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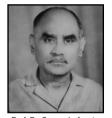
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Message

I am pleased that Nepal Council of World Affairs (NCWA) is celebrating its 70th
Anniversary and publishing its Annual Journal to mark the occasion. The journal, I
am confident, will highlight the important affairs of our nation and the
contemporary world.

As an independent non-profit forum, the NCWA has demonstrated its commitment to human welfare and devoted itself to strengthening the global public sphere. At the same time, it is contributing to the creation of a conducive environment for mutual cooperation among the nations of the world.

The world is fraught with contradictions and uncertainties as the forces of stability and disruption play out in myriad ways. Adjustment to the rapidly changing world is a major challenge for everyone and more so for a country like ours. Stability in the global order is essential for peace, development and democracy around the world.

In this context, Nepal's constitution defines the national interests and provides a framework to conduct our international relations. We hold close to our heart the promotion of our national interests, while maintaining the sovereignty, territorial integrity, and independence of Nepal, which was never under the control of any external power. The principles of sovereignty, independence and non-interference guide us in our conduct of independent foreign policy and balanced relations, the hallmarks of our external engagements.

Overall, our foreign affairs will be directed, as always, by the principles of *Panchasheel*, non-alignment, UN Charter, international law, and norms of world peace. We will strive towards promoting a just and equitable international order in which all States, small and big, meet their international obligations in good faith, and all countries enjoy equitable opportunities in their aspirations for development and prosperity.



Our motto will be 'amity with all, and enmity with none'. We want to be a good friend of everyone and we want to treat everyone as a good friend. We believe that this helps foster trust and understanding. We will pursue international relations based on justice, sovereign equality, mutual respect and benefit.

I hope that the NCWA will continue to organize research-based programs on relevant issues of interest to the Government of Nepal and the international community. I have a strong conviction that the council members and intellectuals will consistently work to fully realize its esteemed goals of serving the people and promoting harmony among peoples and countries.

The present government has the motto of 'Prosperous Nepal and happy Nepali.'
We are committed to our national interest and the good of our posterity. The
pursuit of national interest and fulfillment of international obligations must go
hand in hand. They are not negotiable as we work for prosperity on the basis of our
values, realities, and aspirations.

I thank the NCWA for organizing debates on relevant global affairs and issues of public concern. The outcomes of these debates can be of immense help for the Government of Nepal in its pursuit of foreign policy based on the core national agenda.

On this auspicious occasion, I would like to congratulate the NCWA for the seven decades of service to mankind since its inception in 1948 AD. I share with the NCWA team my cheers and applause for your sincere endeavors to transform this institution into an intellectual hub generating useful insights into the world affairs.

artantal.



Ministry of Foreign Affairs Singha Durbar Kathmandu, Nepal

Date: 27 May 2018

Message

I am pleased to learn that Nepal Council of World Affairs (NCWA) is publishing an Annual Journal to mark the 70th anniversary of its establishment. On this special occasion, I would like to express my heartiest congratulations to the Council on the successful journey of seven decades.

I acknowledge the contributions the NCWA has made to promote the discourse in matters of international relations and diplomacy. I commend the Council for its role in providing useful insights and inputs on current issues. Its role in grooming the next generation of foreign-policy experts is also critical.

As a leading think tank, the NCWA's focus towards enhancing cooperation with national and international organizations on the foreign policy front is commendable. I hope that the Council will further promote academic research and development on issues of international relations and diplomacy.

Anniversary is not only about celebrating the achievements of the past; it is also about 'thinking ahead' for future. I am confident that the Council will build on its achievements of last seven decades and continue to contribute in developing a true perspective on world affairs that are particularly important for Nepal. Such publications will surely be instrumental towards this end.

I wish the Council as well as this Annual Journal all success.

Pradeep Kumar Gyawali





May 22, 2018

Dr. Yuba Raj Khatiwada Finance Minister SINGHADURBAR KATHMANDU, NEPAL

Message

Partnership for development is an agenda of development in global arena. I am pleased to learn that Nepal Council of World Affairs (NCWA) is also working in this area by providing essential suggestions and policy feedback to the government since its establishment in 1948. I know that NCWA is leading independent national center of excellence for research, training and extension capable of providing high level technical and advisory services is pertinent to enhancing international relations and socio-economic cooperation to the government and development partners in Nepal.

It gives me pleasure to note that NCWA was established with objectives of bringing policy debate on foreign affairs of the country affirmatively, has been an images positively in a global level. I know that its membership encompasses high level political leaders, policy makers, professionals and business leaders.

As a leading think tank of Nepal, I wish to see its greater role than before with a commitment to foreign policy deliberations and other key issues of global partnership for development.

I take this opportunity to congratulate the NCWA for its esteemed journey of 70 years. I would also like to expresses my sincere thanks to all the members of the Nepal NCWA, who have contributed to take this organization to this height.

I am hopeful that NCWA will play a significant role in promoting understanding between Nepal and other friendly countries across the world in days to come.

I congratulate NCWA for its hard works and extend my best wishes for the publication of the Annual journal.

Dr. Yuba Raj Khatiwada Finance Minister



नेपाल विश्व सम्बन्ध परिषद्

Nepal Council of World Affairs

Message

Nepal Council of World Affairs, (NCWA) with a distinctive history built on the ideals of open discourse, rigorous inquiry and analysis of diverse perspectives, provides unique environment for interactions among academicians, subject experts, practitioners including diplomats. NCWA believes that cross fertilization of ideas and views on a continual basis, between Nepal and her neighbors and friends is necessary to understand the world and also project Nepal's views to the world for maintaining regional peace. NCWA has been conducting interaction meets of national experts regularly at its headquarters in Pulchowk, Lalitpur. In addition, it is also inviting resident diplomats in Kathmandu to participate in such interactions where appropriate.

NCWA has reached 70 years of its establishment this year around. This year, 2075 B.S. (corresponding English calendar 2018-2019), is highly significant since Nepal, the Federal Democratic Republic, has been successful in conducting elections at the local, state and federal levels with flying colors under her new constitution. The country is at the threshold of finding its balance between political stability and economic development while maintaining inner harmony among its diverse groups as well as outer goodwill with its neighbors and friends. At NCWA, after an intensive discussion that involved several important stakeholders including its own-the members, it came to a conclusion that a publication from the prime think tank of the nation must make maximum efforts to provide important message to the general public that be time relevant, nation specific and yet show the way to future. The main theme for this year's publication was focused on two important issues: national unity and foreign policy. Accordingly, NCWA members were requested to offer their contribution on the subject. However, the overwhelming enthusiasm of its members took over the stated theme and touched many burning issues such as connectivity, culture and so on. This issue, thus, comes with a wide variety of subjects classified into three categories: National unity necessary for effective diplomacy and prosperity; Connectivity and policy issues for Nepal's development; and bilateral, regional and international issues. It is expected that the readers will find time to go through some of the views of their interest and oblige us with their feedback for bettering the quality of this publication through appropriate content emitting views that serve national interest.

I am pleased to present before you the new edition of NCWA annual journal which, I hope, will give you a glimpse of what we are engaged with in our efforts to understand our neighbors and friends so that we could move forward in an atmosphere of peace and stability. Your feedback would encourage us to move ahead with confidence in the year ahead.

Hemanta Kharel President Nepal Council of World Affairs

From the Editorial Board

Nepal Council of World Affairs (NCWA) has been publishing its journals regularly since its establishment. NCWA journals highlighted the different dimensions of our foreign policy and international diplomacy.

This year we are celebrating our 70th anniversary with great enthusiasm. Since the federal democratic republic of Nepal has successfully held, for the first time, the three tiers of election i.e. local-level election, state-level election, federal parliamentary election, we believe that Nepal has entered into the phase of political stability and the main concern of our policy now should be overall development of the country.

To mark the 70th anniversary of NCWA, the Executive Committee decided a theme "National Unity and Foreign Policy". We requested our members to contribute articles on the above mentioned theme. Some of the articles we received are in line with the theme and while others go beyond that but nevertheless dwell in important topics. The editorial board decided to include most of the articles in this publication keeping in view the content and usefulness of topics selected by the authors themselves.

The messages received from the Rt. Hon'ble Prime Minister of Nepal, Mr. KP Sharma Oli, Foreign Minister, Mr. Pradeep Kumar Gyawali and Finance Minister, Dr. Yuba Raj Khatiwada help us to understand the guiding principles of foreign policy in the days to come.

Eight articles are selected which are related to our above mentioned theme. Five numbers of articles are related to bilateral, regional and international issues and five articles are related to connectivity and policy issues for Nepal's overall development, and accordingly they are placed in the respective headings.

These articles would assist our readers understand the various dimensions of Nepal's foreign policy. It is hoped that this Journal will be useful to the students of international relations.

The editorial board extends sincere thanks to all of the authors on behalf of NCWA with the hope that we continue receiving such cooperation and support in future as well.

We wish you all our distinguished members and readers happy, a prosperous, peaceful, innovative and creative Nepali New Year 2075 B.S.

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National Unity Necessary for Effective Diplomacy and Prosperity

National Unity and Prosperity: Role of Foreign Policy

Hemanta Kharel*

National plans and policies and its judicious execution, largely supported by majority of population, provides the basis for national unity that alone can lead a nation to progress and prosperity. For a nation transiting from a unitary state to federal system where it demands proper management of people's needs in every state as well as among the states and the center, this agenda assumes more importance.

National Unity

Oxford English Dictionary defines unity as "the state of different areas or groups being joined together to form a single vision". It is a word for togetherness or oneness. Unity implies the oneness, as in spirit, of aims, interests, feelings and the like which is made up of diverse elements and individuals for a common purpose, so as to acquire greatest possible strength to influence action. When we link-up unity at the national level then we will be talking about national unity. Therefore, national unity creates relationship of cohesiveness among the citizens of one nation. As per new Italian politician (Mazzine) "National unity makes all governed aware of their belongings to the land where they live and their union and association with it". Nationalism is directly connected to the systems embraced by a particular nation in its political, social and economic spheres. The political ideology holds that a nation should govern itself, free from unwanted interference, and it should be linked to the concept of self-determination. Nationalism is a sentiment that binds the people together with common identity like national symbols and flag, national anthems, national language, system of governance and so on.

These discussions indicate that national unity is a state of people being united for the welfare of a nation. National unity is the most important thing that protects and preserves the existence of nations even in sorrowful situations. Power and influence of every nation depends on the national unity, entirely of its people. Though national unity can strengthen the beliefs and confidence of the people and also contribute to happiness of present and future generations, it is neither a subject of political propaganda nor a joke making fun of the people. It is the soul and heart of the country. The present strength of national unity in Nepal seems to be limited in speeches and theoretical papers rather than transferring it to realities.

^{*} Mr. Kharel is the President of NCWA.

Prosperity

Every society needs a goal and a pointer to define its path of development. Such a goal has to be set on the basis of history, values, culture and sense of national identity, corresponding to the needs and existing realities of society and uniting the major layers of society around itself so as to lead the people towards development and prosperity. Therefore, prosperity is a state of flourishing, thriving, good future or successful social status of the people. Prosperity often encompasses wealth, it includes also other factors which can be independent of wealth to varying degrees such as happiness and healthier lives.

By 2050 A.D., Nepal's northern neighbour, China, is projected to be the topmost economic power of the world, and India in the South is expected to become the 3rd most economic power. Nepal lying between them, has an immense opportunity. In this context. Nepal should be prepared with a clear roadmap and commitment to ensure that all Nepalese people can enjoy prosperous living. Nepal needs an effective policy to improve the efficiency of its resources as well as judicious resource allocation to achieve economic social and technological progress in harmony with nature. Labour migration for remittance is to be reduced and the available working force needs to be employed for hydro-electricity generation and engaged in industrial hubs, emphasizing on agro industry and other manufacturing sectors. Nepal should build itself as a 'spiritual resources center' for billions of Hindus and half a billion of Buddhists by incorporating the policy of empathy uniting humanity. This exercise would not only help sustain peace in the Asian region but also could add to the promotion of tourism sector. Diplomatic missions should be mobilized to attract FDI and promote economic activities under economic diplomacy. Additional help should be taken from the business sector by involving FNCCI, CNI and other trade as well as tourism related organizations. We should forward and move concrete steps in expanding Indian railway line from different states of India to Nepal. China railway line can link Nepal through Lhasa. Development of SAARC highway, SAARC railway, SAARC river way and opening up of civil aviation link by making open sky policy will help overcome challenges of landlocked status to land linked, water linked and sky linked. There should be common understanding among SAARC members for using available natural resources such as water, gas by constructing a common regional power grid line and gas pipe lines for the rapid development of this region.

External investors feel insecure for investing in Nepal due to weak rule of law, militant trade unions, power shortages, insufficient infrastructure, frequent strikes, red tape and frequent changes in government policy. While the discouraging factors need to be weeded out, it further needs good governance, corruption control and positive attitude of the community for attracting foreign direct investment.

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Some of the potential areas which can contribute to the prosperity of nation are as follows:

Hydropower Development

It is often quoted that technically feasible hydropower capacity is about 45000 MW in Nepal. To materialize this potentiality, a realistic and mutually beneficial understanding has to take place with India, among others since India can become Nepal's important trading partner and largest market for electricity produced in Nepal. At the same time there is a need to encourage China and Bangladesh to join hands with Nepal for the development of hydropower. With these efforts our dream of prosperity through hydropower development is indeed achievable. We should also need to create friendly and trust worthy investment environment by engaging efficient technocrats and informed strategists.

• Tourism Promotion

This sector has huge potential for creating employment opportunity and contributing to overall development. New branding ideas, community based tourism, expansion of facilities, preservation of heritage and culture are some of the important aspects to attract domestic and foreign tourists. Establishment of 'spiritual resources center' based on Hinduism and Buddhism may help increase religious tourists from all over the world.

• Creation of Environment for Foreign Direct Investment (FDI)

Pace of FDI in Nepal has remained slow and near stagnant. The primary reasons for this have been continuing unstable government policy, bad governance, high cost of business startup, lack of basic infrastructure and weak enforcement of rule of law. In addition, the insufficient power supply, transport difficulties including bad condition of highways, and small market are least conducive to investment. To overcome these challenges nation needs to adopt stable policies to help support potential investors to do business with ease in Nepal. Unruly trade unions and their political masters need to realize that without growth and prosperity Nepal will ever remain poor and the impact will be felt severely by the labourers and the working classes.

• Time Bound and Effective use of Foreign Aid

Ever since Nepal started receiving foreign aid, international communities have been increasingly involved in its development process. The assistance received has been on the rise and now it has reached a level of 40 to 50 percent of development budget. Such a high degree of aid dependency has inevitably has some serious political implication. The political picture has gone through several changes from Panchayat to Republic, nevertheless foreign aid continues to constitute a very large share of development budget. Moreover, the absorptive capacity of such development budget is less than 50 percent. In this regard we

need to boost up absorptive capacity as well as make efficient use of foreign aid. We should also be capable of designing of our own priorities and make plan and policies accordingly. To transform this nation from present status of poverty to prosperity, all stakeholders need to reform themselves with full commitment from political parties' leadership down to community level.

Modernized Agriculture Sector

Nepal is endowed with plenty of natural resources and is blessed with climatic variations in a small strip (from north to south) that enables its people to grow vegetables and fruits found in tropical, sub-tropical and plains. It is primarily an agricultural country with approximately 3 million ha. of cultivated land. There is enough forest areas which besides meeting fuel, fodder and timber to human population, providing shelter to birds and wild animal. Low yields of food crops, skewed distribution land, poverty, and absence of agriculture research extension, education to farmers, coordination and marketing are key problems of this sector. It is well known fact that agriculture is the engine of growth and development. It needs to modernize and commercialize the agriculture sector to double production within a short span of time. Equitable distribution of land, its proper management and improvement in the above mentioned challenges are the needs of the day. Our farming is mixed type of farming where a combination of crop, livestock and horticulture interplay with agro-forestry, bio diversity, market development and trade as well as commerce. Agricultural research extension and education needs to be integrated. All these supports to farmers will be sufficiently empowered and will have significant contribution on the economy and polity. Then farming will be socially prestigious occupation. A broad base development will occur as an influence of agriculture development.

