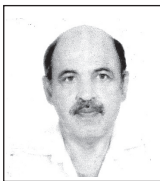




Sino Indian Boundary Dispute Resolution



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General

The Doklam standoff between the Indian and Chinese forces that has been dominating the headlines for the past three months has finally been resolved. Both sides have claimed a moral victory and a vindication of their respective stands. Speculations are rife as to why China, despite its jingoistic stand in the national media, has accepted a resolution even though it has come out as the weaker side in resolve. Reasons being articulated are; firstly, the recently concluded BRICS summit where the nonattendance of the Indian Prime Minister would have adversely impacted the prestige of the summit, a major blow to the pride of a nation seeking an international role, and secondly, the scheduled 19th Party Congress where Xi Jinping is seeking a second term and may also lay a foundation for an unprecedented third term through placement of his loyalists in the Politburo Standing Committee.¹ What is apparent is the fact that both the reasons are temporary

and intentions of China consequent to the successful culmination of these events are suspect.

It is imperative that we try and identify the main reasons for the Chinese actions in the first place. China appears to have been emboldened by its success in altering the status quo in the South China Sea despite vehement opposition by all parties in the conflict and the United States. Even an adverse judgement by the International Court of Justice has been obfuscated through some deft diplomatic manoeuvring with the Philippines.² It probably thought that through a similar move in the Doklam Plateau (contested between China and Bhutan), it would, in addition to meeting its strategic goals of ameliorating its woes in the Chumbi Valley, also indicate the futility of Bhutan continuing to hold on to its dispute in view of the changed status quo compelling Bhutan towards accepting the suggested swap of territories.³ Moreover, while India may register a diplomatic protest, it would emerge as the weaker side

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incapable of championing the cause of its neighbours even within its sphere of influence.

The Chinese strategic interests in the region have not been diluted. Therefore, is there a feasibility of similar unilateral actions being taken by China in the near future? If so, will India and Bhutan react in a similar manner as hitherto? If yes, who will win the battle of resolve in this, the second round? These are some live issues that need to be addressed to avoid successful needling by the Chinese at times of their choosing.

India with its northern borders in dispute with China is particularly sensitive to Chinese intentions. The history of acrimonious relations between the two has not helped. China, due to its exponential growth has been able to proactively develop its infrastructure in the border regions, facilitating quick manifestation of requisite forces in times of crisis. India, on the other hand is still lagging behind and needs to proactively work towards its infrastructure upgrade to counter any threat to its territorial integrity.

However, in an era of globalisation where resources, markets and trade are no longer confined to land borders, being enmeshed in a land boundary dispute adversely impacts the resource distribution within a nation. This is more severe for a developing country. It is therefore in the interest of both India and China to resolve the dispute amicably and for posterity.

In this paper, an endeavour is being made to understand the dispute resolution imperatives in the Chinese context and identify future leverages that India can develop to force China to settle the boundary dispute with India.

Past Precedence in Dispute Resolution by China

Increased Chinese assertiveness in the recent past and its territorial spats with Japan in the East China Sea, ASEAN neighbours in the South China Sea, and the recent Doklam standoff with Bhutan are a source of concern. However, the above notwithstanding, China has amicably resolved a large number of its boundary

disputes with other countries, even at a cost of major concessions in the past.

In a series of articles, “Power Shifts and Escalation: Explaining China’s Use of Force in Territorial Disputes”, “Closing Window’s on the Frontier: Explaining China’s Settlement of Territorial Disputes”, and “Regime Insecurity and International Cooperation: Explaining China’s Compromise in Territorial Disputes”, M. Taylor Farvel, an MIT based political scientist has highlighted China’s propensity towards compromise in its dispute resolution, despite the rhetorical inflexibility in pronouncements. His conclusion is that China has been more forthcoming in resolution of disputes when faced with domestic vulnerabilities. He goes on to categorise the disputes in three categories: Frontier Disputes, Home Land Disputes and Off Shore Disputes. China has been more willing to settle disputes on its frontiers with no compromise on Homeland Disputes (Hong Kong, Macao and Taiwan) and a willingness to postpone Off Shore Dispute resolution to an opportune moment in the future.⁴ He goes on to argue that when the leadership of a country faces internal unrest/turmoil, it may be more prone to a compromise with the aim of gaining support towards neutralisation of any assistance sought by the inimical forces within.⁵

Let us take a look at the recent dispute resolutions tend to support the above hypothesis. China has resolved its disputes with the Central Asian Republics at the cost of major concessions in land, primarily to offset its vulnerability in the Xinjiang Autonomous Region.⁶ The dispute with Russia has been resolved as a desire to secure its northern frontiers, thereby enabling it to concentrate on both economic and military development with a focus on the United States as the primary challenge.

