

South Asian Studies

A Research Journal of South Asian Studies

Vol. 24, No. 2, July-December 2009, pp.204-220

Border Issue between Pakistan & Afghanistan

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ABSTRACT

Durand Line is considered to be the first ladder for souring relations between Pakistan and Afghanistan and today it has become the most important border due to war on terror as NATO forces are not authorized to cross it while it has never barred tribes living on both sides of the border and ruminants of the Al-Qaeda and the Taliban. During 19th century, settling territorial boundaries, British marked this line as formal border between British-India and Afghanistan, Afghanistan shares its border with six countries but much treacherous border is with Pakistan. Unfortunately, Afghan ruling elite did not accept independence of Pakistan and raised boundary issue. This led to the bitter relations between two neighbors, while India provoked and backed conspiracies about Pukhtunistan issue, a territorial claim of Kabul. Today the issue in question is the different opinions whether this treaty has expired after passing of 100 years or not. Incidents of violence and terrorism have increased due to porous border since American led war on terror. The deployment of international troops to Afghanistan once again gave this old bilateral issue a significant international dimension and led to a political paradox. In the recent past, the Canadian Government offered to resolve the issue of cross border drug trafficking, terrorism; immigration etc between Pakistan and Afghanistan and for that very purpose, Dubai Process has been initiated. This paper aims at discussing the historical facts related to the cross border issues, its impacts on the relations between both countries, the efforts of Canadian government, its follow-up and its future implications for the south Asian region.

KEY WORDS: Durand Line, FATA, Afghanistan, Pakistan, US, British-India, Pashtunwali code, NATO, GWOT, BLO

Introduction

The problem of Durand line is not insignificant and marginal rather it has become a structural barrier to stabilize both countries. Lord Curzon in 1907 said in his lecture in the University of Oxford, where he was chose to speak on frontiers:

“Frontiers are the chief anxiety of nearly foreign office in the civilized world...They are moreover the razor’s edge on which hang suspended the modern issues of war or peace, of life or death to nations” (Bijan, 2009).

British had drawn three lines on the map when they ruled over Sub-Continent;

1. McMahon Line between India and China
2. The RadCliff Line between India and Pakistan
3. The Durand Line between India and Afghanistan

All of these lines became a source of conflict with the passage of time. Afghanistan has never accepted the Durand line as a settled border and always considered it as “imposed” (Randhawa, 2005).

The idea was to create a buffer zone to protect British India from possible czarist Russian aggression in what was then the “Great Game between the British and Russian empires (*Tehran Times*, September 21, 2008). Pakistan’s side of Durand line includes;

- Balochistan Province
- North West Frontier Province (NWFP)
- 6-Tribal Agencies (i-e; North and South Waziristan, Khurram, Malakand, Khyber, Mohmand) of Federally Administered Tribal Areas¹ (FATA)

While Afghanistan side of Durand line consists of:

- Frontier stretches from Nuristan Province in North-East to Niomruz in south-West

Historical Facts

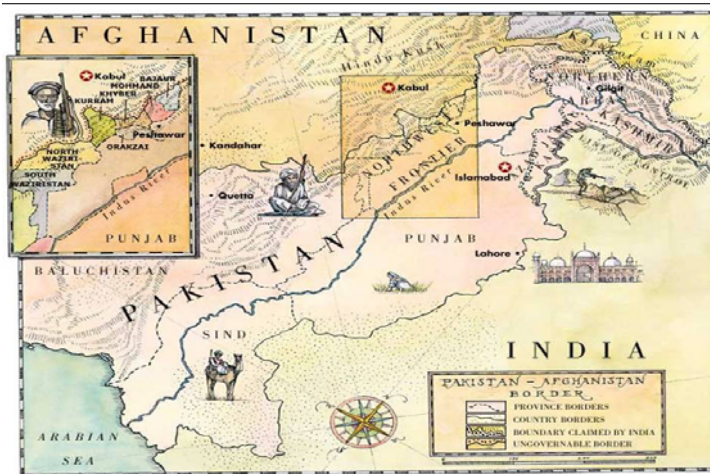
It goes beyond saying that during the beginning of Pakistan’s independence; almost all problems were the product of afghan ambitions in respect of certain area that became part of Pakistan (Rehman, 2005: 105). The laws of borders were introduced in 19th century and accordingly Durand Line was considered a proper border and United Nations² (UN) has accepted it too.

At the roots of Pakistan and Afghanistan tangle, lies the re-resolution of Durand Line. On both sides of this line, Pushtuns are living and today Afghan government wants to get back its area that has been its part in the past. Even Taliban government had the same stance. Historically, though the Durand line physically demarcated the spheres of influence between Afghan rulers and British India, politically Afghan rulers never respected the non-interference clause and they continued to exert influence by sending emissaries across Durand line (Warikoo, 2007: 139-140).