Foreign Policy

The five principles of peaceful existence guides Nepal in the conduct of its foreign relations with its neighbours and friendly countries all over the world. Other guiding parameters are: ideas enshrined in the UN charter, the principles of non-alignment, world peace, international Law, regional arrangement and human rights. Supreme goals of Nepal foreign policy are to preserve, safeguard and nourish the core national interests, namely Nepal's independence, sovereignty and territorial integrity as well as social and economic prosperity of the Nepali people. Pluralism, open market policy, full regard to the fundamental principles of human rights form the basis of state to state relations. Foreign policy is also regarded as a reflection and complimentary to domestic policy. Domestic policy, determined by internal situation, necessities and long-term interest of the peoples, is linked closely with foreign policy. All the mainstream political parties need to show unity and uniformity on the issues of foreign policy, with a view to achieving prosperity in Nepal. It is the prime duty of all Nepalis to promote Nepal's national interest in the international arena for the larger benefit of its people. We need to explore all the avenues of comparative advantage for engaging in fruitful diplomacy

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as challenges and opportunities have increased, especially after the emergence of liberalization and globalization. To improve our deteriorating image in international arena, we have to work internally through sound and good governance, transparency, and accountability. Nepal's diplomatic missions abroad should be led by professionals and experts rather than political parties' quota. Effective conduct of foreign policy is possible only through the exercise of diplomats that are capable, creative and credible.

Since Nepal has already adopted a federal system of governance, the country needs to redefine its foreign policy according to changing scenario. We need to consider geneses of history, geography, culture, economy, demography, language, religions and security. The unique geo-strategic location guided us to conduct Nepal's foreign policy at the bilateral level, maintaining and transforming historic friendly relations with its immediate neighbours India and China, to a new level of trust and confidence in the context of security resolution, social, economic and cultural cooperation. The most important thing is to fully consider the strength and size of economy and military power of immediate neighbours while defining relations with immediate neighbours. Nepal's military strength being negligible compared to India and China, military option can be considered as a non-option. Nepal needs to maintain and develop relations based on pleasantness, fairness and largely cooperative. Mutual respect and regard between Nepal and its neighbours in an environment of win-win situation can promote relations further thereby supporting regional peace and prosperity.

Ironically, our leaders appear to view foreign policy only in relation to his or her own rise to or fall from power. As we do not have institutionalized national foreign policy it places us in a vulnerable situation. Further, it allows foreign diplomats to easily break the established protocol and norms while dealing with our highest officials—government officials including prime minister), parties' leaders and senior bureaucrats of concerned ministries and departments. In view of Nepal's highly sensitive and delicate geographic location, all political parties, including major stakeholders, must agree to make consensual approach in the conduct of foreign policy.

In conclusion we can strongly argue that National unity is the basis for the stability of people since it guarantees the progress and development of society. Unity, consolidation, solidarity, integration and mutual trust as well as understanding will help lay out solid ground for the prosperity of Nepal. At the same time we should conduct institutionalized foreign policy with participation and involvement of main stream political parties, including major stakeholders so as to achieve the highest standard of living for our inhabitants of Nepal.

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National Unity and Prosperity

Dr. Binod P. Bista *

Prosperity revisited

In search for a better life, people all over the world are constantly striving to find an appropriate meaning of development leading to prosperity so that their respective governments and representatives can enact proper laws, rules and regulations for bringing the right kind of prosperity to the entire nation. The dynamic global environment has been constantly influencing the people to opt for newer ideas, technologies, methods not only for intelligent use of available resources but also improve on physical wellbeing and mental peace. The world has learnt at greater cost over the years that material wealth alone cannot bring prosperity to a community much less a nation. The Legatum Institute has been producing annual prosperity index of most nations (149 countries as of 2017) based on nine pillars namely, Economic Quality, Business Environment, Governance, Personal Freedom, Social Capital, Safety and Security, Education, Health, and the Natural Environment. The goal of the said index, it claims is to 'identify pathways that lead to prosperity'. The CEO of the Institute in its report finds that there has been an overall improvement in global prosperity albeit some countries have slipped down to poverty from prosperity. As per the institute's ranking Nepal takes 89th position, slightly better than the previous year. For developing countries including Nepal it is important to first define the key elements that together can be taken as prosperity since it can neither be fixed on a set of elements defined by the Western countries nor by the relatively developed Eastern nations.

What set of elements can be considered for arriving at "prosperity" acceptable to most Nepalese? Rather than reinventing the wheel for a whole new set of pillars for Nepal's prosperity, it might be worthwhile to focus on some of the critical elements that would help in identifying proper pathways to prosperity. Although Nepal ranks 89th in the prosperity index, it seems to have made remarkable progress in certain areas such as 'personal freedom' where it is ranked Thirty Ninth, and Forty Fifth in 'economic quality', better than two third of the 149 countries evaluated and ranked. However, the prosperity pillars that drag Nepal down are listed as: 'business environment' (114), 'education' (115), 'health' (107) and 'natural environment' (126). There appears to be good scope to improve in the following areas: 'governance' (84), 'social capital' (83), and 'safety and security' (83) as per the Legatum Index.

^{*} Dr. Bista is a Former Deputy Permanent Representative of Nepal to the UN (NY) and life member of NCWA

Let us first try to analyze personal freedom pillar which is grounded on measurement of three key attributes: basic legal rights, individual liberties and social tolerance. As opposed to loud noise made by Nepal's important stakeholders such as media, representative organizations of excluded groups and human rights agencies internally, some donor countries as well as international non-government organizations externally and on a frequent basis, Nepal seems to be improving well on this important agenda. Similarly, Nepal seems to be fairly open of its economy providing economic opportunity to its people. The macro-economic indicators, foundations for growth and financial sector efficiency are adjudged better than most countries by the international community. What seems to be prudent is to let Nepal take its course slowly but steadily on these pillars so that the achievements gained so far are neither scuttled nor belittled for its long term sustainability.

Moving over to the elements that placed Nepal in the middle ranking, i.e., governance, social capital and safety and security, taking social capital--comprising strength of personal relationships, social network support, social norms and civic participation as its components, in the first instance it may require a revision of this element. Nepal, as most developing countries of Asia, Africa and South America having glorious history, rich cultural legacy and family values, does possess higher level of social capital as defined by the Legatum index. The only thing that may not be comparable to other countries having relatively higher values might have to do with extended civic participation as the people of these countries including Nepal have excellent personal relationships, social network support and social tolerance at the community level. The safety and security pillar, based on national security and personal safety, requires serious review of existing situation with a view to improving it further even though Nepal enjoys middle level ranking. Although political participation has greatly enlarged in the past decade or so, yet Nepal is found wanting on good governance and rule of law enforcement. The question as to what measures are required now need to be based on the goal that the country sets on the strength of its resources, people's understanding and practice of democracy at the local as well as district levels together with capacity of local and district bodies.

Now, let us turn our attention to the factors, named as business environment pillar, education pillar, health pillar and natural environment pillar that are supposed to pull down Nepal's ranking to its present 89th position. Lack of internal market and its land-locked state makes Nepal a difficult place to set up manufacturing industries, whether they be agro-based or otherwise. Moreover, location of Nepal between two emerging economies of Asia, India and China, puts it out of competition for foreign investors. The only option for Nepal as it stands, severely wanting of business infrastructure, is to join hands with both its contiguous neighbors for collaborative business involving overseas investors as well. Though Nepal has changed its political system and governance several times in the past 69 years or so, its bureaucratic setup and style of operations have hardly changed. Administrative and financial architecture do not commensurate

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with the present federal democratic republic that Nepal has become of late. For a country strapped with resources it would be inconceivable to place further limitations on available resources such as financial resource and still expect the emergence of new entrepreneurs with innovations.

The banking system in Nepal hardly lends any money to a new group of entrepreneurs as it evaluates investors available capital at distress value and provides less than fifty percentage of the project cost. The only industrial development institution that used to cater to industrial financing has now been obliterated and the commercial banks have been turning a blind eye to it and yet claim that they engage in industrial financing, perhaps except to their cronies in a discreet manner. In a country of traditions and customs it would be useless to talk about labor-market flexibility as the expenses incurred by some laborers in retraining or newer type of trainings are not assured of moving into new jobs since government jobs are filled under party quota and the private sector mostly hire their own friends and relatives. Moreover, creating business environment in a country involves a close public-private participation with the government sector providing enabling environment and the private sector utilizing such environment fully. It is needless to state that without economic growth and development governance will certainly suffer even unsettling the system of governance itself at some point.

The health pillar relating to physical and mental health, health infrastructure and preventive care is obviously at the lower rung of the overall index for Nepal as she is yet to establish appropriate social security for its citizens active as well as those that cannot work due to age factor, bad health or other disabilities. Except for some pathetic handouts such as pension for senior citizens including women, even those who are fully active and contributing to the great task of nation building by engaging in government service, non-governmental organizations, private sector or self-employed there are no reasonable social safety nets available. Thus the question of preventive care is out of the reach for the most. Nepal is in dire need of quality healthcare, as evident from misuse of existing facilities and lack of attention and even negligence. A country which lacks basic care support cannot be expected to provide quality care for a few rich and affluent groups. Nevertheless, Nepal government should not hesitate to encourage private sector by truly making the so-called one window policy a reality. It should also retain and support government sector agencies engaged in delivery of essential commodities including foodstuff to remote areas and other organizations established for preserving national security.

The education pillar which discusses access to education and quality of education is unthinkable under the ongoing thinking of the central government. How can one upgrade quality of education if a section of government and vested interest groups (since academic institutions are run mostly by business groups engaged in finance, trading, manufacturing) try to pull down well run professional schools and colleges in the name of government fees set up for public schools and thus prevent new entrepreneurs form venturing in education? With no standard schools and colleges that need to provide

quality education in order to produce competent human capital there would hardly be any professionals interested to join such institutions. Quality teachers do not come inexpensive unless their sole motto is national service in a voluntary manner. It is said that most schools are run by political party cadres with financing from businesses, also connected to such parties, and if this trend were to continue it is improbable that Nepal will attain good standard in education except that it would produce illiterate degree holders. It is hoped that the political leaders of Nepal, as the insurgents once said that the universities should provide academic degrees to all cadres since they have acquired valuable experience during their fight against discrimination practiced under feudal system, are not going by that doctrine of sorts.

Last but not the least, the natural environment pillar, constructed on natural environment, environmental pressures and preservation efforts, ranks Nepal near bottom rank of the Legatum prosperity index. Nepal's population density as at 2016, reported over 200 persons per square kilometers, puts pressures on all essential services available in a poor developing country, natural environment is no exception. For a country facing natural hazards in the form of earthquake, floods, land erosions and drought frequently, afflicted people rush to find newer spaces as well as forest resource barely for survival since fuelwood serves the needs of heating, cooking, fodder for cattle in a regular basis and shelter purpose for humans. Furthermore, they are always on the lookout for new areas for cultivation purpose as farming is the only skill they have acquired from family and thus it can be expected on a constant rise in deforestation regardless of awareness program, empowerment initiatives and the like. Alternate employment and planned habitat for displaced people will go a long way in checking further depletion of Nepal's forest resource which has come handy at present for obtaining some carbon credit funds from the major polluters directly or indirectly.

Barriers to prosperity

Mismanagement and wrongly placed priorities, emergence of newer conflicts relating to unprecedented natural disasters or internal oppression or misrule appear to be main causes of declining prosperity in some countries earlier enjoying prosperity. Rise of terrorism as well as surfacing of ultra-nationalist parties to power in developed and developing countries pose considerable threat to peace and security of present day world that has averted wars at the global scale since the establishment of the United Nations after Second World War. In spite of the continuing importance and utility of GDP as the basis of major economic indicator including wealth vis a vis prosperity, it is dawning on the world that prosperity is more than material wealth or riches. One may agree or not agree with the nine pillars as outlined by the creators of Legatum Index but one cannot get away from the fact that an individual or a community cannot find peace from money alone; it has to have personal freedom, safety and security assurance and so on. Money may buy some of it but it is useless when one considers social capital, human capital and the like. Obviously with the expansion of the features responsible for prosperity,

it gets more complicated with linkages between and among the individual parts and the necessity to achieve a comprehensive prosperity may seem unsurmountable. Nevertheless, every nation needs to prioritize some of the elements of prosperity out of a basket in order to come out with an acceptable "prosperity base" which then can be taken further and expanded in a reasonable time period say, 5-10 years.

Pathways to prosperity

"From Robert Kennedy to Nicholas Sarkozy, opinion makers have called for measurement of prosperity and wellbeing other than GDP. With increasing concerns in inequality, environmental degradation and the financial crisis, the pressure for new measurement is growing. The Legatum Prosperity Index provides an important beginning". (Roger Bate, No.3, October 2009, American Enterprise Institute for Public Policy Research). The lessons from Europe can be taken in that a well-developed, high quality vocational education programs provide excellent pathways for young people. Young people need to learn structured programs that combine work and learning, 'where learning is contextual and applied'. European vocational systems investment in social as well as financial sectors with society supporting transition is highly regarded all over the world. Some Americans believe that they need to engage in a more collaborative approach to education and training that would surely produce important social and economic returns on investment. In Canada an alliance of university, community and government partners promotes integration of minorities, among others. The Harvard Pathway project released new reports on prosperity contend that it is 'possible to make changes and build career pathways'. Even though there are plenty of alternatives available, owing to employers' strong focus on 4-year college degrees and parents pressure on their children to earn four year degrees without understanding that people can be skilled workers and great human beings without four year degrees has produced qualified young people without sufficient opportunities in the market place. Pathways to prosperity project is to ensure that a full range of school-to-career options are widely available. American Ambassador to Nepal in her article published with The Republica advises Nepal to opt prosperity over politics. Though it is quite difficult to delink the two yet the message seems to be directed at prosperity, dearly wanted by the people at large. It is generally believed that Nepal will enjoy political stability under the present government enjoying nearly two-thirds majority at almost everywhere, local, state and central levels. In the South Asian Region, it is generally observed and accepted that all countries enjoy unity in diversity. President Kumaratunga of Sri Lanka in her address in New Delhi some 13 years back said that neither the religion nor culture of South Asia posed any problem for a harmonious living of diverse communities and groups. Without unity among people it would be difficult to attain prosperity as conflict would consume whatever progress might be achieved.

Unity: the Key to Prosperity

Nepal is at a critical crossroad in her efforts to build a fair, transparent, just and all-inclusive society under her new identity—Federal Democratic Republic. Although it might take a while to come to grips in the successful implementation of the new constitution, present and succeeding governments should spare no stone unturned to make it a success. It also means that there is no place for utopian thinking, whether it be top goals for political development, individual rights, economic or social upgradation, poverty alleviation or others. Any agenda for improvement needs to be carefully thought out and provided with adequate resources, financial as well as manpower, and it must be prioritized for making it sustainable and rewarding.

Note: The author regrets that an expanded discussion on the link between Unity and Prosperity could not be delved into in this article for two reasons: type of publication limiting longer discourse, and it was considered that 'prosperity' merited fuller discussion for Nepal at this stage.

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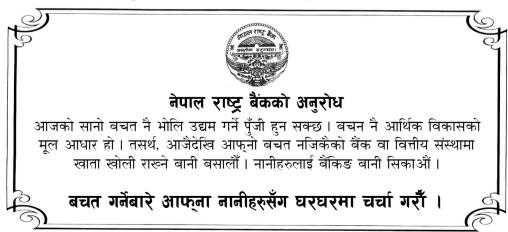
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National Consensus on Foreign Policy Issues

Gopal Thapa*

Needless to say, protection and promotion of vital national interests is the primary foreign policy goal and objective of every country. Thus, countries, first identify what it's supreme national interests are through wide-ranging interactive discussions. Once the elements are identified, they are then re-examined thoroughly. The logical step then would be to seek national consensus on these elements.

