

Cross Border Cooperation between India and Nepal in Context to SAARC

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Abstract

Cross-border cooperation has a direct impact on bilateral regional development of peripheral areas and it improves the lives of citizens of both the countries in multiple ways. Cross-Border Cooperation of countries has done between local actors (governmental, civic, and business). It serves as an important means for reinforcing institutions of both countries at local level and regional economic development as well as security & peaceful coexistence of neighboring peoples and states. Cross-border cooperation insists for reconciliation, regional development and the overall rebuilding of relations & trust between the countries. India and Nepal has a good neighbor understanding as history reveals. India and Nepal have conventionally been close since ancient times in view of the geographical contiguity, proximity, common religious, linguistic and cultural identities. Social and cultural ties have been enhanced by open border with no restrictions on the movement of people on either side. Ethnic and linguistic similarities exist along with Nepal-India border, both in the south plains and hills in the east and west. The role of religious centres of pilgrimage for both Hindus and Buddhists in both countries has been responsible for strengthening the social and cultural bonds between the two countries. Nepal and India enjoy excellent bilateral relations in political, economic, trade and cultural fields, apart from intimately closer people-to-people ties. India is extending economic and technical support to Nepal, especially after 1951. The signing of the India-Nepal Treaty of Peace and Friendship in 1950 established the framework for the unique ties between the two countries. Since the early fifties, India has contributed significantly to the socio-economic development of Nepal. Areas of economic relations mainly cover basic infrastructure such as airports, irrigation, agriculture, roads, bridges, power projects, industrial estates, communication, surveys, forestry, building construction, along with some vital social sector areas like health, education, human resource development etc. After the creation of SAARC India and Nepal has common plateform to improve the relations. This paper aims the need for effective implementation of better border management so as to prevent cross border criminal activities, irregular movement for the both sides.

Key words: Cross-border cooperation, cultural identities, regional economic, bilateral relations

Introduction

India-Nepal relations have been formed and shaped by their geographical contiguity and socio-cultural identities which has influenced their historical past. The historical linkages emanating from the racial, religious and linguistic affinities were possible because of the 1,750-km- long open border which made communication easier and possible. The crossing of the border by the people has not only influenced each other's history, culture and tradition but also had an impact on the political, economic and strategic relations between the two countries. The geo-strategic location of Nepal between India and China has also shaped its relations with its neighbors. The high peaks and rough terrain towards the north made communication and people's movement and habitation difficult, if not impossible, towards the Tibet region of China. This is not to say that Nepal did not have historical political linkages with its northern neighbor. However, the presence of imperialist China and Russia in the north led British India to consider Nepal has a buffer state and integrate Nepal into British India's security parameters. Independent India also could not ignore the geo-strategic importance of Nepal and

considered it as a buffer between itself and Communist China. It was not only the ideological differences with China that alarmed India but also the Chinese efforts to undermine India's security interests by undertaking road construction projects in Terai area which is contiguous to the plains of India. In fact, soon after Communist China's expansion towards Tibet, India entered into the Treaty of Peace and Friendship with Nepal in 1950 which defined the political, economic and strategic relations between the two countries. The open border between India and Nepal had created ideological and political linkages between the two countries much to the chagrin of the monarch. For instance, the Nepali National Congress, a protagonist of democracy and a socialistic society, had links with the Indian National Congress even before the independence of India.

The Political Scenario

The unfathomable commitment to the principles of peaceful coexistence, sovereign equality and understanding of each other's aspirations and interests has been the firm foundations of bilateral relations. Nepal avowed not to allow its territory to be misused by any inimical elements against India and also

expects same sort of reciprocity and assurances from India. The open border between the two countries has been a unique paradigm of the political and geographical ties that rarely exists around the world. Such facilitation of movement of the people has increased more exchanges and interactions at the people to people level. Both countries have common approach and work together in various International forums like the UNO, NAM and others. The SAARC and BIMSTEC in South Asia opened up more avenues for enhancing regional cooperation have been identified to leap forward in this direction.