The history of Pak-Afghan relations can be dated 100 years back, when ‘Durand Line’ was formulated on November 12, 1893, through an agreement between Afghan Amir Abdul Rehman made an agreement with the British

government. It extended for about 1,500 miles, running the Pamir mountain range in the North, to the Arabian Sea in the South, in the mountainous northern and central sectors cutting through and dividing tribal regions (Balance, 2002: 51). This line is remembered after the name of Sir Mortimer Durand. This agreement was not at all signed under duress rather it was made on the request of Amir Abdur Rehman who initiated and made a request to British Indian authorities to negotiate and finalize the boundary between Afghanistan and British India (*The Post*, May 7, 2008). So in order to have negotiations with Amir, Lord Roberts was appointed by the British to head the Boundary mission. As he was considered to be a staunch and overt supporter for 'Forward Policy'³ and his great role in third Anglo-Afghan war of 1919. These were the basic reasons that Amir kept delaying until Roberts got retired. Sir Mortimer Durand, the Foreign Secretary was appointed on the demand of Amir himself. Durand line was subsequently recognized by successive Afghan governments in 1905, 1919, 1921 and 1923 (Amin, 2004). Simultaneously, it is a wrong concept that the treaty existed for 100 years as there is no existence of any document which states its expiry time (*ibid*). As in the beginning, the validity and legitimacy of Durand line was confined to the lifetime of Afghan rulers who had ratified it. Thus keeping in view that, it can be said that it had duration of even less than 100 years. When King Abdur Rehman died, King Habibullah Khan (The successor and son of Amir Abdur Rehman) got an invitation from Lord Curzon for paying visit to India in order to discuss the bilateral subjects (i-e; the issue of Border's demarcation with British Indian authorities). But King Habibullah wanted to enforce the agreement that was ratified by his father. In its response, the British India refused to execute and accomplish the obligations (a sum of 1.8 million rupees in Afghan aid and allowed transit of military equipment through Indian territory) which were made by Durand line agreement (Qassem, 2008: 90). It was decided that some parts of FATA and Balochistan shall be controlled by the British Colonial India. This line also served as a confidence-building measure between the British and czarist Russian empires in the nineteenth century (Jang, January 20, 2008). When in 1893, British Government made Durand Line agreement; it wanted to have the control of those areas which could be supportive in respect of war and the soul reason to contain Russia. In the same way, the areas near northern areas which were adjacent to Balochistan were brought under British control. Thus the laws like Frontier Crimes Regulations⁴ (FCR) were imposed on these areas which were proved to be the best suitable according to that time and situation (*ibid*).

As Third Anglo-Afghan war⁵ (1919), led to the annulment of all the treaties, including The Durand line agreement (1893) and Treaty of Rawalpindi⁶ (August 8, 1919). Another treaty was signed between British India and Afghanistan on 22nd November, 1921 (ratified on February 6, 1922). Durand line was not mentioned in this treaty and so was the reason that the successive Afghan governments did not recognize it.



The Pakistan-Afghanistan Border with Inset of the FATA Territories.

Source: http://www.bu.edu/aias/reports/durand_conference.pdf

The Durand Line became a source of attention during Soviet invasion in Afghanistan. The use of force and border clashes in 2003 led to the casualties of many soldiers on both sides of the border. For the first time in history, Pakistan has brought and gathered its 80,000 troops on Pak-Afghan border, in order to show that its territory shall not be used for violent activities and extremism. But this decision has raised a great deal of reactions. After the US-led war in Afghanistan, the ‘remnant forces’ of Taliban ran into the rugged mountainous region near Pak-Afghan border and reassembled to conduct “hit-and-run attacks” against US-led coalition units (*The New Yorker*, July 26, 2004). This border today, is likely to overshadow the contest with Russia in the Caucasus, the rise of Iran as a major regional power, the search for an honorable exit strategy from Iraq, the impact of collapsing Arab-Israel peace process and even the horrors of global warming (*Tehran Times*, September 21, 2008). The military situation for US and NATO has been worsened than it was in 2001 and it has destabilized Pakistan. As US has started air strikes and ground operations across the Durand line without prior permission of Pakistan (ibid).

Western View

According to West, the Durand Line is the only line that demarcates the separation between Pakistan and Afghanistan which has never been enforced. Richard Boucher, the US Assistant Secretary of State in Bush government has said that Durand line is only the “De facto” border, not the sanctified “De jure”⁷ border between Pakistan and Afghanistan (Ansari, 2008). In March 1956, on the request

of Pakistan, South East Asian Treaty Organization⁸ (SEATO) also recognized it as a frontier between Pakistan and Afghanistan.