Once this is done, these principles and objectives remain constant and immutable, and are pursued with consistency, irrespective of changes in governments. That is why, continuity and consistency are said to be the hallmarks in the conduct of foreign policy. Minor focus on implementation may shift with change in governments, the fundamental goals and principles of foreign policy remain unaltered.

Situation in Nepal

Nepal's foreign policy formulation exercise has never been a subject of serious public debate! It was understandable that foreign policy issues during the Panchayat days enjoyed an aura of exclusivity. However, the post-90 periods and the periods after the popular movement the clamor for a foreign policy that is pro-people and result-driven grew exponentially because of increased public awareness of and understanding about foreign policy issues.

Surprisingly, even during writing of the constitution by the CA, foreign policy issues could not figure out prominently and visibly for debate. In other words, such a vital issue remained agonizingly ignored! The Constitution thus failed to articulate a clear and comprehensive picture of our foreign policy goals and objectives. In a way, popular expectations for a pro-people, inclusive and development-friendly foreign policy couldn't find a clear resonance in the Constitution.

Nor were there any efforts made to achieving national consensus on the conduct of foreign policy for the last several years by the many governments that came and went by. Lack of national consensus resulted in the foreign policy being operated at the whims and pleasure of the governments in power. There was neither continuity nor consistency brought into play. Downplaying of diplomacy in the running of foreign affairs, breaching of diplomatic code of conducts in meeting with foreigners and making

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sensitive diplomatic appointments without heeding to the advice of the Foreign Ministry became the name of the game!

Foreign policy and development agendas

Nepal is now again into a defining mode of its history. The task of writing and promulgating a Constitution by the CA has already been accomplished. And so are the local, provincial and central level elections! The country is with a new government under the new Constitution! A stable government, smooth implementation of the Constitution should now hopefully signal an end to the protracted political instability. It would mean a period for engaging in internal reforms to shore up external credibility for internal economic development reforms! Most importantly, it is a time to concentrate on internal reforms and external cooperation for nation building! Therefore, in order to deliver on the promise for peace, prosperity and good governance was a promised by the left alliance party during the elections, it simply needs to act. There are mountains to climb by the government. The new government would have to institute sweeping reforms at the political, administrative and institutional levels. The entire bureaucracy is steeped in corruption and inefficiency. Trust in politics and politicians have been sharply eroding because of the criminalization of politics. Medical sectors have been torn apart by medical mafias. So is the education sector! Even judiciary has of late become controversial. Striking firmly against the roots of these maladies is and must be the first step towards establishing good governance and launching development agendas. Massive infrastructure developments for enhanced connectivity and generating economic activities to spur growth have to be undertaken, in the meantime. Such comprehensive economic and development agendas would require huge capital investment. Internal capacity is not enough without garnering international support and assistance. This would mean developing a robust foreign policy framework that is development-friendly and result-driven! A robust foreign policy framework can be built only when there is a national consensus and unity among key political parties.

External credibility

External credibility, we must know, does not come by itself. It has to be earned through sustained diplomatic efforts. For that, we must first know our internal constraints and external limitations. An objective assessment of these limitations in the context of our vital national interest protection needs, strategic location, level of socio-economic development, political maturity and administrative and institutional capacity constraints is urgently required. As we go on addressing those constraints through sustained internal reforms and convince the international community through our diplomatic channels about the reform measures these would then help us earn external credibility. International community may not trust us without our demonstrated diplomatic capability to convince that the reforms roads we have taken this time round are well-meaning.

National consensus need

This is where the need for forging national consensus on core foreign policy issues among key political parties becomes absolutely crucial. The inconsistencies seen

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on the operation of foreign policy must, therefore, end if we seek to increase our international visibility and credibility.

At least in the future, the major areas of mutual cooperation and economic engagements with our two immediate neighbors have to be clearly identified and articulated. Similarly, we must outline what constitute our vital national and security interests. The other areas include utilization of our natural resources with external assistance and cooperation, or on foreign joint venture, as well as environmental protection and protection and promotion of human rights issues and developing comprehensive rules of engagement could be among other core foreign policy issues that would require national consensus.

National consensus, once achieved on these issues, will help lend consistency and uniformity in the conduct of foreign policy. This would also prevent recurring political interference as and when government changes. We need not go too far looking for how effectively a consensus foreign policy works. We may take the example of Indian foreign policy! India's political parties may be pulling at different directions on domestic issues; but when it comes to foreign poolicy issues it is the Ministry of External Affairs that always calls the shots!

The Foreign Ministry, as it is now, may also need a complete overhauling. Reforms involving the ministry should aim at ending once for all the political interferences. political interferences, appointment of diplomatic greenhorns ambassadors, haphazard expansion of posts in the Ministry and opening unnecessary missions abroad without proper cost-benefit analyses have blunted the analytical sharpness, professional competence and integrity of the officials. This must end forthwith. Foreign ministry needs a strong political leadership, which would mean a foreign minister must be one who is sufficiently knowledgeable about foreign policy issues and fully committed to preserving the institutional independence and integrity! A strong political leadership and a dynamic foreign ministry enjoying greater operational freedom manned by staff with high degree of professionalism are therefore the need of the hour! This is perhaps the right course of action for promoting cohesiveness, professional unity and integrity within the Ministry. Institutions requiring healthy professional and intellectual rivalry among officials being replaced by increased politicization tend to slowly suffer from professional, moral and intellectual atrophy! This would give rise to an unhealthy trend to knock at the door of politicians for quick rewards. This is more or less the picture that our entire bureaucracy has been reduced to, including the MoFA!

Reforms are not events but a continuous process. The reform measures above are not as easy to enforce. It would require collective commitment, courage and conviction from the government and from all other concerned agencies. We all know reforms, however well meaning, do meet with stiff initial resistance by the status-quoists. So, the first real test of the new government will be how seriously and sincerely it may choose to go about putting in place and enforcing the reforms. Let us keep our finger crossed.

Geostrategic Location – Foreign Policy Determinant

Prof. Dr. Dwarika Nath Dhungel*

Context

Nepal – the oldest country in South Asia-- is situated between two largest and the fast growing countries in Asia - India and China. In addition, she is land- locked with geostrategic importance. Because of its location, Nepal commands significant attention not only of these two Asian giants but also the world powers like the United States. A question arises: how far has its geostrategic location been guiding its foreign policy?. Has it been a boon or a bane for her national interests? Has she been able to serve as an entrepot between China and India as it used to be in the past? These are questions that demand a critical review of the prospects and hardships in Nepal's foreign relationship.

Historical Milieu of Foreign Policy

It may be recalled that the policy of territorial expansion was started by Prithivi Narayan Shah, the ruler of Gorkha, a small principality located 105 km west of Kathmandu. It was carried on by his successors till the Anglo – Nepal War of 1814 -1816. As a result, the treaty of Sugauli , which was signed in December 1815 between the East India Company and Nepal, was ratified on March 4, 1816. Since then, Nepal has followed an isolationist policy till the opening up of the country in 1951. But during the century-old Rana oligarchy (1846 to 1951), Nepal followed a policy of maintaining contacts with a very few countries like United Kingdom and Northern Ireland and its colony, British-India. She however extended her relations with the United States and France. In this regard, the Ministry of Foreign Affairs states:

During the British Raj (1858-1947), Nepal sought geostrategic isolation. This traditional isolationism partially was the product of the relative freedom the country enjoyed from external intervention and domination. From the midnineteenth century, when Britain emerged as the unchallenged power in India and the Qing Dynasty (1644-1911) in China was in decline, Nepal made accommodations with Britain on the best possible terms. Without surrendering autonomy on internal matters, Nepal received guarantees of protection from Britain against external aggression and interference. London also considered a

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steady flow of Gurkha recruits from Nepal as vital to support Britain's security in India and its other colonial territories (http://countrystudies.us/nepal/64. htm).

It was only after the opening up of the country in 1951 after overthrowing the Rana rule that Nepal decided to project itself to the outside world through the establishment and expansion of its diplomatic relations. As of January 2018, Nepal has established diplomatic relations with 157 countries of all the six continents of the globe. Although Nepal tried to secure the membership of the United Nations during the time of the last Rana Prime Minister. However, Nepal got its membership in mid- 1950's. As of the end 2017, Nepal is a member of all the major international agencies including the World Bank and the Asian Development Bank and other regional organisations – South Asian Association for Regional Cooperation (SAARC), The Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC), Bangladesh, Bhutan, India, Nepal Initiative for sub regional cooperation (BBIN).

The basic principles that have guided Nepal's foreign policy are faith in the United Nations and policy of nonalignment along with mutual respect for each other's territorial integrity and sovereignty; non-interference in each other's internal affairs; respect for mutual equality; non-aggression and the peaceful settlement of disputes and cooperation for mutual benefit. In addition, it is guided by the international law and other universally recognized norms governing international relations (http://nepalforeignaffairs.com/nepals-foreign-policy/).

Ever since Nepal became active in international arena especially after receiving UN membership, she has been guided by the above principles in deciding, conducting and managing its diplomatic and foreign relations. As a result of it, she has been one of the founding members of the non-aligned movement (NAM), SAARC and has contributed extensively to peace efforts undertaken by the UN in different parts of the world. She is still one of the major contributors to the UN peacekeeping operations. In other words, upon the expansion of its relations with countries other than the neighbouring ones and upon receiving the membership of international organizations, such as the United Nations, Nepal has been trying to play a constructive role in the regional and global forums through participation in and contributions to the regional and global bodies in addition to maintaining friendly relations with New Delhi and Beijing.

Realising the geo-strategic location of Nepal, all the major players at the regional and global arena have set up and maintained their residential missions in Kathmandu, in addition to the residential missions of neighbouring countries, India and China. Also, the major multilateral and bilateral developmental agencies have their residential offices in Kathmandu (http://mofa.gov.np/foreign-policy/). Because of the tricky relations between the two big countries of South Asia and geographical location of Nepal, the headquarters of some agencies,

such as the South Asian Association for Regional Cooperation (SAARC), UNICEF Regional Office for South Asia (ROSA- UNICEF), International Centre for Integrated Mountain Development (ICIMOD) and United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific (UNRCPD) are housed in Kathmandu (Ibid).

It may be recalled that Nepal, for a period of ten years starting from 1996, faced a bloody armed insurgency launched by the Communist Party of Nepal –Maoist. It could claim credit for raising the consciousness of the Nepali people, who ultimately overthrew the unitary system of government and 240-year old monarchy. It succeeded in establishing a parliamentary form of government with a federal, secular and republican order. These goals were achieved by formulating a constitution in 2015, written, adopted and promulgated by the constituent assembly. The fact nevertheless remains that the country had to pay a heavy price in terms of loss of life and property. Finally, the erstwhile insurgents were brought into the mainstream politics in 2006 to put the country on a peaceful path. As a result, the role played by Nepal in the international arena and diplomatic field got severely restricted. External powers became the dominating factors in the internal politics of Nepal. Nepal' politics is seen today more subservient to a few countries, especially India, China and the US and the western world, especially the EU.

Constitution of Nepal and Guiding Principles of Foreign Policy

The country is now being governed as per the Constitution of Nepal 2015. Its foreign and diplomatic policies are also guided by this fundamental law of the land. Part-4 of the Constitution, which is related to the directive principles, policies and obligations of the State, has laid down the principles and general directions of Nepal's foreign policy in accordance with which the state 'shall direct its international relations towards enhancing the dignity of the nation in the world community by maintaining international relations on the basis of sovereign equality, while safeguarding the freedom, sovereignty, territorial integrity and independence and national interest of Nepal (Article 50.4). On the basis of these principles and general directions, the state shall pursue these policies by conducting 'an independent foreign policy based on the Charter of the United Nations, non-alignment, principles of Panchsheel, international law and the norms of world peace, taking into consideration the overall interest of the nation, while remaining active in safeguarding the sovereignty, territorial integrity, independence and national interest of Nepal' It would also review treaties concluded in the past, and make treaties, agreements based on equality and mutual interest. (Article 51: m 1 and 2).

In order to review and suggest a dynamic foreign policy for the promotion of national interest by adhering to the basic norms and values of the Directive Principles of Nepal Constitution, the then Government headed by Sher Bahadur Deuba constituted a 16 Member High-Level Foreign Policy Review Task Force on April 11, 2017 with the Foreign Minister as its coordinator. It had a tenure of four months (https://thehimalayantimes.com/nepal/task-force-formed-to-review-

nepals-foreign-policy/). On 8 February this year, the Task Force submitted its report to the then Prime Minister (The Himalayan Times Published: February 09, 2018: https://thehimalayantimes.com/kathmandu/foreign-policy-review-reportparleys-foreign-officials-recorded/), who in turn handed it over to the Foreign Secretary for further action. The task force is understood have suggested that 'the foreign policy should be pursued keeping economic prosperity at its heart, and the country should be very specific about what type of relationship should be maintained with which country' (Ibid). Additionally, realising the problem of lack of institutional memory the task force has recommended that 'the government should have records of every such meetings to ensure transparency and to make sure that a successor of a public office holder could follow up on issues taken up by his/her predecessor, according to a member of the task force' (Ibid). The report has also 'advised that political parties should not use foreign policy as a tool for political gains, such as exhibiting 'tilt' towards certain foreign power for electoral gains, because such activities would result in polarisation and would be against the national interest. The report also includes measures to tackle security issues, both at internal and external levels' (Ibid).

As the report was handed over by the then Prime Minister to the foreign secretary for future course of action, it can be assumed that the Ministry of Foreign Affairs (MoFA) is supposed to study the report and decide the future course of action, which, I assume, it must be doing. However, most likely the new government (as of April 2018) headed by Khadga Prasad Sharma Oli (KP Sharma Oli), the leader of a left alliance having clear majority in the federal parliament, might review the recommendations of the task force on the basis of their election manifesto.

Capitalization of Geostrategic Location

Nepal, as already mentioned above, has relations with 157 countries and is active at the regional and global level. She has been successful in securing the support and goodwill of almost all the countries that have been playing their role at the regional or global level. So is the case with the international developmental agencies. Their support is still needed in the context of the growing economic, social and other issues that the country has started facing over the years. Therefore, Nepal has to pursue foreign and diplomatic relations in such a way that it capitalises its geostrategic situation for the betterment of Nepali people. She has to ensure that no country or developmental agency feels neglected. But because of political developments in the country, especially after coming of then CPN-Maoist into peace process in 2006 and subsequent developments, it has become clear that both the neighbours want to have more presence in Nepal through different ways. Likewise, because of its geostrategic position and the ethnic composition of the Nepalese society, the USA and EU seem to be taking interest in the internal affairs of Nepal. If these realities were not recognised by the policy makers, especially those responsible for framing and managing foreign and diplomatic relations,

Nepal would most likely turn into the battleground of two neighbours as well as those of EU and the USA.

Nepali people have already observed such tendency in the form of reaction from India when Nepal endorsed the Belt and Road Initiative (BRI) of China and decided to seek assistance under this initiative. Likewise, the tussle was seen between the two countries for the newly appointed Prime Minister to visit its capital first. There was an expectation that the current Prime Minister KP Sharma Oli would break the tradition of visiting New Delhi first, followed by a visit to Beijing. Immediately upon assumption of the post, it was expected that he would start his first foreign visit by attending an international forum. But, he failed to break the tradition and decided to visit New Delhi, causing, as publicised in different media, dissatisfaction to China. The recommendation of the EU election monitoring team to do away the provision on reservation of Khas Arya in the constitution of Nepal, 2015 is an example of how much the western powers through EU are trying to influence the internal matters of Nepal.

The EU has raised the question through its election monitoring report as to why 1.4 percent Christian population of the country is not given reservation for representation in the public service, mainly political bodies. From such instances, the country has to be really serious in terms of foreign policy and see that its geostrategic situation is not exploited by any foreign powers or agencies. The chance of further exploiting its geostrategic position by the immediate neighbours and the western powers, mainly EU and the US through this agency is much more explicit today than in the past. Because of these reasons, the 2017 Task Force has rightly suggested that the country has to be very 'sensitive towards the open border on the one side and High Himalayas and Tibetan issue on the other in handling the foreign policy (Ibid). Likewise, because of the 'cooperation and confrontation between India and China and the latter's increased engagement with South Asian nations, Nepal should adopt sensitivity while engaging two giants', as she does not 'have alternative to maintaining harmonious relations with these two neighbours due to its strategic location' (Ibid). Along with the maintenance of the harmonious relation with the two neighbours, Nepal, I do not think, can ignore the global powers, such as the USA and UK.