Economic Relations

i) Investments - Nepal has been pursuing a liberal foreign investment policy and striving to create an investment friendly environment to attract FDIs into the country. The few sectors that are not open to foreign investment are either reserved for national entrepreneurs in order to promote small local enterprises and protect indigenous skills and expertise or are restricted for national security reasons. Approval of the Government of Nepal is required for foreign investment in all sectors. No foreign investment is allowed in cottage industries. However, no restriction is placed on transfer of technology in cottage industries. With a view to attracting foreign as well as domestic investment to boost the economy, the Government of Nepal has constituted a high level Investment Board, chaired by the Prime Minister of Nepal. The main objective of this Board is to facilitate investors investing in the potential sectors. It provides single window facility to the investors.

ii) Hydro power - Water resource is considered as the backbone of Nepalese economy, which has been of prominence in the agenda of relations. The flashflood and erratic behavior of the rivers caused huge loss of lives and properties during the monsoon. With a view to optimizing the benefits and addressing the problems, both Governments have set up three-tier mechanisms called Joint Ministerial Commission for Water Resources (JMCWR), Joint Committee on Water Resources (JCWR) and Joint Standing Technical Committee (JSTC) to implement agreements and treaties and also address water induced problems of flood and inundation. There is also an additional mechanism - Joint Committee on Inundation and Flood Management (JCIFM) - which deals explicitly with the issues of inundation, embankments and flood forecasting. The hydropower potential of Nepal's rivers, based on average flow, has been estimated at 83,000 MW. The technical feasibility for development could yield an estimated 44,000 MW. Furthermore, the regional electrical grids, to which Nepal's surplus could be exported, are likely to benefit a lot from the development of prime sites at relatively low capacity factors. Seti, Tamakoshi, Upper Karnali, Arun and Budhi Gandaki are some of the hydel projects that have attracted interest of foreign investors. Preliminary studies have identified potential for over half a dozen medium and large hydroelectric projects which is off greatest value for Nepal from the perspective of exporting hydroelectric power to neighbouring countries.

iii) Technology transfer - Technology transfer can be made under an agreement between an industry and a foreign investor in matter of use of any technological right, specialization, formula, process, patent or technical know-how of foreign origin, any trademark of foreign ownership and acquiring of any foreign technical, consultancy, management and marketing services.

iv) Physical infrastructure and education - Some of the initiatives that have been taken up in the direction of physical infrastructure are signing of Air Service Agreement, Memorandum of Understanding on Development of Railway Infrastructure at Five Points along the border, MOU on establishment of Nepal Bharat Maitri Polytechnic at Hetauda, MOU on Construction of Nepal Bharat Maitri Sabha Griha for Birgunj Sub Metropolitan City Office at Birgunj, MoU for strengthening of road infrastructure in the Terai Region of Nepal, infrastructure and faculty support to B.P. Koirala Institute of Health Sciences, Dharan, establishment of a science Learning Centre at Kathmandu, etc.

Territorial and Border Issues

The ruggedness of Nepal-China boundary is clearly revealed by its length which is 1415 kilometres, while Nepal-India boundary which runs along three sides of Nepal is only 1580 kilometers, 165 kilometers longer than Nepal-China boundary. The 1415 kilometre length of Nepal-China boundary is based on measurement in the maps. If the actual measurement is made on the ground along the slopes and ridges of the mountains, the length of the boundary will be more than that indicated by the measurement in the maps. So far as Nepal-India boundary is concerned, the mountainous portions of the boundary lie in Sikkim State and Darjeeling district of West Bengal State in the east, while rest of the boundary runs along the plains in the south and along the Mahakali River in the west.

i) The Territorial Disputes

The Territorial disputes of India and Nepal include Kalapani-Limpiyadhura, Susta, Mechi River Area, Tanakpur, Sandakpur, Thori, etc. Kalapani is an area under territorial dispute in Darchula District, Nepal and Pithoragarh District of India. The origin of Kali river is situated on the Kailash Mansarovar route, at an altitude of 3600 meters. It is said that the Great Sage Vyasa meditated at this place, giving the region its name — Vyasa valley, locally called Byans valley. A pool by the temple of the Goddess Kali is considered to be the source of the Kali River. A verdant valley covered with Pine, Bhojpatra and Juniper trees, it offers stunning views of some of the lesser known peaks like Om Parvat in the Central Himalayas. Lipu Lekh leading into Tibet is 17 kilometers from Kalapani. Susta is another area under territorial dispute currently in Tribenisusta, Nepal and near Nichaul, Uttar Pradesh, India. The area under dispute totals over 14,000 hectares.