Pushtun View

Pushtunwali code⁹ has brought the Pathans of both sides of border much closer to each other. Thus Pushtuns on both sides of the border do not recognize it and consider themselves autonomous as there is no writ of Pakistani government over those areas. The Khushal Khan Khattack has said long ago:

“All Pakhtuns, from Kandhar to Attock are one and the same overtly and covertly in respect of Nang (sense of honour)”
(Marwat, 1997: 267).

The origins of the modern Pushtun majority state of Afghanistan can be traced back to Mirwais Ghilzai who raised the banner of Pushtun independence against Safavids Persians from Kandhar in 1709 (Amin, 2004). The issue of Pushtunistan was the mainframe of Afghan foreign policy in the early decades of Pakistan’s creation.

It is the most powerful ethnic tribe on both sides of the border. Its total population is 42 million; while 42% out of it lives in Afghanistan and 15% in Pakistan (<http://www.afghanforums.com/showthread.php?p=643398>). According to them, it is the same culture, same turban and same language that exists on both sides, and thus for this very reason, a new border should be established that would grant Afghanistan with all Pushtun lands, including those which are in Pakistan. So it is a line that is running through ‘Pushtunistan’ which has lost its legitimacy.

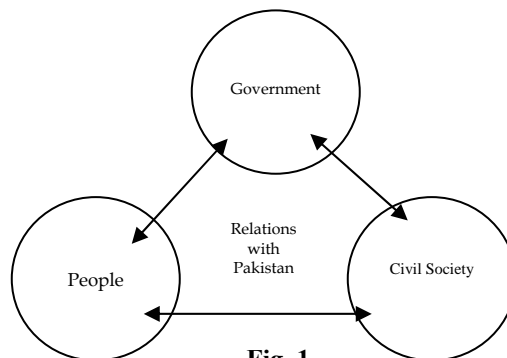


Fig. 1

Source: Policy Perspectives Vol. 5, No .2, 2008 (Special Issue Afghanistan) Institute of Policy Studies Islamabad.

A grand Pakhtun-Baloch tribal convention was held in Peshawar on February 11, 2006 where it was endorsed for the elimination of British-made Durand line with the objective of creating a Greater Balochistan (Basu, n.d.).

Afghan Stance

Hamid Karzai, the Afghan President calls it 'Line of Hate' because by cutting through the tribal lands, it artificially divides the Pushtun people whom Kabul would like to claim as Afghanistan (*Tehran Times*, September 21, 2008).

To quote Hussain Ahmad Haqqani, Pakistani ambassador to Washington, he said, "People on both sides of the Durand line consider it a soft border". He adds, "Pashtuns consider it their own land even though there is also a loyalty to the respective states along the British sphere of influence" (Bajoria, 2009). In an interview to the Radio Liberty, Hamid Karzai said, "The Afghan nation and not Hamid Karzai would have to decide the issue of Durand line." (Qassem, 2008: 88).

On April 20, 2007, the governor of Paktika Mohammad Akram Khpalwak said in an interview to RFE/RL's Radio Free Afghanistan that:

'First of all, we can not accept the line. It is not demarcated and not clear where the border is. So [the Durand Line] is the basic issue. For solving the Durand line issue, the problems of [ethnic-Pushtun] tribes living on both sides should be considered and they must be consulted. So it is very complicated issue and must be determined by the [ethnic-Pushtun] tribes living on both sides of the line'. (<http://www.rferl.org/content/Article/1075982.html>).

The Afghan officials have presently asked US for the renegotiation of Durand Line. But US has refused to deal with the border issue, rather offered help for the repositioning of small border posts.

Ethnic Minorities

The ethnic minorities of North (i-e; Tajiks, Uzbeks and Hazaras) are staunch supporter of Durand line because a permanent border since the enclosure of NWFP in Afghanistan would further strengthen the dominance and supremacy of Pushtuns by pushing up their majority to near status-quo (Randhawa, 2005).

Pakistan's Stance

Pakistan has tried its best and hard several times through out the history that this line should be converted into an International border through bilateral agreement but of no use. Pakistan wants the reinforcement of border with a fence/boundary which should help in stopping the cross-border infiltrations and militancy. After the Operation Enduring Freedom¹⁰ (OEF) of US in Afghanistan, it was doubted that Osama Bin Laden, Mullah Omar, Taliban Chief and Ayman al-Zawahiri (who is an Egyptian-radical and associate of Bin Laden) had been hidden in the far-off

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areas of Pak-Afghan border. Pakistani authorities have already announced that a fence of 35Km of selected area along the porous border of 2,500Km will be helpful in this regard. On December 26, 2006, the government of Pakistan announced that it has decided to selectively mine and fence the Pak-Afghan border (*The Post*, January 7, 2007). United Nation has its own reservations and is against the idea of Pakistan to erect the mines. According to UN, it will lead towards civilian casualties but Pakistan is of the view point that it will continue to respect the 'Easment Clause'¹¹ (of Durand Line Agreement of 1893) (Ibid). It is due to this border that Pakistan has been blamed time and again by Afghan President Hamid Karazai for the resurgence of Taliban along this mountainous border. For Pakistan, this border is a closed chapter and is not negotiable (Khwaja, 2003). So the relations between both the countries have been in a corkscrew since decades.