Very few people would disagree with the said recommendations, but how they can be achieved or what policy frame the government has to adopt to make the best use of Nepal's geostrategic situation for the protection of national interest and betterment of the people of the people need to be considered. In this regard, many suggestions could be forwarded. But I think, the notion of Zone of Peace propounded by King Birendra could be examined and be adopted by the country. In the context of Nepal and India agreeing to review and abrogate the 1950 treaty and replace it with a new treaty and growing Chinese interest in Nepal, time has become opportune for the country to adopt the zone of peace as the foreign policy framework for Nepal.

Although the idea had been mooted and put forth by King Birendra in 1973 during his address to the Nepal Council of World Affairs and the 1973 Non-aligned Summit in Algiers, he made a formal announcement of Zone of Peace (ZoP) proposal on February 25, 1975 'in a farewell address to the foreign dignitaries who had assembled in Kathmandu to attend his coronation ceremony. Elaborating the significance of the proposal the King had declared:

We adhere to the policy of non-alignment because we believe that brightens the prospects of peace. We need peace for our security, we need peace for our independence, and we need peace for development. As a matter of fact, Nepal in the past had signed formal peace and friendship treaties with both of friendly neighbours. And if today, peace is an overriding concern with us, it is only because our people genuinely desire peace in our country, in our region and everywhere in the world. It is with this earnest desire to institutionalise peace that I stand to make proposition - a proposition that my country, Nepal, be declared Zone of Peace

We believe that under a condition of peace we will be able to create a politically stable Nepal with a sound economy which will in no way be detrimental to any country. I also wish to declare that in making a proposition for the zone of peace we are not prompted out of fear or threat from any country or quarter. As heirs to a country that has always lived in independence, we wish to see that our freedom and independence shall not be thwarted by the changing flux of time when understanding is replaced by misunderstanding, when conciliation is replaced by belligerency and war. It is with such a perspective view of the future that with the help of friends, we seek peace (The Rising Nepal, February 26, 1975 and The Nepal Council of World Affairs, 1975).

Taking into account the geostrategic situation of the country and competing nature of the two neighbours, the Zone of Peace (ZoP) proposal, in my opinion, provides an appropriate framework for Nepal to pursue it as a policy guideline for managing and conducting its foreign and diplomatic relations. But, despite the fact that the proposal provided a good policy framework, the notion of ZOP is considered to have been announced by King Birendra at a wrong time and at a wrong place. India took it as an offense and thought it was directed towards her. Furthermore, it got annoyed because King Birendra made the announcement in the presence of its Vice President. Furthermore, it thought that Nepal wanted to get out of the provisions of the 1950 Treaty of Peace and Friendship. India, when approached to support the proposal, continued to give an evasive reply like it was under consideration in New Delhi.

Unless the two neighbouring countries do accept such proposal or adopted through international conferences/conventions such as 1815 Congress that declared Switzerland's neutrality (http://www.history.com/news/ask-history/why-is-switzerland-a-neutral-

country), and Austrian State Treaty, 1955 signed by Soviet Union, Great Britain, the United States, and France (https://2001-2009.state.gov/r/pa/ho/time/lw/107185.htm), there is no possibility of Nepal being accepted as a Zone of Peace (ZoP). Because of these reasons, King Birenda's desire for Nepal to be declared as the ZoP could not materialize despite the fact that as of mid-1991 more than 110 nations had endorsed Nepal's ZoP (http://countrystudies.us/nepal/64.htm). The post 1990 governments, i.e. governments that came into power after the restoration of the multiparty parliamentary form of government and promulgation of the Constitution of the Kingdom of Nepal 1990, completely abandoned King Birendra's proposal. It was ambiguously included in the Directive Principles and the Policies of the State of the 1990 constitution, which stated that

'the State shall pursue a policy of making continuous efforts to institutionalize peace for Nepal through international recognition, by promoting cooperative and good relations in the economic, social, and other spheres on the basis of equality with neighbouring and all other countries of the world' (Article 26:16).

The situation in 2018 is completely different from the 1990's or 2000, because India has agreed, as already indicated, to sit down with Nepal to discuss its demand for review, revise or abrogate the 1950 treaty. An Eminent Persons' Group (EPG) comprising four persons from each country is working on this matter, as of March/April 2018. Likewise. China is also heavily engaged in Nepal, whose interest in Nepal could not be challenged by India in whatever way it may try to keep Nepal under its sphere of influence. Likewise, the western world, especially the EU, the USA and Nepal's traditional partner the UK are also, in one way or the other, engaged in the affairs of Nepal. In this context, in order to safeguard its national interest, ensure peace and stability, and capitalize its geostrategic situation, it would be desirable for the Government of Nepal (GoN) to reconsider the usefulness of the ZoP propounded by late King Birendra. It should also work out a position on this notion, get it discussed with the stakeholders-both national (parliament and others) and international, especially the aforementioned countries and the UN, revise it on the basis of discussions and finalise it. Upon its finalization, it should be adopted by the parliament as a national policy adopted by the people through their representatives. Finally, it should be submitted to the UN and the said countries for getting an international convention/conference held to discuss its contents and adopt and declare Nepal as a Zone of Peace. Once such a resolution is adopted by the international convention, it should, then, be ratified as per the international practice and by the concerned countries, for its implementation. With the adoption of such a resolution, Nepal would, then, be able to concentrate on its attention to bring about improvement in the living standard of its people and contribute to the peace at the regional and global levels in a much more effective manner, but for taking the country into such a course, what is needed for Nepal, is a dynamic and visionary leader, like King Prithivi Narayan Shah.

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Nepal's Foreign Policy Challenges and Opportunities in the Changed Context

Dr. Rajendra B. Shrestha*

The New Constitution of Nepal (2015) has outlined the directive principles, policies and obligations of the State regarding its foreign policy.

In the past few decades, the environment for international relations between nations has changed significantly at regional and global levels. There has been a shift from one of geo-political security and stability concerns to more of economic and social security concerns. Realization of economic inter-dependence between nations; and relations based on mutually beneficial win—win situation are becoming the new norm that is more sustainable.

Given the current state of affairs, there is an urgent need to review Nepal's current policies and relations vis-à-vis its neighbors. Recent border blockade, unrest in Madhesh, widening gap between different sections of the society, excessive external interference in internal affairs, are largely the consequences of our weak foreign policy and ineffective diplomacy.

Nepali leaders have a tendency to become ultra nationalist when they are out of power, but their position changes as soon as they are back in the government. Most often they are guided by vested self-interest and motive to climb and cling to power and personal gains. These are among the main reasons why Nepal is subjected to undue external pressures, harassments and humiliations from time to time.

Lack of consensus on issues of national interest among the political leaders has remained an obstacle in defining our policy priorities. Partition Partisan politics and conflicting interests of the leaderships in response to international and regional issues have tarnished national image. As a result, Nepal does not seem to have an effective foreign policy that is coherent, up-to-date, comprehensive, pragmatic and flexible enough to protect national interest.

Foreign policies, well-grounded on domestic policies and priorities, have proven to be more successful and sustainable in the world, whether a country is big or small. Our closest neighbors, India and China have successfully demonstrated this and have

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become one of the largest and fastest growing economies of the world. Nepal can learn a lot from these glaring examples and redesign its foreign policy (FP). There exists a very favorable political and economic environment. Nepal is well placed to benefit from such opportunities.

Focusing on economic development rather than conventional diplomacy has become more urgent. Application of tact, negotiation skills, and intelligence in promoting development, trade and investment constitute an integral part of economic diplomacy. Attracting foreign direct investment from China, India and others along with transfer of new technologies, skills and managerial expertise in areas of comparative and competitive advantages i.e. hydropower, infrastructure, agro-forestry based industries, and tourism (religious and adventure) can boost our economy. However, effectiveness of economic diplomacy hinges on several factors.

The High level Task Force formed at the Ministry of Foreign Affairs has suggested into different aspects of Nepal's New Foreign Policy including political, economic, security and institutional issues that needs to be addressed by Nepal in the changed global context.

The progress made by our neighbors provides good examples to learn from. Since the Modi government came to power in May 2014, New Delhi has reoriented its foreign policy to boost bilateral ties with Nepal. Another reason for the Modi government to engage Kathmandu at the highest political level is China's increasing investment in infrastructure, energy and other sectors of Nepal as well as a consensus among Indian strategists and experts that Pakistan already enjoys goodwill with some sections of the Nepalese.

With recent political and economic developments of Nepal vis-a-vis its neighbors and India's neighborhood first policy, it is timely to review our bilateral relations with India from a new but realistic perspective. The formation of a mutually agreed eminent person group to review the 1950 peace treaty and others should provide practical guidelines for new economic and security cooperation between the two countries in a win-win situation that will ensure mutual respect for sovereignty, interdependence and shared prosperity. It is high time our bilateral relations focus more on economic and development cooperation rather than the conventional political and security concerns.

Nepali electorate has decided they want an end to political instability that has impeded development as a result of no one party winning a majority to form a stable government for the full term in the past. The new election results clearly indicate a comfortable majority for the coalition of left alliance, at the national, provincial and local elections.

The election results clearly prove that Nepali electorate favored left alliance this time and gave mandate to govern for the next five years. Now the onus is on the alliance to unite together as soon as possible and form the united party which will govern to deliver progress and prosperity to the people as promised in their election manifesto.

The challenge is to come up with good and lasting understanding on political, policy and organizational aspects that will ensure stability and equitable distribution of responsibilities. The process of unification should be expedited as soon as possible. Initially the UML seems to be more of a main stream party to lead a united party based on social democratic values and practices. The uniting parties cannot be swayed by efforts to divide (from within or outside forces if any),

National interest and democracy can, and must go hand in hand. It is very possible if right policies, practices, and institutions of governance are in place and people are integral part.

Nepali electorate is politically mature and understands the realities of the present day world. I believe, the Nepali electorate is far more aware, knowledgeable and capable of making the right decision (more than political leaders may think and take them for granted) as indicated by the local and national election results.

Loud and clear messages are coming from the electorate across the nation. The Nepali people, are not going to buy false promises enshrined in the political manifestoes which has hitherto never been delivered. Candidates are better off and will succeed if they promise and fulfill programs that are doable and are close to the hearts of the people.

Against this back drop, the gesture of all-out cooperation between our two countries shown by PM Modi is very commendable and encouraging. FM Sushma Swaraj's good will visit as special envoy of PM Modi to convey the message to all the political parties (national level), I believe is the first step towards correcting the course in improving our bilateral relations to a greater height.

However the events unfolded during the visit have drawn some apprehensions from different quarters regarding international practice of protocol, code of conduct as well as the timing that our political leaders and the government should be aware. Bending forward/backward too much unnecessarily does not sustain bi-lateral relations. After all leaders are made by the people not friends alone, what matters is the electoral support that everyone has to respect.

Nepal will begin a path to prosperity and earn respect and dignity from our friendly partners especially our southern and northern neighbors if the leaders realize and adhere to these values. Nepal needs to capitalize on this new opportunity and be prepared to benefit from cooperation in development programs of mutual interests that will lead to economic development and prosperity. Same applies to our northern neighbor.

Political Stability and Effective Diplomacy for Economic Development

Dr. Som P. Pudasaini*

Protracted political transition and sluggish economic growth have been the hallmark of politico-economic landscape of Nepal for almost three decades since the democratic movement of 1990 and the decade long Maoist revolt following the movement. While 30 years of Panchayat regime prior to 1990 provided semblance of political stability it failed to meet people's desire for better quality of life and larger political freedom. While myriads of domestic factors are responsible for the predicament, bad governance, ineffective diplomacy and interferences by foreign powers, particularly from our close neighbors, is considered to be among the key factors responsible for political instability in the country. A Nobel Prize winning economist says "at whatever stage of political and economic development a country 's government makes a difference. Weak governments and too-intrusive governments have both hurt stability and growth" (Stiglitz, 2003).

Until few years ago, China had followed a hands-off policy on internal political issues of Nepal. But much of interference by the Indian establishment was based on its perceived security threat and sphere of influence being up to the Himalayas and has been well documented by scholars, journalists and politicians. However, as the global aspirations of China rose, it also started to influence Nepali politics, particularly after the 2015 Indian blockade (Pudasaini, Feb 2018, MAN)".

This article aims to briefly discuss the latest political development following the adoption of a new constitution of a federal democratic Nepal and diplomatic reality confronting it, particularly from close neighbors India and China, to draw conclusion on whether Nepal is likely to achieve political stability to ensure rapid economic development long desired by the people of the country.

Political Stability

With the completion of the first ever election of the Federal Democratic Republic of Nepal under the new constitution adopted by elected constituent assembly in 2015 and the victory of an alliance of leftist political parties- the United Marxists Leninist (UML) and the Maoist Center (MC)- with absolute majority in the national parliament, Nepal

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has moved into an interesting and critical phase of moving away from long political transition to the possibility of a much desired political stability and rapid economic growth with sovereignty, ethnic harmony and national unity uncompromised. K. P. Sharma Oli, a former Prime Minister and current President of UML, was appointed as the new prime minister on 15 February 2018 by the President of Nepal. Election of new president and vice president also already completed. All the seven provinces have already elected their chief ministers, six being that of the left alliance and one of the Madheshi parties. Given the new government with absolute majority in national parliament and provinces, it is hoped that Nepal will finally gain political stability, minimize internal political horse-trading, prevent undue external interferences leading to rapid economic growth, poverty elimination, youth employment, inclusive development, better health and education that strengths national unity.

The CPN-UML and MC have penned the seven-point "left unity" deal for formal merger on 19 Feb 2018 since reaching an understanding on merger in October 2017 and fighting December elections on joint manifesto as a left alliance. According to the deal, the new party would be called the Communist Party of Nepal (CPN) with Marxist-Leninist ideology as its guiding principle to "lay the ground for socialism through economic and social transformation and strengthening national interests, democracy and social justice while safeguarding the achievements made so far." The first joint general convention of the two parties to be held in about two years will thrash out the exact political line of the new party by thorough discussion of "the people's multiparty democracy" followed by UML and "Maoism" adopted by MC so far. In terms of power sharing, UML will get President and Deputy Speaker of the Federal Parliament and MC will obtain the post of Vice- President and Speaker. The post of new party President and the Prime Minister is likely to be rotated between UML President Oli and MC Chairman Pushpa Kamal Dahal "Prachanda" as a part of their gentlemanly agreement even though the "deal agreed" is silent on the matter.

However, there are a number of challenges confronting a smooth implementation of the merger agreement. First, the new name chosen, CPN, has already been assigned to another political party by the Nepali Election Commission and the alliance will have to find a solution to the naming problem. Second, a significant number of the second or third-rung leaders of the two parties, particularly of that of MC, will not get important party or government position due to the merger or disagree with the ideology of the merged party and are likely to rebel. For example, three of the important second-rung MC stalwarts -Gopal Kirati, Lokendra Bista Magar and Ahuti – have already announced severing their relations with the MC in the aftermath of the merger deal. Also, a possibility of other hardliner factions led by Netra Bikram Chand "Biplav" and Mohan Baidya are taking to coming together to challenge the MC merger as they were together during the Maoist rebellion and believe that they have been deceived by "Prachanda" with the merger.

Clearly, two factors may decide whether political stability will prevail in Nepal in the years to come. First, a crucial element to Nepal's political stability and rapid economic development lies on the new left alliance government's honesty and capacity to stay in power for five years, implement promised development effectively and its ability to pragmatically work with opposition Nepali Congress and Madhesi parties. Second, it will also depend on whether the merger of UML and MC will take place in two years and the new party will be able to work effectively for the five years or splinter into factions or more left parties sooner. Third, its ability to pursue realistically balanced relations with both India and China; including in matters related to trade, investment, geo-politics and BRI; is as crucial (Pudasaini, 2018).