Socio-Cultural Ties

Social and cultural ties have been enhanced by open border with no restrictions on the movement of people on either side. Social and cultural similarities do exist along the Nepal China boundary as well but more so in the case of Nepal India border where people have easier access and interaction. Ethnic and linguistic similarities exist along the Nepal-India border both in the south plains and hills in the east and west. The role of religious centres of pilgrimage for both Hindus and Buddhists in both countries has been responsible for strengthening the social and cultural bonds between the two countries. When health infrastructures in Nepal were not developed, a large number of people from the Terai as well as from the hills used to go to hospitals in India across the border. Language is yet another component of Nepal-India cultural affinity. Peoples in

both countries share many languages. Such common languages include, *inter alia*, Nepali, Maithili, Bhojpuri, Hindi, Avadhi, etc. Sanskrit is the root of many of these languages, which is regarded as the language of the gods and saints. Nepal and India both use Devnagari script in writing Nepali, Hindi and many other common languages. Many a religious texts, including the Vedas, Upanishads, Puranas, Tripitak, are written in this script. During the last few decades, Nepal has been able to develop health facilities in the country, particularly in the Tarai, with the establishment of regional zonal and district hospitals with modern medical facilities, with the opening of a variety of hospitals. A medical institution that has attracted a large number of cancer patients from India is the cancer hospital in Bharatpur with ultra-modern cancer treatment facilities. The flow of Nepalese cancer patients to Mumbai is still continuing. Three medical colleges are located in Kathmandu, one in Pokhara and 6 in the Tarai: Dharan, Birgunj, Bharatpur, Bhairahawa, Nepalganj and Chisapani. These medical colleges have attracted a large number of Indians including non-resident Indians seeking medical education and also patients seeking medical services in these hospitals.

Social Welfare Initiatives

India had played a leading role in helping the Nepal Army in its modernization through provision of equipment and training. More than 250 training slots are provided every year for training of Nepal Army personnel in various Indian Army training institutions. The Chief of Army Staff of the Indian Army is given the honorary rank of a General in the Nepal Army and a reciprocal honors is conferred on the Chief of the Nepal Army. India has always been proud to have Nepalese as soldiers in her Forces and has made every effort to ensure that they are looked after and cared for in their twilight years. The Government of India has established “The Indian Ex-Servicemen Welfare Organisation in Nepal (IEWON)”. Ex-servicemen Contributory Health Scheme (ECHS) has been launched in Nepal during 2012 vide which free medical treatment to the Indian ex-serviceman of Nepal domicile and their dependants will be provided within Nepal. The ECHS beneficiaries will also have the option to avail free treatment in private empanelled hospitals in India.

Strong Cultural Relations

The Embassy of India, Kathmandu and BP Koirala India-Nepal Foundation (BPKF) organized several events to promote people to people contacts in areas of culture, art, technology, academics and media during the year. Indo-Nepal Youth Conference in which eminent young professionals from film, fashion, music, literature and business took part was held at the Nepal Tourism Board in Kathmandu on 13-14 May 2012. As part of the festival “Tribute to Dev Anand” two of the legendary actor’s much acclaimed films - *Hare Rama Hare Krishna* and *Johny Mera Naam* were screened at the Kumari Cinema Hall in Kathmandu on 8 July 2012. The Embassy and BPKF in association with the South Asia Foundation, Nepal Tourism Board and Government of Goa organized the India-Nepal Crafts Exhibition which was inaugurated by President of Nepal on 27 April, 2012 at Nepal Academy in Kathmandu.

Negative Face of Terrorism

The recent arrests of two high profile terrorists, Adul Karim Tunda and Mohammed Ahmed Sidibappa alias, Yasin Bhatkal

have brought the India-Nepal border into sharp focus. Differences of opinion, however, exist as to the exact location from where these two terrorists were arrested. While India maintains that Tunda was arrested at the Banbasa-Mahendernagar border point and Bhatkal in Raxual, some media reports indicate that Tunda was arrested from Kathmandu Airport and Bhatkal was picked up from a hideout in Pokhara during a joint operation with Nepalese law enforcement authorities. Whatever maybe the case, these arrests highlight the fact that terrorist and criminal groups are increasingly using Nepal as a base because the open border with India allows them to enter and exit India with ease. The seeds for an ‘open’ border between India and Nepal can be found in the Treaty of Peace and Friendship which the two countries signed in 1950. Articles VI and VII of the treaty specify that citizens of both countries have equal rights in matters of residence, acquisition of property, employment and movement in each other’s territory, thus providing for an open border between the two countries. These provisions allowed the citizens of India and Nepal to cross their shared borders without passport and visa restrictions. This step followed by other steps to foster free flow of men and material strengthened the relations between the two countries. At the same, the open border has been misused by terrorists and criminals since long. Activities like giving a slip to the police and the Interpol, smuggling, infiltration, smuggling, circulating fake Indian currency, drug and human trafficking have been on the rise. Policymakers in India have taken note of the deteriorating security situation along the India-Nepal border and have undertaken a number of measures in response. For instance, the presence of the Sashastra Seema Bal (SSB) along the Indo-Nepal border has been further augmented with the construction of five additional Border Out Posts (BOPs). For addressing the twin objectives of security and trade facilitation, two integrated check posts with state of the art detection and screening devices as well as support facilities are being constructed at Raxual and Jobani. India has also been seeking Nepal’s cooperation in managing the border through several bilateral mechanisms. However, domestic political turmoil, lack of political will and resource crunch have so far prevented Nepal from effectively cooperating with India.