Indian Role

Indian stakes have risen so dramatically in Afghanistan since 9/11 and India has invested 1 Billion \$ in Afghanistan so far. Thus it goes without saying that since then, there has been an increase in the bomb blasts and chaos in the areas, adjacent to Pak-Afghan Border. The role of India in sabotaging the relations between Islamabad and Kabul cannot be set aside in any respect because India wants strong Afghanistan and weak Pakistan across the Durand line (Mohan, 2006). It is playing a dual role in the South Asian politics. On one hand, it is establishing good relations with Afghanistan in the name of reconstruction for supporting and boosting up Afghan economy. India had good relations with Afghanistan even during its pro-communist regime. Though India has never overtly supported the issue of "Pushtunistan" but it has been dynamically and keenly involved since its origin. Today, India is launching a website propaganda that the Durand Line was established for 100 years and Afghanistan had signed it under duress and Pushtuns sought to create their own homeland called Pushtunistan. Thus following the partition in 1947, it became a border between Pakistan and Afghanistan but in June 1949, Afghan parliament cancelled all the treaties which were signed with the government of British-India. Furthermore, it was asserted that Afghan government does not recognize the Durand Line as a legal boundary between Afghanistan and Pakistan (Siddhu, 1999).

Canada's Role and Initiation of Dubai Process

Since the collapse of Soviet Union, Canada has built its international reputation as a "peacekeeping" nation. Though Canada has no direct interests in Afghanistan, but it is a member of NATO¹² and North American Aerospace Defence Command¹³ (NORAD). The NATO mission in Afghanistan is Canada's first war-

fighting operation since the Korean war of 1950-53¹⁴ (Ahmad, 2007: 8). Now Canada has shown priorities in Afghanistan and has taken an initiative for settling the issue of border management between Pakistan and Afghanistan since November 2007. There have been workshops on the issue between Pakistani and Afghan officials. The most recent workshop in this regard was held in P.C Bhurban (Pakistan) on 23-24 July 2009. Its purpose was the establishment of Border Liaison Officer (BLO) in Pakistan which was initiated by United Nations Office on Drugs and Crime¹⁵ (UNODC) in its Triangular Initiative, comprising of Pakistan, Iran and Afghanistan. The concept of BLO was originated in Dubai Process and its establishment was introduced in the “Movement of People Action Plan”. According to this concept, all the law enforcement agencies (e.g; Customs, Immigration, Narcotics Control, Border Control), work under the unified command in one office, located adjacent to the border at both side. Accordingly, a BLO is proposed to be located on Pakistan’s Western border (at Torkham as pilot project) which will resultantly help in expanding the competency of Pakistani Law Enforcement Agencies for a speedy, effectual and resourceful flow of information in the adjacent border locations where drug crimes are rampant and widespread.

The Canadian High Commission has so far organized four Joint Border Management Consultation Workshops, as a commitment to assist in Border Management between Pakistan and Afghanistan:

Dubai, UAE (25-27 September, 2007)

In this first workshop, it was decided that two more issue specific workshops will be held in Murree and Kabul before a final wrap-up policy level workshop, to be held in Dubai.

Murree, Pakistan (5-8 May, 2008)

The issues of ‘Custom Management and Afghan Transit Trade Agreement’ and ‘Counter Narcotics’ were discussed.

Kabul, Afghanistan (27-29 May, 2008)

Following were the areas of discussion:

a. Consultative Process (Jirgas, Shuras)

- i. Information sharing
- ii. Community Awareness
- iii. Economic Development Opportunities

b. Social and Economic Development

Strategy for transit (roads), education, vocational training, medical, water, energy, agriculture and income generating programmes.

c. People-to-People Exchange

Academics, parliamentarians, business people, students, opinion leaders, policy makers, etc.

Dubai, UAE (27-29 March, 2009)

The final concluding meeting of “Dubai Process” was attended by the delegations of both Pakistan (led by Malik Tahir Sarfraz, Joint Secretary Ministry of Interior) and Afghanistan (Mr. Khaled Ahmed Zekriya, DG of Fifth Political Division, Afghan Ministry of Foreign Affairs).