One of the most critical aspects of balancing relations between China and India is to have a pragmatic and consensus based national foreign policy agreed by major political parties through the new parliament. In the absence of consensus based foreign policy the political leaders, political parties and governments changing every nine to twelve months for so long have either invited external interferences to suit their personal or party interests or meekly accepted undue interferences rather than pursing it pragmatically and fearlessly in the national interest.

Effective Diplomacy

Nepal has achieved a lot in the field of international relations since the removal of the 104 years old Rana regime in 1950, including UN membership and diplomatic relations with myriads of nations. However, our political leaders have not been able to prevent or handle undue external interferences, particularly from our neighbors. This, among many other domestic factors, has been believed to be a crucial cause for political instability and sluggish development for a long time. Additionally, Nepal has now adopted a federal system of governance with seven provinces and over 700 local units. While foreign affairs remain the forte of the central government, it will also have to develop modality and code of conduct for provincial and local governments on how to deal with diplomats and donors. There have already been reports that provincial chief ministers and officials are interacting with ambassadors without the knowledge or concurrence of the Ministry of Foreign Affairs (MOFA) and making statements of potential collaboration with the diplomats in less than a month of their swearing in as provincial chiefs.

There has been complains for a long time that our current political leaders, including present and former Prime Ministers, meet foreign heads of government and senior leaders without any participation of the representative or permission of MOFA while the foreigners do so. Consequently, there are no records on what went on during the meetings and what commitments were made on Nepali institutional memory while the foreigners maintain the records for future leaders to look at to ensure effective diplomacy in years to come. There are well established and practiced norms on diplomatic conduct globally and the MOFA has developed code of conduct in consultation with experts but has largely been ignored by most political leaders. Also, a minimum political consensus

based foreign policy is still is not approved and practiced by political leaders to ensure that a harmonious and consistent dealing takes place with foreign leaders and countries no matter whoever comes to power in Nepal regardless of their political leaning-communists, democrats or royalists- and personal preferences.

Consequently, it is important and urgent that the new left alliance government under Oli with a clear majority must approve a minimum consensus based foreign policy from the parliament and ensure that a diplomatic code of conduct is followed by all leaders and officials at the central, provincial and local levels during their interactions with foreign leaders, diplomats and donors within and outside Nepal if effective diplomacy is to take place and sustain in the future. Concerning the contemporary diplomacy at the highest level, let us review the key events that have taken place and some of the thoughts expressed by relevant political setups and experts recently, particularly after the December 2017 national and provincial elections and the formation of new government under Oli's premiership.

The Indian External Affairs Minister Sushma Swaraj visited Kathmandu on 1-2 February 2018 and first met with the Prime Minister in waiting Oli followed by a meeting with senior UML Leaders. Neither the MOFA's was consulted while inviting Swaraj nor engaged in the discussion. "The visit is in keeping with the tradition of regular high-level political exchanges between India and Nepal, and reflects the expanding bilateral partnership and the importance that the two countries attach to further strengthening it across diverse sectors," a release from the Ministry of External Affairs said on Monday 29 Jan 2018.

Dixit says "while there are of course numerous domestic factors, a key reason for political instability in Nepal has been India's overt and covert intercessions". "India is understandably apprehensive as the Chinese geo-economic juggernaut infiltrates the sub-continental countries, including Nepal. Rather than imperious warnings against consorting with Beijing, however, better to leave each society to develop its own method on dealing with China" Dixit adds.

The "blockade" of the Indo-Nepal border from September 2015 to February 2016 that caused tremendous hardship was a turning point in Nepal and China relationships. Nepal and China sealed ten agreements and Memorandums of Understanding in the presence of Prime Minister KP Sharma Oli and the Chinese Premier Li Keqiang in Beijing on 22 of March 2016 that included use of China's sea port facility, transit and economic cooperation to ensure an alternative to Indian supply route. Additionally, Nepal and China also inked an agreement on the Chinese megaproject, the Belt and Road Initiative (BRI), in late 2017.

A lot of work is yet to be done to operationalize the BRI and the March agreements. Among others, one big obstacle in developing cost-effective and convenient trade with China is a lack of railway link to Nepal's border point for ferrying goods through Tibet to Nepal in cost and time effective manner. In the context, China's railway service from

Shigatse in Tibet expected to reach border town of Kyirong by 2020 is likely to be linked to Rasuwagadi in Nepal; around 26 km away from Kyirong. If Nepal comes up with socio-economically beneficial priority infrastructures- rail, road, hydro-power and airport- for BRI investment, it can be beneficial to Nepal even though the BRI is a debt funding initiative.

India is opposed to BRI, largely due to its sovereignty concerns over the China-Pakistan Economic Corridor (CPEC) and its belief that BRI has developed solely on the Chinese initiatives. With the help of Japan, India has initiated the Asia-Africa Growth Corridor (AAGC) with the aim of curtailing the impact of BRI and the fast expanding Chinese influence in Asia and Africa. Also, a number of countries in EU and USA are rather uncomfortable with BRI. Talks are also underway among US, Japan, Australia and India about establishing an alternative joint regional infrastructure scheme to counter China's growing influence. The "Free and Open Indo-Pacific Strategy 2017", planned to be funded under Japanese ODA and endorsed by Washington, is also taken as a counter to BRI.

Ranade argues while the incorporation of the BRI into the Chinese Communist Party (CCP) Constitution during the 19th congress and likely inclusion into the country's constitution in March 2018 will assure it of "party and State backing", but the French President Emmanuel Macron and British Prime Minister Theresa May "avoided endorsing the BRI" during their recent visit to China. Regardless, the inclusion of "Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era" – into the Chinese constitution in March and possibility of Xi staying in President's post beyond his ten year term that ends in 2023 makes him a vital leader that Nepal must build good rapport for Nepal's political stability and prosperity. Xinhua reported on 25 February that the Communist party of China central committee proposed to remove mandatory two terms limit for the president and vice-president of the from China's constitution, the Global Times editorial stressed "The change doesn't mean that the Chinese president will have a lifelong tenure." Phillips termed it as "power grab towards tyranny and is questioned by many.

China is consistently pursuing to strengthen its relations with Nepal on matters of trade, economy, security and geo-politics as it is doing with many other South Asian nations. In a sequence of high level visits of leaders of Nepal and China to each other's countries, a 6 member delegation led by Vice-Minister of International Department of the Chinese Communist Party's Central Committee Guo Yezhou came to Nepal and met Prime Minister Oli on 19 February 2018 followed by a meeting with Prachanda. It was the highest level Chinese visit after the elections and visit by Indian Foreign Minister Swaraj. As it also happened on the occasion of the left alliance's signing of 7-pont merger agreement, it has been seen with keen interest by all concerned as the Chinese have been allegedly key players quietly supporting the merger and the left alliance partners for some time now. They also met former PM and Nepali Congress (NC) President Sher Bahadur Deuba, who had tried to form a democratic alliance

allegedly under Indian support. Guo stressed China's desire to strengthen relations with NC, which he reportedly reminded Deuba, has been good since B P Koirala's tenure as Premier and NC President in the late 1950's.

The Chinese President Xi Jinping's much delayed state visit to Nepal is also believed to be in the making in 2018 provided Oli government prepares proper ground for the visit, including some concrete move towards implementation of the agreements of the March 2016 and BRI related deals. As Oli, Prachanda and myriads of senior leaders from the left alliance have been stressing that they will fulfill their commitments towards the agreements and will pursue "pro-Nepal" foreign affairs maintaining balanced relations with China and India one hopes to see enhancement in the effectiveness of our diplomacy leading to better political stability and faster economic development. However, we will have to wait with our finger crossed whether the hopes will turn into reality or not given the practices of our leaders in the past, internal political dynamics and complex geopolitics in the South Asia region and beyond.

On the Indo-Nepal diplomatic front, the Eminent Persons Group (EPG) on Nepal-India Relations exchanged the first drafts of each other's report during their seventh meeting that opened in Kathmandu on Saturday 24 February. The next meeting in Delhi is likely to produce one joint report that will be submitted to both governments before the group's term expires in July. The joint report is likely to outline broad range of issues like the 1950 Treaty, trade, commerce, transit, water resources, and areas of cooperation, economic assistance and socio-cultural relations to reset Nepal-India ties in the changed context. During a press conference on Sunday 25 February, the Indian Co-coordinator of EPG Bhagat Singh Koshiyari said he was "confident no side would be disappointed" with the final report as various issues, including the 1950 treaty, trade, environment and hydropower, were covered and "More clarity would be added to the existing treaties between the two countries". The EPG Nepal Co-coordinator Bhekh Bahadur Thapa said the issues from the 1950 treaty to the current border-related concerns were addressed and a positive report on this would come out within a few months.

It is speculated by reliable sources that the EPG has agreed to recommend replacing the peace and friendship treaty of 1950. In the new treaty, it is likely to be proposed that Nepal will only "inform" the Indian side about purchasing arms from a third country but not to take Indian consent as required under the 1950 Treaty and the subsequent letter of exchange. The requirement of equal treatment of the citizens of one another country may not be part of the new treaty in light of changed socio-economic realities and much bigger Indian population and economy. But it will be dealt under Nepal's laws or by mutual agreement between the two countries. Concerning open boarder, the number of border points will be fixed for free movement of people and trade but compulsory ID will have to be used to identify people crossing each other's border and their record will be kept by the countries. On transit, Nepal's right to the unhindered access to sea port through India as a landlocked nation will be provisioned under the new treaty.

However, how the status of 1950's treaty and its many provisions contested by Nepal will be handled by the EPG in its final report and how the two governments will resolve the contentious issues based on the report submitted is curiously and suspiciously watched by all the concerned in Nepal. Nevertheless, it is important to note that Indian Prime Minister Narendra Modi is currently a strong leader and is likely to emerge victorious in the forthcoming Indian elections in 2019 for another 5 years term and is, thus, vital for Nepal to maintain close relations with him and his Bharatiya Janata Party with clear "pro-Nepal" stand that also respects India's genuine security and economic interests.

Concluding Remarks

A lack of political party with clear majority in the parliament and need to form a coalition government with the support of a number of smaller parties have resulted in a situation whereby most governments in the past decade have lasted only 9-12 months characterized by political horse trading, corruption, nepotism and bad governance with no clear direction and poor development records. With the new left alliance government with a clear majority in the parliament under the new constitution now in place it is hoped to deliver political stability, pursue effective diplomacy and expedite economic growth to deliver better health, education, shelter, employment and living standard to all people regardless of ethnicity, gender, geographic region or religion. However, a wide and deep skepticism prevails in the country on whether even the new government will rise above political factionalism, nepotism, massive corruption, politico-business-criminal nexus and pragmatically deal with our powerful neighbors- China and India- as well as other friendly nations to deliver inclusive economic wellbeing to all (Pudasaini, 2018).

Four important factors have shaped the core of the politico-diplomatic quandary so far. "The first was the 2015 Indian economic blockade that pushed Nepal to seek an alternative supply source and transit point from China, particularly for petroleum products and essential supplies. The second is the Belt and Road Initiative (BRI) undertaken by China. Nepal agreed to be a part of the BRI in order to draw increased investment from China, particularly for infrastructure development. The third factor has to do with China's rise as the second most important global economic, military and political power, and its aim to expand its influence in South Asia. India and its allies have protested against China's effort to expand its influence in the region. The fourth factor concerns the adoption of a new constitution and effective institutionalization of a federal democratic republic with necessary adjustments (Pudasaini, 31 Jan 2018)".

"The new left alliance government's ability to stay in power for five years, honest implementation of promised development and its capacity to pragmatically work with the opposition, the Nepali Congress and the Madhesi parties, will determine the future politico-diplomatic course. Its ability to pursue realistically balanced relations with both India and China, including in matters related to trade, investment, geo-politics and the BRI, is crucial (Pudasaini, 31 January 2018)". A great anxiety prevails in the national

psyche whether our leaders, whether of left or right or socialistic orientation, that have failed for so long will be willing and able to rise to the occasion to deliver political stability and pursue effective diplomacy to ensure rapid economic development.

So far, Oli seems to be preparing proper ground for balancing Nepal's relations with India and China in this initial period of his Prime Ministership with due communication with the Chinese and Indian establishments, including at the high political leadership levels. "However, how the Indo-china geopolitics and Nepal's internal political dynamics will shape in the months to come is still murky. Also, whether Oli and the left alliance will remain firm with both the neighbors in the best interest of our country or compromise easily as usual for personal or party interests remains a matter of anxiety in the context of wished for political stability and pace of economic development (Pudasaini, 30 Jan 2018)".

On the Indo-Nepal diplomatic front, the Eminent Persons Group (EPG) on Nepal-India Relations is expected to finalize its report during its 8th meeting in New Delhi soon covering a broad gamut of economic, cultural, security, open border, trade and transit issues, including 1950s treaty. Hopefully, it will be able to present a pragmatic and "win win" report that will be acceptable to both India and Nepal to enhance the age-old relations to the new height keeping with the changed realities of 21st century. Nepal will also have to continue to enhance its relations with China in the best interest of Nepal keeping in view a broad gamut of socio-economic, geo-political and need for an alternative transit route in the face of the 2015 Indian blockade, the March 2016 and BRI agreements with China. Developing a minimum consensus based foreign affairs policy, balanced and pragmatic diplomatic interaction with India and China and proper use of diplomatic code of conduct by relevant leaders in the center, provinces and local levels in dealing with foreign leaders, diplomats and donors during their interactions within and outside the country is at the heart of an effective diplomacy conducive to political stability and rapid economic progress.

To conclude, let me leave you with two thoughts of distinguished political philosophers well recognized around the globe for a long time. First, Machiavelli has stressed that "There is nothing more difficult to plan, more doubtful of success, more dangerous to manage than the creation of a new system". Second, it is no less important to remember Edmund Burke's observation that "All that is necessary for evil to succeed is for good people to do nothing."

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Science Diplomacy for the Prosperity of Nepal

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Background

Nepal belongs to a least developed country (LDC) with characteristics slow economic growth and low level of human development. The country has set the goal of graduating from LDC status to developing country by 2022 and Middle Income Country Status by 2030. Nepal has adopted a new Constitution that protects the democratic and fundamental rights of its people. The country has been now emphasizing for the empowerment of the people and ensuring higher, sustainable and equitable growth. Despite of the long political instability and in the absence of elected representatives at local levels for longer time, the progress made on achieving the Millennium Development Goals (MDGs) is reasonable. National Planning Commission is making its effort to prepare a long term development vision document 2030. This will be the guiding document for achieving high, inclusive, and sustainable economic growth and development that upholds social justice and equity. This proposed vision document 2030 will be made compatible to achieve Sustainable Development Goals (SDGs, 2016-2030) set to end poverty, maintain sustainability and ensure prosperity for all part of a new sustainable development agenda with 17 goals and 169 targets.

National Planning Commission has also prepared three years fourteen plan (FY 2073/74-2075/76) and has set goal for building a prosperous Nepal moving ahead towards building a national economy that is self-reliant, prosperous, and to achieve the sustainable development goals by 2030. It has prioritized five major strategies to achieve the goals.

The fifth strategy: maximum use of science and technology is applicable to all the remaining four strategies for the development of agriculture, tourism, small and medium industries, physical and social infrastructures as well as economic development of the country.

The current situation, the problems and challenges identified in the STI sectors of Nepal are: Absence of STI policy (only existing is Science and Technology Policy, which also needs to be revised in the changed context), insufficient budget (nearly 0.4% of GDP falls under STI sector) for STI sector, Science and Technology Ministry as a less prioritized ministry among the choices for the cabinet ministers, lack of sufficient human resources

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and problem of brain drain, missing link between University or Research Institute and Industry, only few public private partnership in STI sectors, Less awareness level of Science and Technology (S&T) value, less acquisition of Intellectual Property Right by scientists, researchers and innovators. In addition to these problems and challenges, in one hand, there are no significant visible outputs from the concerned scientific and research institutions of the country to the society while in other hand scientists and researchers are not satisfied with their existing facilities.