Nepal-India Relations and Narendra Modi

Narendra Modi’s thumping victory with 282 Lok Sabha constituencies, making him the Indian Prime Minister generated vibes throughout the region. His invitation to the heads of governments of the South Asian Association for Regional Cooperation (SAARC) member-states to his swearing-in ceremony was an unprecedented move – perhaps a signal that under his tenure as the prime minister, India will prioritise its neighbourhood. It would be interesting to observe what Modi’s victory means for the region in general, and for Nepal in particular.

Modi’s Neighbourhood Policy

The Prime Minister assured that they would pursue friendly relations with all of India’s neighbors but would not hesitate from taking firm stances and strong steps. It was a clear signal to neighbors that they would not compromise on issues of terrorism and national security. Modi’s image as a decisive leader and his party’s ‘nationalist’ stand indicates that Modi would be different from the previous governments India has

had. However, his efforts would be visible only if he comes with proper homework, revive the SAARC and facilitate the implementation of the SAFTA – the regional free trade agreement, during the SAARC summit to be held in Kathmandu in November this year. Since its establishment in 1985, the SAARC has made no progress due to the perpetual disagreements between India and Pakistan – despite the fact that the SAARC charter forbids member-countries from bringing bilateral issues to the table. Many experts predict that Modi's foreign policy priority would be South Asia (particularly improving relations with Pakistan) followed by China and the US, while others believe that China and South Asia would be lowest in his list of priorities as compared to the US, Japan and other strategic partners. After Modi's rise, some media called him the "Shinzo Abe of India" while the westerners fear him as the "Indian Putin." Many believe that he might emerge as the "Indian Deng Xiaoping." Time will tell which name plate matches Modi best. However, Modi will have a proactive foreign policy, possibly one driven by economy.

Conclusion

India-Nepal relations have been responding to the changes taking place in the international arena in the post-Cold War era. The simultaneous political changes taking place in both the countries are also instrumental in shaping their relations. One of the major changes in India is the emergence of pluralism in politics with the decline in the power of the Congress Party which had ruled the country as a major party since 1947. Since 1990, India has had three coalition governments. The governments in India have realised the basic thrust in the changing global environment where it has to develop relations with its neighbours based on trust and confidence and non-reciprocity which is an essential element in defining relations between asymmetrical nations. The change in the Indian policy from the Indira Doctrine to the Gujral Doctrine has been positively received by Nepal which has also been making changes in its foreign policy postulates. Emphasis has been given on developing relations with the neighbouring countries, strengthening the institutional capability of the Foreign Ministry, and resolving the domestic issues affecting the security and stability of the country. The foreign policy of Nepal has come a long way from its policy of special relations with India to the policy of equi-distance with its neighbours to a search of an independent foreign policy. The often played strategy to use one neighbour against the other is no longer effective in the post-Cold War era. As discussed earlier, the growing Sino-India relations have decreased the manoeuvring capabilities of Nepal to play one neighbour against another. Instead, there is a shift from exploiting the differences of the neighbours to its advantage to develop relations with the neighbours on the basis of mutual benefit. However, the changing global and regional political scenario does not undermine the geo-strategic realities. Nepal's buffer status between India and China still exists.

In keeping with the global economic activism, both India and Nepal have emphasised on developing trade relations. Nepal's proposal to develop an economic quadrangle consisting of Nepal, Bhutan, Bangladesh and India is a successful attempt towards promoting economic diplomacy. India and Nepal have been successful in agreeing on sharing of hydro-power. Nepal is in the early stages of democracy. It has had five coalition

governments since 1991. An unstable government deters investments in a country. The normalisation of Sino-India relations has removed the external output affecting the India-Nepal relations but the domestic issues affecting the relations remain. Unless the domestic issues are addressed in the country, it will weaken the capabilities of the country to cope with the post-Cold War transformations. It would be in the interest of India to consolidate the socio-economic development of Nepal and have continuous dialogue marking areas of cooperation and resolving areas of disagreement.

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