Five non-binding areas of cooperation were discussed and the Action Plans on each was recommended as discussed below:

- a. Customs Action Plan
- b. Counter Narcotics Action Plan
- c. Law Enforcement Action Plan
- d. Managing the Movement of People Action Plan
- e. Social and Economic Development Action Plan

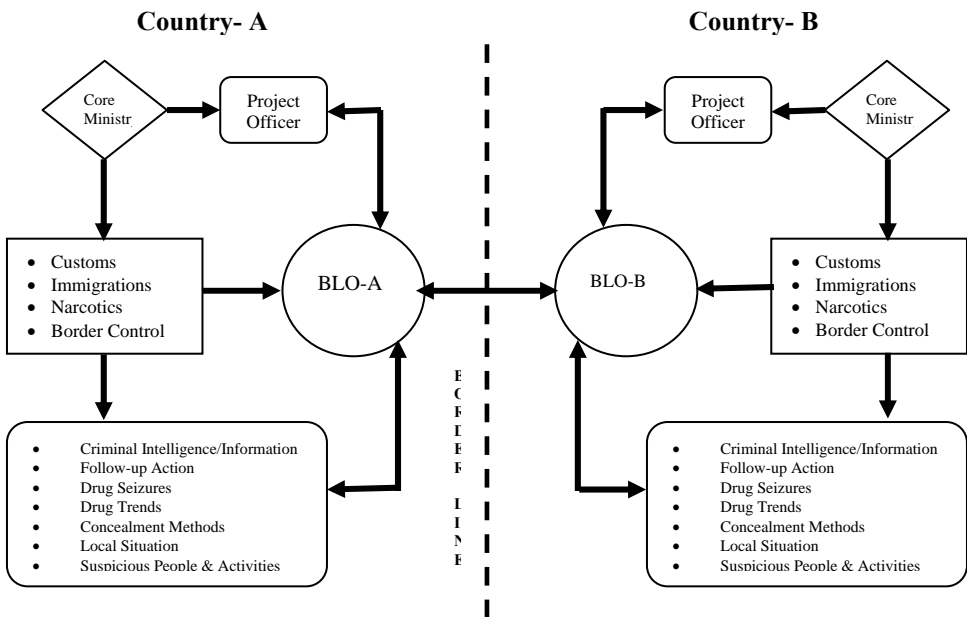


Fig. 2

Source: Documents-Ministry of Interior, Government of Pakistan

It is considered that the strategies discussed in Dubai Process may help in improving the border management of both countries; still major constraints and checks remain like the mobilization of people on border areas of both sides. This process can only meet success if the local people give it weightage and civil

officials in the operational areas remain in a continuous interaction with their counterparts across the border. Nevertheless, the border management will be thriving and flourishing when the flow of traffic (both men and material) is regulated in an apt way. Afghans are not familiar with the biometric system¹⁶ that has been installed at Chaman in the past. They have no central ID cards system like NADRA¹⁷ ID cards.

Implications

According to International law, “All affected parties are required to agree to any changes in demarking their common borders. As Balochistan was excluded while signatories were made in agreement. So it is thought to be null and void as soon as it was signed” (Basu, n.d.). The world courts have universally upheld, “*uti possidetis juris*” i-e; binding the bilateral agreements with or between colonial powers are “passed down” to successor independent states. The declarations made by only one party are not effective and it needs bilateral decisions. The border issue has led both countries towards unrest and instability and deteriorated the problem with regard to Pushtun nationalism. The complex topography has made the border unmanageable. Dispute may be a stronger word since this is not the age of disputes but reconciliation. Borders and boundaries have always been disputed and most of the major wars in history started with a border dispute or the violation of a border (Amin, 2004). The problem between Pakistan and Afghanistan is of serious concern because most of the problems of both nations are inborn in nature and the most important of all is that of Pushtun race. This race inhabits along Pak-Afghan border. Although Durand line marks the division yet it is worthless for those tribes. No doubt that it has been a porous border due to the nature of tribal culture and socio-economic obligations and compulsions of the people who live along with this border. This border was exploited during Russian-Afghan war in order to launch Afghan-Jihad. It is today the most dangerous “gray zone” on earth (Neuman, 2007). As Afghanistan has refused to acknowledge this line as international boundary in the recent past. The Global War on Terror (GWOT) has once again brought it into limelight. Pakistan on the other hand has very serious implications in relation to Global War on Terrorism (GWOT), especially in its Federally Administered Tribal Areas (FATA). The operations against Al Qaeda and Taliban by US and the exploitation of US-led coalition forces, NATO, are having a threatening effect on Pakistan and knocking off the balance. But at the same time, it has proved a great barrier for NATO forces which they can not pass. The weak control of Pakistani government on FATA and Balochistan has led to militancy. On the other hand, Pakistan faces a refugees problem. It can be said to a greater extent that the enemy enjoys a refugee in Pakistan that NATO forces cannot attack without jeopardizing the stability of a government that is, on balance, a net asset to US policy (Ibid). The anarchy in Balochistan is very much