The development of Science, Technology and Innovation (STI) measures the prosperity of any country. To achieve the maximum use of STI and its development is must and the utilization of Science Diplomacy for the developing country like Nepal is highly worthful and meaningful.

Science Diplomacy and Prosperity of Nepal

Science Diplomacy is developing relationship among the nations with the use of Science, Technology and Innovation (STI) through collaborative research, development and innovation, academic partnership and scientific & technological exchanges. According to the Wikipedia, Science Diplomacy is the use of scientific collaboration among nations to address common problems and to build constructive international partnership.

Royal society and American Association for the Advancement of Science noted that "science diplomacy" refers to three main types of activities:

- "Science in diplomacy": Science can provide advice to inform and support foreign policy objectives.
- "Diplomacy for Science": Diplomacy can facilitate international scientific cooperation.
- "Science for diplomacy": Scientific cooperation can improve international relation.

Science diplomacy can work beyond the boarders and ideologies. It makes cooperation possible with international language and allows the diplomats to defuse political unpleasant situation. Science and Technology Diplomacy have been found as integral part of foreign policy in some of the developed countries. For example; in USA, E. William Colglazier was U.S. Science and Technology Advisor to the Secretary of State, Hillary Clinton. He assisted the Department of State. The goals of his appointment were to strengthen the S&T knowledge in the department, anticipate S&T issues that can affect foreign policy, advocate for science-informed decisions in all countries, and support global S&T engagement that serves U.S. interests.

Foreign policy has included science and technology diplomacy in Japan to promote national and world wide interest. Japan is placing emphasis on effective promotion of "Science and Technology diplomacy" through the activities of the Science and Technology Advisor to the Minister of Foreign Affairs. Prof. Teruo Kishi was appointed as Science and Technology Advisor to the Minister for the Foreign Affairs by Foreign Minister Kishida in September 2015. The job of the Science and Technology Advisor

was to provide advices on the utilization of Science and Technology in planning and coordination of various foreign policies to Minister & relevant divisions and support in the activities of the Foreign Minister from the perspective of Science and Technology.

Science and technology is the fundamental element for the peace and prosperity of any nation by supporting the socio-economic development and has remarkable role in the security. Scientific cooperation are essential to resolving and improving food security, water treatment and air purification, health and hygiene, energy etc and can even serve as a communication channel when diplomatic relations are stagnant. For example: John F. Kennedy made a science and technology cooperation agreement with Japan in 1961 to heal the "broken dialogue" between two countries' intellectual communities after World War II.

In a national high level workshop organized by National Planning Commission (NPC), following five sectors has been prioritized for the prosperity of Nepal: 1. Agriculture Development, 2. Water Resource Development (including Hydropower development), 3. Infrastructure Development, 4. Tourism Development and 5. Urban Development. Those mentioned sectors have huge potentiality for utilizing STI if we can develop this sector properly. Therefore Science Diplomacy is important for harnessing prosperity for:

- 1. Resolving the most difficult challenges of globalization, such as climate change, natural disasters, nuclear proliferation and cyber security etc.
- 2. Building and expanding scientific knowledge and innovative technology.
- 3. Achieving Sustainable Development Goals (SDGs 2016-2030).
- 4. Promoting collaboration and harmony in international level through STI.
- 5. Exploring best partners in the world for the cooperation in R&D&I (Research Development and Innovation) and in major research infrastructure programs.
- 6. Linking and facilitating the communication between scientists and policy makers around the world.
- 7. Executing the development projects with international grants and aid with innovative ideas and latest technologies.

To harness the strength of science and technology, it is important to adopt approach of utilizing scientific knowledge and data in the formulation of foreign policies. Because of this, proper use of our resources is possible with STI through the support acquired from foreign countries with research collaboration, capacity development, infrastructure development and knowledge & technological transfer. For example: Nepal Academy of Science and Technology (NAST), apex body for the promotion of Science and Technology in Nepal has proposed to establish appropriate research centers each at every province but due to financial problems, only one office of research center at Province no. 7 has been able to establish yet. NAST is seeking the international cooperation for the technical and financial support to work in collaboration at different provinces. If we can utilize science diplomacy properly, establishment of research centers is not a big matter and by establishing research centers can explore the ways to utilize the resources available in the different provinces for the benefits of the society and bringing prosperity in the country. Similarly, NPC has proposed to establish science

villages and cities in the different part of the country. For example: in the proximity of many research and science related organizations within or nearby Tribhuvan University at Kritipur Municipality, it is proposed to develop Science City integrating as many as research and science related activities. Due to financial lacking, it has not yet started. The realization of this project will not be far if science diplomacy be utilized properly.

Conclusion

To resolve many of the global and national issues such as environmental issues, infectious diseases, natural disaster matters and prosperity agenda, knowledge of science and technology is must. Science and Technology is the borderless field which plays important role in promoting trust among nations. The promotion of Science diplomacy can also be done through the use of science and technology in diplomatic areas as well as developing public relations and networking overseas.

Science, Technology and Innovation have become a resource for diplomacy in this globalized world. Science being the universal language has power to cross boarders and communicate with different people, communities and societies. Science diplomacy is therefore a influential tool to achieve not only better international relation but also useful to bring peace and prosperity. In this context, science diplomacy needs to be included in the foreign policy of Nepal. By establishing effective institutional framework to link science and foreign policy, science diplomacy has to be utilized. S&T and diplomacy were not often linked to each other and most of the diplomats did not often think about S&T as diplomatic tool. In this modern and globalized world, the time has come to use the science diplomacy for the socio-economic development of the country. Indeed, Nepal has bright prospects of using science diplomacy for the prosperity of the nation and contributing in building world more prosperous and peaceful. Therefore, it is advised to all the diplomats who are working in the country or who are going to other countries representing Nepal for playing role of science diplomacy to bring prosperity in the nation.

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Balanced Foreign Policy and National Development

Prabhu Ray Yadav*

As an immediate neighbor to India and China, Nepal always remains careful in maintaining a balanced relationship with them. Nepal has had a unique identity because of its geographic location. Prime Minister K. P. Sharma Oli's recent state visit to India has begun a new trend of economic, social and political relationship between Nepal and India. It is desirable for us to promote economic cooperation with our neighbors – India and China. Nepal can benefit by accelerating economic and socio - cultural relationship with them. Both nations are committed to eradicating poverty from this region. The historic friendship between Nepal and India, two friendly countries, should grow stronger in coming days for the mutual benefit of the people of these countries.

Nepal and India should also tackle security issue for a harmonious relationship, and both countries should take into consideration their respective sensitive issues for enhancing mutual trust. There is an abundant opportunity of promoting good relationship for the welfare of both nations by exploring possibilities on win —win basis. With mutual trust and respect for each other, India, China and Nepal could build an everlasting relation for the betterment of their people.

These three sovereign countries are trying their best to uplift the quality of their people in their own ways. Nepal should work hard for the preservation of national interest while dealing with neighboring countries. The ruling parties of our country should respect the core values of nation by upholding democratic rights and social justice. Nepal, China, and India should enhance people to people relations by widening contact and cultural exchanges. In Nepal, present political situation has become stable after the people's mandate during the recently held elections – Local, Provincial and Federal. Stable Nepal is in a position to expand and consolidate existing relations with friendly countries.

Nepal's newly promulgated constitution has enhanced the unity of Nepali people for social, political and economic prosperity. Preservation of sovereignty, independence and territorial integrity should be the priority of the new government. Social injustice like discrimination, income disparity should be removed. The government with two-

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third majority under K. P. Sharma Oli is in a position to provide good governance for fulfilling the aspirations of people. In this context, the government should create a corruption free society to materialize the goal of national prosperity.

As one of the founding members of Non-Alignment Movement, Nepal should preserve the policy of non-alignment while dealing with other countries. The recent political change in Nepal is viewed both at home and abroad as a great hope for the prosperity of the country. However, there are challenges for the K. P. Sharma Oli led government. The government of Nepal should take new measures to tackle national problems with great determination. It is for the government to face new challenges and threats for the overall welfare of the people without any pressure and interference from outside forces.

We should promote good relations with northern neighbor China to enhance national development. Friendly and harmonious relations with China would highly enrich Nepal's prosperity. The trilateral bond among the people of China-Nepal-India would be an asset not only for this region but also for the entire world. Such a bond of friendship would be appreciated in the field of social, cultural, educational and economic corridors of our country. Nepal should take the initiative to win the confidence of both our neighbors.

Several amendments to Nepal's constitution have been and are being made to bring positive change in the country. The 2015 constitution is the outcome of the will of people. The government of Nepal should fulfill the commitments made during the election time, so that it becomes possible for people to take ownership of the constitution.

Our neighboring countries' export has rapidly increased over the last decades, but Nepal's export has not increased. Our government should give priority to the following requisites: (1) economic infrastructure in transportation (2) strong policy for transparency and equality (3) country's productivity (4) international trade, and (5) improvement of bilateral relations.

Overall development is necessary for the national integrity of Nepal. We need to learn from the development of neighboring countries. Good foreign policy helps in building international relations. Development is the base for effective foreign policy. Nepal can also learn from the west such as the European Union and the United States. However, Nepal need not deal with other countries with an inferiority syndrome.

Nepal's trade deficit should be minimized. For Nepal, climate change issue is also equally important. We should pursue the policy of connectivity with as many countries as possible for our prosperity. The need of hour today demands easy access to education, health, transportation and communication. These fundamental elements are crucial for the development, enhancement and promotion of bilateral trade, tourism and people to people contacts.

Our political leaders should have a clear vision to take the nation forward economically by widening cooperation with our neighbors and other friendly countries. At the same time, the government should initiate economic measures to create job opportunities for our young people. A nation cannot be prosperous only by depending on other countries for remittance income through our migrant workers. We should, instead, seek assistance from other countries by inviting investment that can build infrastructure of our country. We should also take advantage from the massive economic growth of our two neighboring countries — China and India. Nepal should not lag behind in exploring the resources for development. We hope the new government will address these national issues seriously to lead the country in the direction of self-reliance to fulfill the basic needs of our people. So, strengthening good relationship with our neighboring countries and initiating the steps to build a moderately self-reliant country should go simultaneously. After all, it is our responsibility to build our own country. We cannot remain fully dependent on other countries, if we want to preserve our national integrity and people's self- esteem.

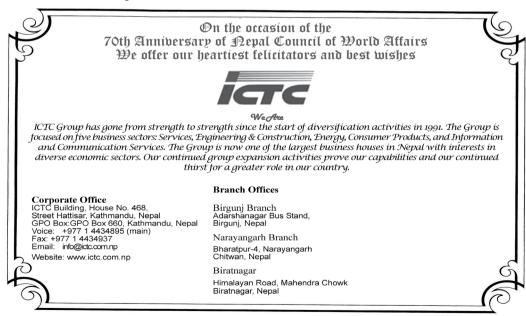
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Bilateral, Regional and International Issues

Water Diplomacy for Nepal's Prosperity

Ashim Thapa *

Background

For Nepal, a viable and reasonable policy to exploit water resources could go a long way in enriching the country's wealth at a time when several other countries are running short of water resources even for their domestic consumption. It is in this context that Prime Minister KP Sharma Oli's recent visit to India and an agreement with the Indian government to expand Nepal's water connection up to the ocean can become a land mark event for Nepal. During the agreement signing ceremony, Indian Prime Minister promised to help Nepal in its economic progress. The two Prime Ministers resolved to work together to take bilateral relations to a new height on the basis of equality, mutual trust, respect and benefit. The decision in regard to inland water bridge is considered a positive development. The cooperation is supposed to connect Nepal to the ocean. If this kind of cooperation materializes, Nepal would have direct access to sea. Nepal has appreciated the possible connectivity between Nepal's rivers and ocean.

Significance of Inland Waterway Cooperation

It is expected that the inland waterway cooperation will enhance Nepal's overall development. It will make trade and transportation less costly and less time consuming too. It will make imports and exports more competitive to global market. It is a good sign that both the prime ministers have given direction to the concerned officials to prepare the modality for such project.

Energy Minister Mr. Barsha Man Pun too has spoken about constructing dams at several points of rivers in Nepal. For the management of water flow and electricity production, Minister Pun's statement further reveals that India and Nepal are seriously working for the linkage between Sagarmatha (Everest) and the Sagar (Ocean).

Nepal India Waterways Cooperation

After India's Prime Minister's promise of giving more help to Nepal in regard to waterways, importance of Nepal's rivers has increased tremendously. It means in near future Nepal can see smooth water transportation in rivers like Koshi, Gandaki, and Karnali. If things go as planned, Nepal could be connected to the waterways of Bangladesh too. If ships can come to Varanasi from Haldiya then Nepal's Koshi River could be connected to the rivers flowing through Varanasi. India has been already

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working to develop the waterways between Kolkata, Varanasi, and Allahabad. So, there are several possibilities to create a bridge between rivers in Nepal and India.

It is to be noted that all landlocked countries have the right to have an access to ocean. This is what the 1965 treaty passed by international convention about the trade and transport of landlocked countries mentions. Nepal should make a strong policy for the development of water resources. Ganga River's importance has to be realized after the joint statement of Nepal's and India's prime ministers. Ganga and its tributaries are our sources for connecting Nepal, India and Bangladesh too. We hope that in new future. Ganga River would become an international river in South Asia. It is in the interest of Nepal India and Bangladesh to jointly work to develop the Ganga River.

Management of Waterways

Apart from the electricity production and waterways transport, management of rivers is equally important for the irrigation too. If Nepal and India develop a water resource policy on "win-win basis", both countries will benefit. Nepal needs to build several canals to irrigate, mostly in Terai region, and India too needs irrigation in its states like Bihar and Uttar Pradesh, bordering Nepal. So, leaders of both countries should develop high level of trust between them. Nepal and India should develop a mutual understanding for such a project with long term implication. If the understanding is utilized in letter and spirit for the sake of water resources development, much of the Nepal's land will have irrigation facilities.

However, India should show sincere commitment in the implementation of all agreements. India should not take any unilateral action or advantage in the use of water or the production of electricity from Nepal's rivers. Problem arises when there is a sense of loss and betrayal in the implementation of bilateral agreements.

Conclusion

We see no reason, why our two countries should not develop programme beneficial for both countries. If the two countries develop water diplomacy with farsightedness, both the countries will be in a position to solve many of their national problems. Prime Minister's India visit has raised hope for Nepal's overall development. It is equally appreciable that India is positive in extending a hand of help to Nepal in developing a water connection between Sagarmatha (Everest) and the Sagar (Ocean).

It is good that both countries have recognized the untapped potential of inland waterways to contribute towards overall economic development of the region. They should take cognizance of their geographies for the development of inland waterways in both countries. The landmark decision to develop the inland waterways for the movement of cargo, within the framework of trade and transit arrangements, provides additional access to sea for Nepal. This new initiative would enable cost effective and efficient movement of cargo. The respective officials of both countries should formulate and mutually agree upon the requisite procedures and modalities for including inland waterways as an additional means of transport between Nepal and India.

Nepal-US Relations: Seventy Years of Friendship and Cooperation

Prof. Dr. Mohan P. Lohani*

Introduction

It has been seventy years since the establishment of diplomatic relations between Nepal and the United States of America (USA). Precisely speaking, the United States of America was the second country after the United Kingdom with which Nepal established diplomatic relations in 1947. It is a matter of profound satisfaction that Nepal-US relations, over the years, have remained warm, friendly, close, cordial and cooperative. In the aftermath of World War-II, when the world was divided into two military blocs, one represented by NATO under American leadership and the other led by the former Soviet Union known as the Warsaw Pact, Nepal, a land-locked country opted to remain unaligned. Situated between China and India, the two most populous countries of the world with different political, economic and social systems, Nepal joined the Movement of Nonalignment as one of the founding members in 1960. Further it pursued an independent foreign policy based on principles and lofty ideals enshrined in the UN Charter and those of the Nonaligned Movement (NAM). This policy was best suited to Nepal's national interest. The US, fully aware as it was of Nepal's geo-strategic location and geo-political compulsions, welcomed and appreciated a nonaligned foreign policy adopted by this country.

