of the annual allowance paid to the Government of Bhutan by the British Government. The second deals with revising Article 8 of the 1865 Treaty. It reads, "The British Government will not interfere in the internal administration of Bhutan. Bhutanese Government agrees to be guided by the advice of the British Government in regard to its external relations. In the event of disputes, the Maharajas of Sikkim and Cooch Behar, will be referred for arbitration to the British government which will settle them in such manner as justice may require and insist upon the observance of its decisions by the Maharaja named."

It implies that Article 2 of the 1949 Treaty should be read along with this provision of the 1910 Treaty. It describes the continuity of arrangements already existing between Bhutan and British India. It means that the provisions of the 1949 Treaty were not being negotiated for the first time.

The question is why the British wanted to include Article 8 in the treaty of 1910. Why Bhutan agreed to be guided by the British government in its external relations? The 1865 Treaty enabled the British government to negotiate the disputes of Bhutan with regard to Sikkim and Cooch Behar. Due to the Chinese forward policy towards Tibet and other Himalayan states, the British became concerned. The Chinese representative in Lhasa wanted union of China, Tibet, Nepal, Bhutan and Sikkim to the blending of the five principal colours, leading to a political model. The British wanted to prevent China from encroaching on Bhutan through The Treaty of 1910. The British were interested on maintaining Nepal, Bhutan and Sikkim as buffer states. Bhutan remained vulnerable to Chinese influence. Under these circumstances, it was necessary for the Government of India to convince Bhutan to place its foreign relations under British control. British could not prevent Bhutan from receiving Chinese agents as per the treaty of 1865. In return, it was recommended that the British should not interfere in the internal administration. The British were interested in finding a route for trade which would connect Tibet. The controversy regarding the possession of fertile and economically valuable duars of Assam and Bengal was settled through the 1865 Treaty. Even after the 1910 Treaty was signed, the British Indian government said that they believe in policy of non-interference in the states bordering the frontiers of India.

### **WORKING OF TREATY OF 1949**

**Article 2 of the treaty of 1949:** Regarding controversy of Sino-Bhutan boundary, Indian Prime Minister Jawaharlal Lal Nehru wrote to China, "Under the treaty relationship with Bhutan, the government of India is the only competent authority to take matters concerning Bhutan's external relations, and, in fact; we have taken up with your government a number of matters on behalf of the Bhutan government." Since 1984, the government of India has not objected to Bhutan and China having direct bilateral negotiations regarding the border dispute on the northern side of the border.

Bhutan has expanded its relations with the outside world; it implies no strict implementation of the 1949 Treaty. In 1971, Bhutan was the second country after India to recognise Bangladesh an independent foreign policy decision. It means it could do again on any other issue. Bhutan is facing presently bilateral foreign policy problems on the refugee issue with the Nepalese government. Bhutan's intersections with Nepal come under the realm of Bhutan's external relations. India is not supposed to interfere in the bilateral matter of the two countries as per the treaty of 1949.

India is not restricting Bhutan to independently conduct its foreign relation as it is neither feasible nor desirable. Bhutan's own desire to assert its independent sovereign status has resulted in flexible interpretation of Article 2 of the Treaty of 1949. India helped Bhutan to have an independent identity in the international forum. The treaty has been amended in spirit though not in letter.

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The aim of Article 2 of the Treaty is not to bind Bhutan but to ensure India's security interests. At present India and Bhutan share a cordial relationship and the Bhutanese do not have any complaints about treaty. Sometimes, there is controversy over its provisions, especially the word 'guidance'. In this context, if Article 2 is not strictly implemented, India must be assured that issues concerning security of India will be respected by Bhutan. It will help in maintaining India's security interests in the future. Following are the challenges in the relationship.

**a) Domestic Affairs: Non Interference by India**

British India recognised the monarchy established in 1907 as it contributed to stability. Treaty of Punakha (1910), incorporating of the clause that there would be no interference in the internal affairs of Bhutan, worked well for the new regime. It continued after the withdrawal of the British from India. Even with democracy in Bhutan, India has continued to follow to the clause of noninterference in its internal affairs.

Bhutan had fears about Sikkim's incorporation into India and regarding Nepalese. Bhutan's problems revolve around the concept of "Greater Nepal." There is problem of refugees from southern Bhutan who are of Nepalese origin and the movement for Gorkhaland is a matter of worry. India's official position of non-interference has ensured Bhutan a free hand to deal with the problem.