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due to unsafe Pak-Afghan border. A complete border security is required to have peace in Balochistan. There are suspicions of Indian involvement in creating turbulence in Balochistan. The development of Balochistan is directly related to the progress of Pakistan. Today the outbreak of border clashes and re-emergence of Durand Line issue is a serious threat to regional stability. The mistrust between both the countries has risen so high that even diplomatic means are not working for its solution. The economies of Pakistan and Afghanistan are complementary to each other. Pakistan regards Afghanistan as its strategic rear and a bridge to Central Asia and beyond. Thus it is not affordable for Pakistan to have strain relations on its western border because the clashes on Pak-Afghan borders will not help in establishing close links with Central Asian States. It has become a notorious border between both countries. There are diverse opinions about its very nature. Some people argue that it is the reason for all the troubles in Pakistan while others reflect on the idea that it is the basis behind all the problems in Afghanistan.

During Taliban regime, the cultivation of poppy had been largely under control or it can be said that it was reduced far more. But the post 9/11 scenario gave a blow to its growth. The enormous illegal drug trafficking and artillery across the Durand line in these years have supported Taliban to regroup themselves on both sides of the border as a formidable force. The border lands have become a land bridge for the criminal (drugs) and criminalized (Transit trade) economies of the region (Bajoria, 2009). Although Karzai government announced a poppy eradication programme in April 2002 yet the reports indicate that the Kabul government's efforts turned out to be a colossal failure. It did not in any case reduce poppy cultivation but drained Kabul financially.

Area Planted with Opium-Poppies Used for Making Heroin and Morphin

Year	Area in Acres
2001	4,210
2002	76,900
2003	1,52000

TABLE

(Statement of White House Office of National Control Policy)

Source: (Warikoo, K (2007), US Policy towards Post-September 11 Afghanistan. Shrivastava, B.K. Afghanistan: Challenges and Opportunities, Vol. 2: The Challenges 2007: 84)

Recommendations

If one looks at the political situation in Asia, it becomes obvious that it is the high time to think that not only Pakistan and Afghanistan but all the countries of the world should build up amiable relations. The regional politics is gaining importance. American war on terrorism has created enormous problems. The relations between Pakistan and Afghanistan have not been friendly, despite the fact that religions and ideological affinity provides a strong basis for the

relationship between two neighbors (*Indian Express*, November 16, 1999). So both countries must disseminate the current strain in their relations rather than being a part of Great Game legacy of hostility and conspiracy. Because if the political state of affairs that arouse intolerance are not dealt with, we could have clashes and fight for decades. As Hastings and Thomas have written in their book, "Borders unite as well as divide, and that their existence as barriers to movement can simultaneously create reasons to cross them" (Kundi, 2009: 90). The interests of Pakistan and Afghanistan can be best understood, met and served in the settlement of Border dispute. The International border has not laid down the maximum life period of 100 years, for an International concluded border agreement between two states, when fixed border validity has not been mentioned in its text (<http://pakhub.info/2009/pakistan-afghanistan-border-is-a-settled-issue/>), then why the issue is becoming so controversial. US should play its role as a super power in order to bring stability to the regional security of this area because a solution amounts to crucial American interest, for as long as the malign dynamic along the frontier continues, the militancy in the region can never be put to an end.

1. The economies of Pakistan and Afghanistan are complementary to each other and in order to sustain the regional stability, both countries should go for improving the better economic relations.
2. There should be a declaration of cease fire.
3. Political negotiation with Taliban and Pushtun tribes, both in Afghanistan and Pakistan with the aim of separating them from Al-Qaeda. It should involve the guarantee about the autonomy of tribal areas, substantial financial subsidies and offering Taliban a share in government.
4. Looming drug trade should be controlled effectively.
5. Acceptance of biometrics usage by Afghanistan is a positive step, if it is translated to meaningful action. Thus Pakistan's experience in biometrics can be utilized to provide training in the border are to Afghan officials.
6. The influence of drug tycoons on various stake holders must be curtailed.
7. The state institutions should be strengthened and not the personalities.
8. The dependency on large number of foreign forces should be reduced and preventive measures be taken for the indulgence in killing innocent people.
9. Donors must be induced to live up to their commitments accelerating the reconstruction process.
10. Effective check on the rising influence of India be made. Indian Pakistan conflict over Kashmir issue have led to the fires of revolt across the Durand line.
11. The rapid deteriorations of law and order situation must be brought under effective control.
12. The activities of warlords should be under check.
13. Special economic zone should be developed on both sides of border.
14. The rapid resurgence of Taliban should be prevented.