The US has remained a valuable development partner of Nepal. As per the Report on Nepal's Foreign Affairs published in 2004, Nepal, one of the poorest countries in the world with limited natural base, rapid population growth and environmental degradation, low levels of social development and widespread poverty, has been attracting the US interest since 1951.

Discussion

It has been rightly said that the USA is one of the first countries to extend development assistance to Nepal. Such assistance, which has been channeled through USAID- Nepal known as the development assistance arm of the US Mission to Nepal, encompasses various key sectors ranging from transport, communication, public health, education, family planning to malaria eradication, agriculture, forestry, energy, governance and harnessing of natural resources and now on disaster mitigation measures.

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In recent years, US development cooperation has placed high premium on the institutionalization of peace and democracy, strengthening of democratic institutions and the protection and promotion of human rights. The US believes that 'a constitution that is inclusive, representative, and guarantor of basic rights is one that is worth implementing, and that self-governance, democracy and sovereignty are principles worth protecting.' The new constitution that was promulgated in September 2015 by an overwhelming majority is a progressive document based on the principle of inclusiveness and guarantees fundamental rights to all Nepali citizens across the board. What is important is effective and expeditious implementation of the new constitution to pave the way for accelerated economic growth and development without which prosperity for all remains a farfetched dream.

The US, one of the important trading partners of Nepal, is also a major source of foreign exchange earnings, particularly from the export of garments and an increasing number of American visitors as tourists to Nepal. The end of the quota system under Multi Fiber Agreement (MFA) in 2004 decreased the export of Nepali readymade garments to the US. Nepal has lobbied hard and intensified its efforts to obtain duty-free access for its readymade garments to the American market. The government and people of Nepal are confident that in view of seven decades of continued friendship, goodwill and cooperation, the US will positively respond to alleviate the plight of a country which is both land-locked and the least developed among developing countries (LDC).

It is encouraging to note that the US government has recently made available to Nepal a grant of 500 million (50 crores) US dollars to 'build robust energy and transport infrastructure' in this country. This has been described as the biggest grant in the country's history from a single donor (The Kathmandu Post, August 4 2017). It may be noted that the grant assistance is part of the 630 million USD investment deal signed by the government of Nepal with the Millennium Challenge Corporation (MCC), an independent US government agency actively engaged in reducing global poverty through economic development. Since a cabinet meeting held on August 3 this year accepted gave its nod to this grant assistance, Nepal and the MCC formally signed the investment agreement in September this year (2017). The Nepal government, after signing the deal, is expected to lose no time in finalizing all issues related to land acquisition, a part of the project. It is further expected to introduce regulatory reforms, including passage of the Electricity Regulatory Commission, and take other significant steps required to implement and complete the project in the next five years. The MCC selected Nepal for its 'compact program' in 2014 after it was convinced that progress had been made by this country in upholding democratic rights, rule of law and economic freedom, and combating corruption.

In April 2015, a devastating earthquake struck Nepal resulting in heavy loss of lives and properties. Addressing the Nepal Council of World Affairs on August 3, 2016 the American ambassador to Nepal Alaina B. Teplitz made the following observation with special focus on disaster management:

'The United States has been a strong partner of Nepal for almost 70 years.....The US government partners with many different government of Nepal agencies to help respond to disasters, rebuild from the earthquake, and reduce the risks associated with future disasters. The Nepal army and the home ministry are our primary partners in terms of Humanitarian Assistance and Disaster Relief.....We have partnered with the National Reconstruction Authority and the civil society organizations such as the National Society for earthquake technology to help the people of Nepal rebuild their homes to help protect them from future earthquakes and other disasters.'

The Ambassador advised the government of Nepal to invest in disaster-resilient reconstruction and to develop effective disaster risk management institutions and policies. There are other natural hazards facing Nepal. The ambassador referred to recurring natural calamities like floods, droughts, landslides, and wildfires. It is true that every year several hundred people die in floods and landslides.

Results

As we all know, Nepal gave asylum to more than one hundred thousand Bhutanese refugees on humanitarian ground nearly 30 years ago. These refugees, most of whom were and are bona-fide citizens of Bhutan, were forcibly evicted as economic migrants. Although Nepal has made sincere efforts to negotiate with and persuade Bhutan to take back refugees as their own citizens, the effort has been in vain. Not a single refugee has returned home despite verification of refugee status. Meanwhile, seven core group countries of which the US is a prominent member took the initiative on the third country resettlement of Bhutanese refugees. More than 80,000 Bhutanese refugees have already been resettled in the US. The American gesture has been profusely appreciated. It is Nepal's hope that those refugees who still remain languishing in the Camps of Eastern Nepal will be allowed to return home with dignity and honor.

Conclusion

The exchange of high level visits has significantly contributed to further strengthening, enriching and deepening bilateral relations between Nepal and the US during the last 70 years. Such visits, in the opinion of friends and well-wishers of Nepal-US relations, should continue in the years to come in the larger interest of both Nepal and the US and their people friendly to each other. While the US continues to take active interest and cooperate in Nepal's development endeavors as well as strengthening democratic institutions of this country, Nepal values highly its friendship and cooperative relations with the US, which is not only the global power but also one of the responsible and enlightened members of the international community.

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Lumbini, the Birthplace of Lord Budda Prospect & Retrospect

Keshav R. Jha*

Lumbini is the birthplace of Lord Buddha, the apostal of Peace and Light of Asia. It is located in the Rupandehi district of South Western Nepal. Lumbini as a global heritage site is listed in the category of "Cultural Property" as set out in the Article I of the 1972 World Heritage Convention on the basis of criteria ii, iii and vi. Lumbini is a national monument protected under the terms of the 1956 Ancient Monuments Preservation Act and the 1985 Lumbini Development Trust Act.

As the birthplace of Lord Buddha, the sacred area of Lumbini is one of the holiest place of one of the world's great religions, and its remains contain a larger number of important evidences as recorded from the very early period.

After a decade of series of examination and investigation of historic evidences the ICOMOS of UNESCO has finally inscribed it on the World Heritage List on September 2, 1996. File No.666 rev

Since then, a lot of discussion and debate took place on the Birthplace of Lord Buddha because of ignorance and lack of proper information and study. As such, I consider my professional duty to bring to the notice of general people and intellectuals in order to apprise them of its short history, Management and Protection. Conservation and Authenticity, Evaluation and Recommendation of ICOMOS to enlist it in the World Heritage List. I have enclosed the list which is self explanatory.

^{*} Mr. Jha was Ambassador of Nepal to the Republic of France and Nepal's Permanent Representative to UNESCO from 1973 to 1977, an also former President of NCWA.

WORLD HERITAGE LIST

Lumbini (Nepal)

No 666 rev

Identification

Nomination Lumbini, the birthplace of Lord

Buddha

Location Lumbini Zone, Rupandehi District,

Western Terai

State Party Nepal

Date

2 September 1996

Justification by State Party

[The nomination dossier does not provide a justification for the inscription of this property on the World Heritage List, but proposes that it should be inscribed on the basis of criteria ii, iii, and vi.]

Category of property

In terms of the categories of cultural property set out in Article 1 of the 1972 World Heritage Convention, Lumbin is a site.

History and Description

History

The Shakya Prince Siddharta Gautama, better known as the Lord Buddha, was born to Queen Mayadevi, wife of King Suddodhana, ruler of Kapilavastu, in 623 BC at the famous gardens of Lumbini, while she was on a journey from her husband's capital of Tilaurakot to her family home in Devadaha.

In 249 BC the devout Buddhist Emperor Ashoka, third of the Mauryan rulers of India, made a pilgrimage to this very sacred area in company with his teacher, Upagupta, and erected pillars at Lumbini, Gotihawa, and Niglihawa, as he did in many parts of India, to commemorate his visit. The inscription on the Lumbini pillar identifies this as the birtholace of the Lord Buddha.

Lumbini was a site of pilgrimage until the 15th century AD. Its early history is well documented in the accounts of Chinese travellers, notably Fa Hsien (4th century AD) and Hsuan Tsang (7th century AD), who described the temples, stupas, and other

establishments that they visited there. In the early 14th century King Ripu Malla recorded his pilgrimage in the form of an additional inscription on the Ashoka pillar.

The reasons for its ceasing to attract Buddhist pilgrims after the 15th century remain obscure. The only local cult centred on worship of a 3rd-4th century image of Mayadevi as a Hindu mother goddess. The Buddhist temples fell into disrepair and eventually into ruins, not to be rediscovered until they were identified in 1896 by Dr A Führer and Khadga Samsher, then Governor of Palpa, who discovered the Ashoka pillar.

Description

The complex of structures within the archaeological conservation area that is the subject of this nomination consists of the following:

- The Shakya Tank, in which Mayadevi bathed before giving birth to the Lord Buddha, within the Mayadevi Temple enclosure. The original temple was built before the visit of Ashoka in 249 BC and probably consisted of no more than a platform constructed on the cross-wall system, later converted into a shikara temple. The 20th century temple has now been demolished, leaving on display the remains of brick structures dating from the 3rd century BC to the present century.
- The sandstone Ashoka pillar with its Sanskrit inscriptions, that of Ashoka in brahmi script and the later one of Ripu Malla in devanagari script.
- The excavated remains of Buddhist viharas (monasteries) of the 3rd century BC to the 5th century AD. The rectangular pool between them is of 20th century date.
- The remains of Buddhist stupas (memorial shrines) from the 3rd century BC to the 15th century AD.

The sacred area that forms the nominated property lies within a modern circular feature defined by a moat, and this in turn forms part of a modern monumental pilgrimage centre based on two monasteries.

Outside the nominated area but within the buffer zone there are other religious buildings of the 20th century and buildings in use by the Lumbini Development Trust (see below, "Management"), all of which are scheduled for demolition.

Management and Protection

Legal status

Lumbini is a national monument, protected under the terms of the 1956 Ancient Monuments Preservation Act and the 1985 Lumbini Development Trust Act.

Management

The sacred area lies at the heart of the modern pilgrimage centre, which is a major development project financed by Buddhist communities and believers world-wide. The Development Plan upon which this is based was the outcome of a response by U Thant, then Secretary General of the United Nations, to a request for assistance made by the Government of Nepal in 1965. This Plan, the work of Kenzo Tange, is an elaborate scheme, covering a large area, but one that is in keeping with the sacred nature of the site of pilgrimage. It falls into three sectors - the sacred garden (the nominated area), the monastic village in the centre, and the village of Lumbini to the north. The middle zone is in two parts, for the Theravada and Mahavana monasteries respectively, and it is here that the cultural centre and facilities for study and meditation are provided. The whole area will be landscaped using sheets of water and natural vegetation. Some parts of the complex are now built, or nearing completion.

There is strict control over any form of development within the entire complex. In addition, a specific area around the nominated property is designated as a huffer zone.

Management of the entire complex is the responsibility of the Lumbini Development Trust. This is an autonomous, non-governmental, non-profit-making organization under Royal patronage and supported by the United Nations Development Programme (UNDP) and other international and regional bodies. The Department of Archaeology shares the management of the sacred area, which is the property of His Majesty's Government of Nepal, with the Development Trust

Conservation and Authenticity

Conservation history

After the discovery of the Ashoka pillar in 1895, some antiquarian research took place, and the Archaeological Survey of India carried out two campaigns of survey and excavation in the whole area. Less systematic excavation took place between 1932 and 1939, but since 1972 it has been the subject of systematic scientific excavation and conservation by the Department of Archaeology.

Authenticity

The authenticity of the remains within the sacred area is high, and will not be impacted adversely by the planned presentation activities.

Evaluation

Action by ICOMOS

An ICOMOS expert mission visited Lumbini in December 1996. ICOMOS has also benefited from a report prepared by a UNESCO technical adviser (who is also a member of ICOMOS) with special knowledge of the site.

Qualities

As the birthplace of the Lord Buddha, testified by the inscription on the Ashoka pillar, the sacred area in

Lumbini is one of the most holy and significant places for one of the world's great religions. The archaeological remains, although fragmentary, provide important evidence about the nature and intensity of the practice of Buddhist pilgrimage over nearly two thousand years (and now revived in the 20th century).

Moreover, the archaeological remains testify to a high standard of life that is in remarkable contrast with that of the peasant inhabitants of today. There is evidence of now disused trade routes having traversed this area in the past, and as such ot is of outstanding archaeological importance.

Comparative analysis

Since there can be only one birthplace for any individual, Lumbini cannot be other than unique, and so comparative analysis would be fruitless.

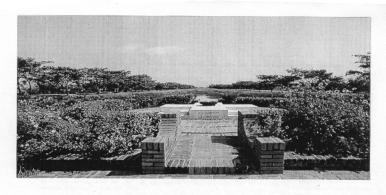
ICOMOS recommendations for future action

The ambitious programme of the Lumbini Development Trust is still at an early stage. It has largely developed in isolation, and would benefit from the experience of comparable large projects of this kind. An excellent example is that of the Central Cultural Fund in the Cultural Triangle of Sri Lanka, both in the mobilization of international resources in scientific and technical fields and in site management, especially with regard to ancillary services for visitors and pilerims.

The original nomination of Lumbini, which was deferred by the World Heritage Bureau at its 17th Session in June 1993, included a number of separate archaeological sites associated with the life and work of the Lord Buddha. Two of these, Kapilavastu (Tilaurakot), where the Lord Buddha lived as Prince Siddhartha before his enlightenment, and Ramagrama, the only relic stupa not opened by Ashoka, now figure as individual sites on the tentative list submitted by the State Party, which has been advised by a former President of the World Heritage Committee to combine them with Lumbini as a serial nomination.

ICOMOS has no objection in principle to this proposal, but it is of the opinion that the current state of knowledge, conservation, and management of both is not sufficiently advanced to permit their being included in the present nomination. It recommends therefore that this should await the completion of the programme of non-destructive archaeological investigation, using geophysical techniques, during the coming biennium and the preparation of satisfactory conservation and management plans.

Once this work has been completed, the State Party should be invited to submit the two sites as extensions to an existing inscribed site of Lumbini, with a change of title indicating the association of all three with the life and work of the Lord Buddha. ICOMOS does not consider that the inscription of Lumbini should be delayed to await the completion of this work.





With the profound realization of the global significance of Buddhism as peace propagating religion in the confused and chaotic situation in the 21st century, the Government of Nepal very farsightedly established Lumbini Buddhist University on November 29, 2004 (14 Marga 2061)

The University has clearly stated its four basic initiatives: teaching, research, training and awareness to propagate the Buddhist theme "Be Good, Do Good". The vision of the establishment of the University is stated in the following.

"As an international centre of academic excellence, it will also be an institution of higher learning committed to addressing contemporary social problems through application of core Buddhist values and to promote world peace"

Revival of Cold War in a New Form

Prof. Dr. Shreedhar Gautam*

Background

During the latter part of Second World War, the then Soviet Union under the leadership of then Soviet leader, Joseph Stalin, decided to join the alliance of USA, UK and France in their joint fight against the Nazi Army led by Adolf Hitler. It was only after the Soviet involvement in the war that the alliance could repulse the advancing Nazi Army in many parts of Europe. The German leader Hitler faced the pressure of war after the Soviet Army foiled several attacks from Germany. It was inconceivable to defeat the advancing German army without the supreme sacrifice of the Soviet Red Army. It was the Red Army that ultimately hoisted flag on the government buildings in Berlin after Germany's defeat. Famous historian Eric Hobsbawm in his book Age of Extrems has categorically written that without the Red Army, Hitler could not have been outsmarted so soon. After Germany's surrender, Japan was on the verge of the surrender too, so the dropping of bombs on Hiroshima and Nagasaki by America was not for the end of Second World War, but for the testing of the capacity of the bombs that annihilated tens of thousands innocent people of Hiroshima and Nagasaki on August 6, and 9, 1945 respectively.