**b) International Relations**

Bhutan has followed a policy of isolation. After the Chinese action of 1958-59 Bhutan realised that it should not follow the policy of isolation. Bhutan has tried to assert its sovereign existence. India has made it clear that Bhutan's quest for an international role does not contradict with the provision of Article 2 of the 1949 Treaty. Bhutan's membership for the Colombo Plan was sponsored by India in 1963. Bhutan got technical assistance from Japan, Australia, India, Canada, New Zealand and England. In 1969, India sponsored Bhutan's entry into the Universal Postal Union. With India's support in 1971, Bhutan was admitted to the United Nations. In 1972, Bhutan became a member of Economic and Social Council for Asia and Pacific and in 1985, member of the South Asian Association for Regional Cooperation. Bhutan got forum to expand and conduct its foreign relations.

India knows that an independent international role and strict implementation of the 1949 Treaty are contradictory. Bhutan recognised the fact that its territorial integrity could not be easily violated and Bhutan remained a buffer state. India had taken into consideration the aspirations of Bhutan.

**c) Bhutan's Economic Concerns and India**

Being a landlocked country, India provides it with about 13 transit routes. India helped it in financing the first two five- year plans. Indian government is involved in projects like hydropower plants, cement plants, roads, etc. Bhutan is selling electricity to India. Bhutan is getting 40% of the external revenue from the sale of electricity to India. During the period 1996-97, the share of Bhutan in the total aid given by India to other developing countries was 52 per cent. Bhutan is keen on sub-regional cooperation through Bangladesh, Nepal and the North Eastern parts of India. Through relations with the SAARC member countries, it wants to develop economically.

**d) Bhutan and China**

China is very important in developing relationship between India and Bhutan. The British were primarily interested in Bhutan for facilitating a trade route to access Tibet. When China started laying claims to the territory of Bhutan then the clause regarding foreign relations of Bhutan was incorporated in the Treaty of 1910. India included this clause in the Treaty of 1949. In 1958, China not only claimed Indian Territory, its maps also showed 200 sq miles of Bhutanese territory as part of Tibet. Indian Prime Minister Nehru said that any attack on Bhutan would be considered an attack on India. India's defeat against China in the 1962 War, made Bhutan doubtful, but confidence was restored following the Indian victory in 1971.

The policy of China towards Tibet determines Bhutan's attitude towards India. Bhutan has many historical links with Tibet. The experience of the Tibetan refugees is not in favour of developing close ties with China. Bhutan will not go into China's fold as it has beneficial relations with India and also its past experience with China.

**e) India's interests**

Bhutan has vast security imperatives for India. A stable, independent Bhutan is essential for it to be an effective buffer state. Now India is following a policy of mutual benefit from the projects undertaken in Bhutan. The market for these projects will be India and will ensure the development of the north-east part of India. The approach of India is to ensure the sustainable development of Bhutan. The 6MW Chukha Hydel project ensures power supply to parts of West Bengal and Assam. This project provides nearly 40 per cent of Bhutan's national revenue. The 1020MW Tata project will help Bhutan to earn huge revenue. India will be able to solve the power shortage problem.

India's major concerns with Bhutan are the disturbed situation in the north-east. Insurgents have established camps in the border areas of Bhutan. India and Bhutan have concluded an extradition agreement in 1996. The 1949 Treaty mentions extradition, the present agreement wants it to be more effective. India is spending crores of rupees on combating insurgency in the North East. Doklam issue is presently a cause of concern for both the countries. Both countries are closely cooperating on this issue. Bhutan is expanding its interactions with the external world but it is sensitive to India's security concern. There is hope that the present cordial relations will continue.

**CONCLUSION**

The geo-strategic position of Bhutan has converted the relation into one of vital importance to both the countries. The security issues are at the core of the close relationship for India as well as Bhutan. India helped in the economic development of Bhutan and in finding its due place in the international community. The incorporation of a free trade regime in the Treaty of 1949 was not prompted by India; it was a continuation of the arrangements that existed already during the British period. The clauses in the 1949 Treaty do not reflect India's desire to dominate Bhutan. It relates only to the security concerns of both the countries. India has not stuck to the strict implementation of the clauses and in practice there is a lot of flexibility. The relationship has its share of tensions revolving around Article 2 of the Treaty of 1949. It has been interpreted by some, as limiting the sovereignty of Bhutan. India assisted Bhutan in getting membership of the UNO. Let us hope that India Bhutan friendly relations should continue.

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