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15. The support of main regional powers (Pakistan, Afghanistan, Afghanistan, Iran, China and India) for a peaceful settlement across the Durand line should be won. As each of these countries has interest and concern in solution.
16. Resolution of conflict rather than the use of military force is the way to lessen and finally defeat the threat of terrorism.

Conclusion

The ethno-demography of the region is the key to understanding why the governments of both countries have taken and maintained their respective positions over the years. Afghanistan is a multi-ethnic society and the Pushtun factor has always been a center of gravity of its politics and demography.

1. The Durand line remains in effect even to this date because practically, International boundaries have no expiry dates.
2. This border has sound technical and permissible milieu.
3. According to International law:
 - i. The treaties of the vanished state concerning boundary lines remain applicable and have the rights of transfer to the absorbing state.
 - ii. The treaty needs not to be revised unless both parties have an aspiration to alter it.
 - iii. The International agreements can not be withdrawn and cancelled unilaterally after finally concluded. It requires bilateral decisions.

As Pakistan was the successor state of British India and Afghanistan in no way is an authority to denounce the border. The issue of Durand line needs to be resolved so that Pakistan and Afghanistan may work as partners in progress and development rather than neighbors in an uneasy peace. Both Pakistan and Afghanistan rather scratching the old scores, should initiate a new phase of team work. For this very purpose, a mutual strategy should be adopted. Afghanistan should build up an atmosphere of trust. Afghanistan will always be in a need of using Pakistan for its imports and exports, having the largest border with Pakistan.

The future of Pak-Afghan relations depends on the solution of this unresolved border issue that has been hanging since 1947. The problem itself is not new but the context is. As Pakistan is making its efforts to put a check and deny the sanctuaries to Taliban. In this regard, the erection of fence and mining on selective basis makes a sense. Despite Afghan government's stance that has been keep saying that this fence will split up the Pashtuns living on both sides, it is clear that they are already living across the borders and this fence in no way will divide them.

Notes

1. The Federally Administered Tribal in Pakistan, outside the four provinces, bordering Afghanistan, comprising a region some 27, 200 square kilometer it is a special region of Pakistan, Governed directly by the Federal Government through a special set of laws called the Frontier Crimes Regulations. It is divided into seven regions, or "agencies", called Khyber, Khurram, Bajour, North Waziristan, South Waziristan, Mohmand and Orakzai.
2. It is an International Organization, found in 1945 after World War II. It was established to replace the League of Nations and to stop wars between the countries and to provide a platform for dialogue.
3. British policy toward the tribal peoples on the northwest frontier vacillated between caution and adventurism during the latter half of the nineteenth century. Some viceroys opposed extending direct administration or defense beyond the Indus River. Others favored a more assertive posture, or "forward policy." The latter's view prevailed, partly because Russian advances in Central Asia gave their arguments credence. In 1874 Sir Robert Sandeman was sent to improve British relations with the Baloch tribes and the khan of Kalat. In 1876 Sandeman concluded a treaty with the khan that brought his territories--including Kharan, Makran, and Las Bela--under British suzerainty. The Second Afghan War was fought in 1878-80, sparked by Britain's demands that Afghan foreign policy come completely under its control. In the Treaty of Gandamak concluded in May 1879, the Afghan amir ceded his districts of Pishin, Sibi, Harnai, and Thal Chotial to the British. During succeeding years, other tribal areas were forcibly occupied by the British. In 1883 the British leased the Bolan Pass, southeast of Quetta, from the khan of Kalat on a permanent basis, and in 1887 some areas of Balochistan were declared British territory.
4. It comprises a set of laws enforced by the British Raj in the Pashtun-inhabited tribal areas at the Northwest British India. They were specially devised to counter the fierce opposition of the Pashtuns to British rule, and their main objective was to protect the interests of the British Empire. It dates back to the occupation of the six Pashtun-inhabited frontier districts by the British in 1848. The regulation was re-enacted in 1873 and again in 1876, with minor modifications. With the passage of time, the regulation was found to be inadequate and new acts and offences were added to it to extend its scope. This was done through promulgation of the Frontier Crimes Regulation 1901. The FCR advocates collective punishment, and many human rights activists argue it is against the most basic Human rights abuse. According to the FCR despite the presence of popularly elected tribal representatives, parliament can play no role in the affairs of the area.
5. The Third Anglo-Afghan War (also referred to as the Third Afghan War) began on 6 May 1919 and ended with an armistice on 8 August 1919. While it was essentially a minor tactical victory for the British in so much as they were able to repel the regular Afghan forces, in many ways it was a strategic victory for the Afghans. For the British, the Durand Line was reaffirmed as the political boundary between Afghanistan and British India and the Afghans agreed not to foment trouble on the British side. The Afghans won the right to conduct their own foreign affairs as a fully independent state.
6. This Treaty was signed on August 8, 1919 and amended November 22, 1921. It was an armistice made between the United Kingdom and Afghanistan during the Third Anglo-Afghan War. In the somewhat ambiguous document, the United Kingdom recognized Afghanistan's independence, agreed that the British-Indian Empire would never extend past Khyber Pass, and stopped British subsidies to Afghanistan. The Treaty of Rawalpindi is celebrated on Afghan Independence Day, August 19 as part of the Great Game between the Russians and the British that made Afghanistan a buffer zone between their Empires.