The above notwithstanding, the Chinese resolution of the frontier disputes has also stemmed from the fact that control over an enlarged frontier was not conducive for a growing China. In most cases the treaties between nations are secret and therefore, whether they will stand scrutiny of time or result in a re-emergence of the dispute in the future is suspect.

Moreover, the Chinese have been revitalising their claims on previously low profile disputes as and when the importance of the territory in terms of economic and strategic dividends has increased and is in commensuration with their ability to leverage military force as a part of coercive diplomacy.⁷ The increased aggressiveness towards the Senkaku islands due to exploitation of petroleum reserves as part of continental shelf and the solidification of their claim on Arunachal Pradesh with an eye on the water resources amongst others are a case in point.

The Chinese have always taken a long term view in their dispute resolution strategy. Traditionally, their practices towards negotiation in resolution of boundary disputes have been:

- (a) **The Role of Principles:** At the first stage of negotiations, avoid details and instead seek to reach agreement on broad, principles. The “five principles of peaceful coexistence” are the most prominent of its foreign policy principles and outline the political and moral world in which China would like its diplomacy to be perceived.
- (b) **Ensuring Claims:** Through actual territorial possession and continuous propaganda, establish the legitimacy and publicity for its claims so as to be positioned for a favourable bargain.
- (c) **Tactical Flexibility:** Continuous negotiations to control and shape the nature of a diplomatic relationship. It could reach a tactical compromise on a festering territorial issue and even surrender large claims over territory it does not control if there are tangible gains in other areas of the relationship (security, economic, military, political) and if its minimum diplomatic goals are met.
- (d) **Reaching an Agreement when the Time is Ripe:** The negotiations are allowed to fester till the political and strategic conditions are seen to be favourable.
- (e) **Insistence on dialogue and exchanges at the highest political level to facilitate diplomatic negotiations and dispute resolution.**

- (f) Use of coercive diplomacy when the other side is seen to be non-cooperative and aggressive.⁸

The Leadership behaviour in any dispute could be (a) to let the dispute fester, (b) to escalate through coercive diplomacy, (c) to undertake a cooperative strategy displaying amicability to arrive at a compromise solution.⁹ Delaying strategy is the least risky, as escalation carries inherent risk of going out of hand and may adversely impact the domestic standing of the leadership, while compromise may be viewed as a sell out and have similar adverse ramifications. It is therefore in the interest of the leadership to stall and leave the resolution for posterity. The CCP with its sensitivity to regime legitimacy is more prone to let a dispute fester unless compelled by internal dynamics to go in for a resolution.

Sino Indian Boundary

India and China are ancient civilisations that have suffered at the hands of foreign subjugation and are on a growth trajectory facilitating their desire towards regaining their lost prestige in the comity of nations. However, despite their common aspirations, the two have not been able to resolve the long standing boundary dispute, festering since the 1950s.

At a little over 4000 kilometres long, the border stretches from the barren Aksai Chin plateau in the west (administered by China but claimed by India as part of the Ladakh district of Jammu and Kashmir), through to the former kingdom of Sikkim in the middle section, and across to the eastern Indian state of Arunachal Pradesh (administered by India but claimed by China as ‘South Tibet’).

In the Sino Indian context also, China, in the late 1950s and early 1960s, expressed its willingness at a give and take solution with a proposal to swap its claim over the Tawang tract and the rest of Arunachal Pradesh, with minor modifications, in lieu of a recognition of the Aksai Chin as a part of China. This policy can be attributed to the connectivity between Xinjiang and Tibet and the turmoil in Tibet during the period. Since

then the Chinese claims have hardened primarily due to the CCP having strengthened its hold in the Tibet Autonomous Region through fracturing the territory and merger of portions with provinces of China proper, fast pacing its infrastructure development, colonisation by incentivising the Han Chinese settlement in the region and an assault on the cultural freedom of the local population. Thus, though sensitive to the presence of the Tibetan Government in Exile within India and a suspicion of a probable support by India, it feels secure in managing the Tibet Autonomous Region and therefore does not feel compelled to resolve the Dispute.