7. *De jure* (in Classical Latin *de iure*) is an expression that means "concerning law", as contrasted with *de facto*, which means "concerning fact". The terms *de jure* and *de facto* are used instead of "in principle" and "in practice", respectively, when one is describing political or legal situations. In a legal context, *de jure* is also translated as "concerning law". A practice may exist *de facto*, where for example the people obey a contract as though there were a law enforcing it yet there is no such law. A process known as "desuetude" may allow *de facto* practices to replace obsolete laws. On the other hand, practices may exist *de jure* and not be obeyed or observed by the people.
8. It was established on September 08, 1954 in Manila. Its member countries were Britain, America, France, Australia, Newzeland, Thailand, its purpose was to prevent communism, from gaining ground in the region.
9. Pashtunwali (Pashto: پښتونوالی) or Pakhtunwali is an unwritten, democratic, socio-political culture, law and ideology of the Pashtun society inherited from their forefathers and carried on to the present generation. Though Pashtunwali dates back to the pre-Islamic times, its practice by the Pashtuns does not contravene Islamic principles. It is practiced by Pashtuns in Afghanistan, Pakistan, and by members of the Pashtun diaspora around the world.
10. It is the Official name used by the US Government for its contribution to the war in Afghanistan, together with three smaller military actions, under the umbrella of its Global War on Terrorism (GWOT). It was originally called, Operation Infinite Justice.
11. In Anglo-American property law, an interest in land owned by another that entitles its holder to a specific limited use or enjoyment, such as the right to cross the land or have a view over it continues unobstructed. It may be created expressly by a written deed of grant conveying the specific usage right, or it may be created by implication, as when an owner divides property into two parcels in such a way that an already existing, obvious, and continuous use of one parcel (e.g., for access) is necessary for the reasonable enjoyment of the other. Some U.S. states permit the creation of an easement by prescription (acquisition of an interest), as when one person makes continuous use of another's land for some specified period of time (e.g., 20 years). Utility companies often own easements in gross; these are not dependent on ownership of the surrounding estate. Numerous other kinds of easements have been important in Anglo-American law.
12. A military alliance, also called "the (North) Atlantic Alliance", established by the signing of the North Atlantic Treaty on 4 April 1949. The NATO headquarters are in Brussels, Belgium. This organization constitutes a system of collective defense whereby its member states agree to mutual defense in response to an attack by any external party.
13. It is a bi-national United States and Canadian organization charged with the missions of aerospace warning and aerospace control for North America. Aerospace warning includes the monitoring of man-made objects in space, and the detection, validation, and warning of attack against North America whether by aircraft, missiles, or space vehicles, through mutual support arrangements with other commands. Aerospace control includes ensuring air sovereignty and air defense of the airspace of Canada and the United States.
14. It is a war that started between North Korea (Democratic People's Republic of Korea, DPRK) and South Korea (Republic of Korea, ROK) on 25 June 1950 and paused with an armistice signed 27 July, 1953. To date, the war has not been officially ended through treaty, and occasional skirmishes have been reported in the border region.
15. It is a United Nations agency that was established in 1997 as the Office for Drug Control and Crime Prevention by combining the United Nations International Drug Control Programme (UNDCP) and the Crime Prevention and Criminal Justice Division in the United Nations Office at Vienna, then renamed in 2002.
16. It refers to methods for uniquely recognizing humans based upon one or more intrinsic physical or behavioral traits. In information technology, in particular, biometrics is

used as a form of identity access management and access control. It is also used to identify individuals in groups that are under surveillance.

17. It is one of the leading System Integrators in the global identification sector and boasts extensive experience in designing, implementing and operating solutions for corporate and public sector clients. It offers its clients a portfolio of customizable solutions for identification, e-governance and secure documents. It has successfully implemented the Multi-Biometric National Identity Card & Multi-Biometric e-Passport solutions for Pakistan, Passport Issuing System for Kenya, Bangladesh High Security Driver's License, and Civil Registration Management System for Sudan amongst other project.

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