Despite a series of border negotiation meetings between the two countries, no meaningful outcomes have been achieved. The two have entered into three agreements for proficient management of the borders and ensuring that a resolution mechanism is in place to prevent any inadvertent escalation of a border situation. The Chinese desire to manage and enlarge the strategic period of opportunity appears to be behind this initiative. The recent past has witnessed frequent transgressions by the Chinese into Indian territory, and the fact that they have not escalated beyond the diplomatic realms substantiates the efficacy of the dispute resolution mechanism in place between the two.

Realpolitik appears to be at play in the instant case. Whilst geo-economic prudence dictates that the two rising giants cooperate and remove inhibitors to amicable relations, the geopolitical realities appear to be holding the border resolution to ransom. The recent spate on incursions along the Line of Actual Control, coinciding with high profile visits, appear to be pressure tactics highlighting the disputed status of the border and setting into motion a defensive tenor to the diplomatic exchanges between the two countries. Keeping the border active plays into the Chinese hand as it is able to ensure that a fairly large complement of the defence forces of India remain embroiled on the border.

Sujit Dutta, in his article for the Strategic Analysis attributes the following reasons for the intransigence along the Sino-Indian border:

(a) The Indian and Chinese nationalisms that

confronted each other for the first time in history as modern states--each convinced about the righteousness of its territorial limits and determined to win the clash of interests and wills.

- (b) A clash of strategic goals and interests in an overlapping geopolitical region (Pakistan, Tibet, Nepal, Myanmar) that bred insecurity and led to failure in building trust—essential for a compromise on the border.
- (c) Contrary traditions in strategic cultures and world views that were brought to dispute resolution—the Chinese realpolitik and Indian Idealism.¹⁰

The existing trust deficit, Chinese engagement with Pakistan, proactive wooing of the Indian neighbours, the China-Pakistan Economic Corridor and its passage through the Indian territory of Gilgit Baltistan, frequent transgressions into Indian Territory resulting in standoffs are all catalysts to mistrust accentuated by the above issues.

It is clear that the historical claims by both sides will remain nebulous due to the differing interpretations by the two. Redrawing the borders through a military conflict is also not a feasible option. Hence, any meaningful attempts towards resolution of the dispute, while accommodating each other's concerns need to be in accord with the principle of minimal disturbance to the settled populations of the two countries. A fresh and bold approach with complete transparency is therefore, the need of the hour.¹¹

Prospects for Resolution

The leadership of countries in dispute, generally do not have the desire to resolve outstanding border disputes lest they be viewed as weak and lose credibility within the mainstream. However, should reasons of regime stability compel them to do so, they would be more forthcoming.¹² The CCP with its sensitivity to regime legitimacy which in turn is dependent on the 'China Dream' as propounded by Xi Jinping, is particularly susceptible to any issues that may stall the economic growth and heighten separatist tendencies. Hence, an

increase in the opportunity cost to the leadership and the ruling dispensation is necessary to move forward on the dispute resolution mechanism.

It does not imply that India needs to take proactive steps to support inimical activities against the ruling dispensation in China. Both countries, while at loggerhead on the border issue, need each other's support in holding their own in the existing global dispensation. This in effect creates sufficient opportunities for India to leverage the border dispute resolution for a more synergetic support in the international fora.

Leverages for increasing the opportunity cost to CCP

The Tibetan Card

China has been more amicable to resolve its disputes with the Central Asian Republics primarily due to the cross border linkages of the Uighurs in the Xinjiang Autonomous Region. While the same was true for Tibet in the 1960s and 1970s, China feels more confident of managing affairs in Tibet due to measures undertaken, i.e. Hanisation, infrastructure and cultural assault. They have also been able to make India commit to accepting Tibet as an integral part of China. However, Tibet continues to be a sensitive issue for the PRC. The Tibetan government in exile gives India a leverage which can exaggerate Chinese sensitivities. India has taken a step in the right direction through allowing the Dalai Lama to visit Arunachal Pradesh and meet the Indian President.

A tacit support to the government in exile for conduct of business in peaceful manner is enough to keep Tibet a live issue in the Chinese mind. The likely adverse fallout of similar inclination of the Chinese need to be weighed in.

Trade

India with its large population and the growing economic wealth is a major market that China will eye for its sustained economic growth. The trade between the two

stands at approximately \$70 billion though with a deficit for India. The scope of increasing trade between the two will be a win win for both. This notwithstanding, trade will remain an important leverage in Indian hands as the Chinese economy is highly dependent on manufacturing sector which in turn is contingent to foreign markets. Similarly, increased trade in the border region will, due to distances involved from the hinterland, make the local population dependent on the Indian side for daily needs and sale of local produce. Both these could be developed and leveraged at opportune times for heightening the sensitivities of the Chinese government towards resolution of the border issue.

Infrastructure Development

Leverages can only be effective when accompanied by strength. Fast pacing the construction of infrastructure in the border region, facilitating quick manifestation of requisite forces in time and space is essential to heighten perceptions of a change in the balance of power at the border. India has already depicted its resolve in holding its own in adverse contingencies developing on the border. This needs to be supported by our defence modernisation through improvement in long range vectors, inter and intra theatre mobility, joint war fighting and lightening the footprints in keeping with the sectoral developments.

Alliances

China is sensitive to India being drawn into the US–Japan camp, and yet continues its tactical belligerence while seeking strategic partnership. India needs to leverage its strategic partnership with the US, Japan and Australia and develop relations with the ASEAN Nations as a counter to Chinese aggressive wooing of the Indian neighbourhood.

Soft Power

The globalised dispensation has resulted in a shift in the definition of power from the material to the cognitive. Influence is the new synonym for power. India enjoys a

distinct advantage in a greater acceptability in the world vis a vis the Chinese. The Chinese have been making efforts to leverage their soft power but have not made inroads due to the recent assertiveness and propensity to buy influence through their economic clout. India needs to engage with the comity of nations, especially our immediate neighbours, as equals and build on the already substantial advantage that its soft power provides. There is an urgent need to sensitise the region to work together for the ‘Protection of the Commons (environment, sovereignty, free trade, freedom of the seas etc.) from the Commons (disasters, terrorism, piracy, organised crime etc.)’. This could become the building block of our future diplomatic endeavours. China too can be accommodated in this initiative as an equal.

Conclusion

A festering border dispute between two populous nations vying for their erstwhile opulence in the 21st Century is counterproductive. Both India and China understand this. However, geopolitical sensitivities and the existing trust deficit have inhibited an amicable resolution. The two nations need each other in ensuring that the emerging world order is accommodative to the needs of the developing world.

To settle outstanding claims to the region, China and India must address issues ranging from geography to culture, from resources to nationalism. A greater understanding towards each other’s sensitivities and an emergent desire to settle the boundary issue once and

for all is the need of the hour. An intelligent leveraging of the opportunity cost in the ruling dispensation and the advantages accruing may inject the necessary urgency towards a speedy resolution.

Notes

1. Speculations grow Xi Jinping will defy China rule on leadership... <https://www.ft.com/content/09cc1044-8f77-11e6-a72e-b428cb934b78>
2. Beijing rejects tribunal’s ruling in South China Sea case... Tom Phillips, <https://www.theguardian.com › World › South China Sea>.
3. In the Tri-Junction Entanglement, What Does Bhutan Want? By P. Stobdan Oon 11/07/2017
4. Regime Insecurity and International Cooperation:, Explaining China’s Compromises in Territorial Disputes. *M. Taylor Fravel*
5. Ibid.
6. [PDF] China’s Central Asia Policy in Recent Times spol.unica.it/didattica/bonnis/.../China’s%20Central%20Asia%20Policy-Dwivedi.pdf
7. What is Behind Beijing’s drive to control South China Sea. The Guardian
8. Sino-Indian Diplomatic Negotiations: A Preliminary Assessment. Sujit Dutta, Strategic Analysis.
9. Regime Insecurity and International Cooperation, Explaining China’s Compromises in Territorial Disputes. *M. Taylor Fravel*
10. Sino-Indian Diplomatic Negotiations: A Preliminary Assessment. Sujit Dutta, Strategic Analysis.
11. Sino-Indian Border Impasse: Strategy for Resolution, by Sheru Thapliyal
12. Regime Insecurity and International Cooperation, Explaining China’s Compromises in Territorial Disputes. *M. Taylor Fravel*

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