Post-War Scenario

It was expected that after the end of war, the Soviet Union and the western countries led by America would keep up their cooperation in-tact for solving humanitarian problems in many war ravaged countries. But the alliance countries very soon charted their own course of action, and very soon functioned as two rival powers in the UN and other forums in the World. Europe was divided into capitalist and socialist bloc countries led by America and then Soviet Union respectively. The capitalist block founded NATO, a military organization for uniting the capitalist block countries under one umbrella, and the then soviet union followed the suit by founding Warsaw Pact to galvanize the socialist bloc countries. After the disintegration of the Soviet Union, several socialist countries switched over to the capitalistic system, having no vanguard country to guide and protect them as during the Soviet era. Russia itself embraced the capitalism under the leadership of the first Russian President Boris Yaltsin.

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NATO, the Sole Military Organization

The end of cold war naturally led to the death of Warsaw Pact too, but the NATO, remained intact and as active as before in its sphere of influence even in the former Soviet Union states. The western countries under the leadership of America, perceived the end of cold war as the victory of western countries and their values too. Had the western countries opted for the dissolution of the NATO, probably the world could have seen the dawn of new era in the world politics.

Present Scenario

Now we see the reenactment of the cold war in different forms, though still there is no country to match with the military power of America, considered as the only super power at present. Despite America's invincible military strength, countries in all continents resisted the onslaught of the western countries in their politics, culture and economy. Several countries showed their solidarity and affinity with countries having the same civilization, culture, religion. So, the world first time saw the grouping of nations on the basis of their culture, and religion and ethnic closeness. The rise of Islamic forces in the Middle East emerged as a challenge to the western civilization in the post-cold war era.

On the other, countries like South Africa, China, Brazil, India and Russia have formed a group suggesting that they would follow their own policy for an international order, not necessarily toeing the western concept of world order. Moreover, the expansion of NATO deep down into the neighbouring countries of Russia and America's reversal of free trade policy, has sparked conflict between the western countries and Russia and then between America and China culminating into a trade war. The current US President Donald Trump's aggressive 'America First' policy has created ripples in the existing world order. NATO's expansion to the erstwhile Soviet Union states proved to be a provocative action for Russia to annex Crimea, particularly after the Soviet supported Ukraine president was ousted by the western powers. Apart from trade war with America, China considers its self being circled by the pro American forces as per the containment policy pursued first under the former US President Barak Obama, and later strengthened by the present white house leadership by incorporating countries like Australia, Japan and India. This grouping is called also "Indo-Pacific" to hold the growing Chinese power at the bay, and to bring India closer to western countries.

Russia was facing the economic blockade imposed by the western countries after it annexed Crimea; the embargo has been further tightened after major countries like America, Britain, Germany and Australia expelled several Russian diplomats from their countries in solidarity with Britain where the former Russian agent and his daughter were allegedly poisoned with nerve gas by Russia. All these developments suggest that the world has entered into a new cold war era. This is a dangerous trend because along with America and Russia, some of these countries possess nuclear arsenals and any misunderstanding between them could lead to a vicious war, even threatening the very existence of human and other beings. Unless the warring parties do not realize the gravity of their actions, the world would see further escalation of the cold war in coming days too. Also, the attack on Syria by America, France and Britain in response to Syria's

NCWA, Annual Journal, 2018 Shreedhar Gautam

alleged use of chemical weapons against its own people have further made the world vulnerable to another cold war era.

Regional Scenario

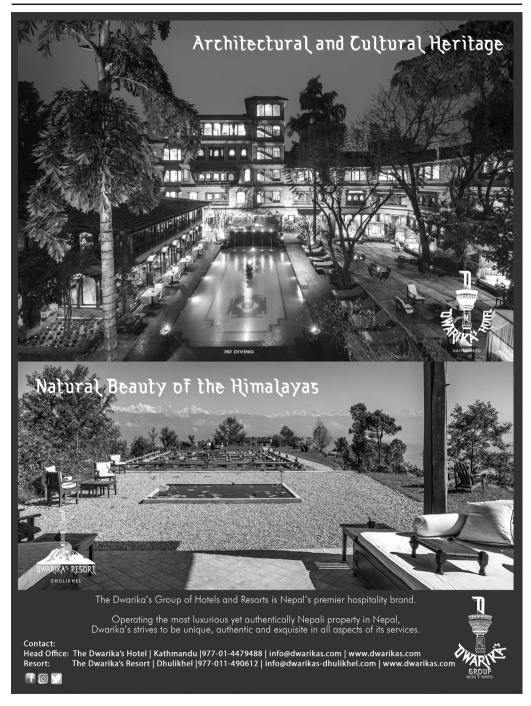
Like at the global level, some sort of cold war is brewing between China and India too. The former is the second largest economy and also one of the major players in the world politics after the current US President reversed America's climate change policy, pleading for protectionism against the spirit of global free trade. Moreover, China's military strength is increasing, as evidenced by its dispatch of military unit to Djibuti an African country. Moreover, after the introduction of Road and Belt initiative by China, its sphere of influence has spread to many of its neighbouring as well as overseas counties. India has not yet joined the BRI initiative, though it is one of the founding members of Asian Infrastructure Development Bank based in the Capital of China. Despite their massive bilateral trade, China and India continue to suffer from mistrust and misunderstanding. The last year's Doklam episode was a part of their troublesome relationship. China's growing influence in South Asian countries is not perceived well by India. If they do not resolve their political misunderstanding amicably, cold war could escalate between these two Asian giants too.

Lesson for Nepal

As a founding member of the Non-Alignment movement, Nepal should not take side of any country or bloc in the ongoing conflict whether at global or regional level. Nepal should always adhere to the principles of UN declaration and also the 'Panchasheel' to maintain its independent image and role in the global affairs. As a peace loving country, Nepal should always promote the spirit of dialogue and understanding while resolving bilateral and multilateral issues. At the global level, Nepal should raise the voice of rationality to impress the nuclear power countries to abandon the part of conflict and opt for the path of reconciliation and mutual understanding. At regional level too, Nepal should try to win the confidence of our two major neighbour, China and India. It is worth praising that foreign minister Pradeep Gyawali has emphasized on trilateral cooperation between Nepal. India China during his recent visit to the People's Republic of China.

Conclusion

Cold war whether at global or regional level does not auger well for the future of humanity. We expect all the concerned countries to reach a point of understanding to resolve their outstanding issues on a rational basis without jeopardizing the world peace. It is a must for all parties because no power or country can achieve one sided victory in the present circumstances when the technology has made every war a potential death of all. It is a good sign that America and North Korea are going to hold their talks, and it is a proof that no country is in a position to act unilaterally. It is in the interest of humanity to see the reason and abandon the policy of one-up-man-ship in political behaviour. Still, the world could be saved, if all the powers of the world come to the table of negotiation with an open mind for their collective survival.



Inclusion / Exclusion in the State Organs in Process of Federalization through Electoral Experiences

Dr. Chandra Kanta Gyawali *

Electoral System under the Constitution of Nepal

The Constitution of Nepal was promulgated by the Constituent Assembly on 20 September 2015. The Sovereignty and state authority of Nepal are vested in the Nepalese people. It is expressed for creating an egalitarian society on the basis of the principles of proportional, inclusion and participation, to ensure equitable economy, prosperity and social justice in preamble** (Preamble, The constitution of Nepal)

It is committed to all citizens shall be equal before law. No person shall be denied the equal protection of law. There shall be no discrimination in the application of general laws on the grounds of origin, religion, race, caste, tribe, sex, physical conditions, disability, health condition, matrimonial status, pregnancy, economic condition, language or geographical region, or ideology or any other such grounds. The state shall not discriminate among citizens on grounds of origin, religion, race, caste, tribe, sex, physical condition, disability, health conditions, matrimonial status, pregnancy, economic condition, language or geographical region, ideology and such other matters.

Provided that nothing shall be deemed to prevent the making of special provisions by law for the protection, empowerment or advancement of the women lagging behind socially and culturally, Dalits, Adibasi (indigenous groups), Madhesi, Tharu, Muslims, oppressed class, backward communities, minorities, marginalized groups, peasants, laborers, youths, children, senior citizens, sexual minorities, persons with disability, incapacitated and the helpless persons, and of the citizens.*** (Art., 18) This constitution

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^{*} Preamble: A preamble is an introductory and expressionary statement in a document that explains the document's purpose and underlying philosophy. When applied to the opening paragraphs of a statute, it may recite historical facts pertinent to the subject of the statute. It is distinct from the long title or enacting formula of a law.

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has endorsed Federal Democratic Republican State and has envisaged that Nepal is an independent, indivisible, sovereign, secular, inclusive, democratic, socialism oriented, federal democratic republican state. A commoner people can be a head of state of Nepal. Earlier before 2007, king was the head of the state of Nepal.

Federal Legislature

It is consisting of two houses to be known as the House of Representative and National Assembly, It is called federal parliament and it is highest parliament among three tiers of parliament of Nepal.

Composition of House of Representatives: This constitution has managed two types of electoral system forthe House of Representatives shall consist of two hundred and seventy five members as follows:-

First-Past-the-Post Electoral System

One hundred and sixty five members to be elected through the **first-past-the-post electoral system** consisting of one member from each of the one hundred and sixty five electoral constituencies, formed by dividing Nepal into 165 constituencies based on population and geography.

Federal Legislature

- Federal Parliament means House of Representative and National Assembly
- Mixed Electoral System
- a) FPTP in 60 % means 165
- b) PR 40 % at federal 110 +59(NA)= 334 will be elected.

State Legislature

- Mixed Electoral System
 - a) FPTP in 60 % means 330 representatives are to be elected.
 - b) PR 40 % at state level legislature total 220= 550 representatives are to be elected.
- Federal Parliament held election on 2074 Mansir 10 and 21 (November 26, 2017 and December 7, 2017). 165+110+59=334
- Similarly Provincial Level election held on 2074 Mansir 10 and 21 (November 26, 2017 and December 7,2017) .330+220= 550
- As well as Local Level Election held on 14 May, 28 June and 18 September 2017. 37,314 representations.
- Federal Parliament

Proportional Representation Electoral System

One hundred and ten members elected from proportional representation electoral system where voters vote for parties, while treating the whole country as a single electoral constituency. Provision shall be made according to federal law for the representation

of political parties to file candidacy for the election of the House of Representatives for proportional representation system through **Closed List as follow:** Ensured on the basis of a closed list from

- Women, 33 % (Must be elected to the federal and provincial parliament)
- Dalit.13.8%
- Indigenous peoples, 28.7%
- Khas Arya 31.2%
- Madhesi, 15.3%
- Tharu, 6.6%
- Muslim 4.4%
- Disabilty 1.94%
- Backward regions 4.4% on the basis of populations.

Such candidacy shall also consider balance in geography and province. (Art., 84) For the purpose of this provision, *Khas Arya* means *Chhetri, Brahmin, Thakuri* and *Sannyasi* (*Dasnami*) community. While filing candidacy by political parties, representation of persons with disability shall also be made. Every Nepali citizen who has attained the age of eighteen years, as provided in law, shall be entitled to vote in any constituency. (3% threshold)

Women for at Least One Third of Total Members of Federal Parliament

This constitution has granted at least one third of total members elected from each party in Federal Parliament. In case, one-third percentage of women are not elected while being elected under the first past the post system and fails to ensure one-third representation shall have to elect at least one-third of total numbers as woman in the Federal parliament while electing members. (Art. (8), 984)

Source: Election Commission, 2017

National Assembly shall be a permanent House.

- There shall be fifty-nine members in the National Assembly
- Fifty six members elected from an Electoral College comprising members of Provincial Assembly
- Including at least three women, one dalit, one person with disability or minority(21 women,7dalits,7 disability)

Three members, including at least one woman, to be nominated by the President.

State Legislature

The constitution of Nepal has granted to form of state legislature which is exercised first time in Nepal.

State Legislature: The constitution clearly says that there shall be a unicameral legislature in a province which shall be called the State Assembly.

Composition of State Assembly

The constitution of Nepal has managed also two types of electoral system in state legislature for State Assembly shall consist as follows:-

First-Past-the-Post (FPTP

Every State Assembly shall consist of the following number of members: - Members equal to double the number of members to be elected through the first-past-the-post (FPTP) election system to the House of Representatives from the concerned province. (Art. (A) (1), 176).

The number of members to be elected through the Proportional Representation (PR) election system equal to the number equivalent to the remaining forty per cent when the number of members maintained is regarded as sixty per cent. Electoral constituencies shall be maintained pursuant to federal law on the basis of population and geography for the election of the members. Sixty per cent of the members of the Provincial Assembly shall be elected through first-past-the-post election system.

Proportional Representation Election System

Forty per cent shall be elected through proportional representation election system; Election of members of the provincial assembly to be conducted shall be held on the basis of adult franchise through secret ballot as provided in the law. (Art.(b) (1), 176). Every Nepali citizen having domicile in a province and having attained the age of 18 years shall have the right to vote in any election constituency as provided for by law.

The representation of women, Dalit, indigenous, indigenous nationalities, Khas Arya, Madhesi, Muslim, backward region and minorities community on the basis of population and geography in the nominations filed by the political parties for the election to be held for the Provincial Assembly through the proportional representation (PR) election system shall be provided on the basis of closed list in accordance with provincial law. Explanation: "Khas Arya" shall mean Chettri, Brahman, Thakuri, Sanyasi (Dashanami) community. While filing of candidacy by political party, representation of the persons with disability shall also be made.

Women for at Least One Third

At least one third of the total number of members to be elected from each political party to the Provincial Assembly shall have to be women. In case at least one third of the candidates elected from a political party are not women, the political party shall have to make provision of electing at least one third women while electing members.

Speaker and Deputy Speaker of the Provincial Assembly

While electing speaker and deputy speaker either of Speaker or Deputy Speaker shall be woman and they shall belong to different parties.

Local Level Government

This is the third tiers of Local Level government of Nepal. The constitution of Nepal has managed also First- past –the- Post Electoral System in Local Level Government shall consist as follows:-

Head and Deputy Head of Village Executive: First-past-the-Post Electoral System

There shall be a Head of Village executive in every Village Council. The Village executive shall be formed under her/his chairpersonship. The Village executive shall have a Deputy Head and ward chairpersons elected from each ward and members elected below. The election of the Head and Deputy Head shall be held through secret ballot based on one person one vote according to the first-past-the-post electoral system by the voters of the concerned village council area. (Art., (3), 215) Four women members that are elected by the Village Assembly members from among themselves and two persons elected from the Dalit or minority community shall also be members of the Village executive and this election shall be held within 15 days following the final result of the election of Village Assembly.

Formation of Village Assembly

This is third tiers of legislature in Local Level of Nepal. The constitution of Nepal has managed also First- past –the- Post Electoral System in Local Level Village Assembly shall consist as follows

First-Past-the-Post-System

There shall be a Village Assembly in each Village Council. The Village Assembly referred and shall comprise a village executive Head, a Deputy Head and four members elected from every Ward of the Village council and member of the village executive elected from the dalit or minority.(Art.,(4), 222)

The Village Assembly to be constituted shall have the representation of at least two women from every Ward of the Village Council. One ward committee comprising of one ward Chairperson and four members shall be formed in each ward of the Village council as provided for in federal law. The election of the ward chairperson and members shall be held on the basis of the first past the post system. Every person who has attained the age of eighteen years and included in the voters list of the Village Council shall be entitled to vote as provided for in a federal law.

Composition of Municipal Assembly

The constitution of Nepal has also managed the First- past –the- Post Electoral System in Local Level Municipal Assembly shall consist as follows:

The First -Past- the Post System

There shall be one Municipal Assembly in each Municipality. The Municipal Assembly referred shall comprise the Mayor and Deputy Mayor, ward Chairperson and four members elected from every Ward of the Municipal council and member of the Municipal.

The Municipal Assembly to be constituted shall have the representation of at least two women from every Ward of the Municipality. One ward committee comprising of one ward Chairperson and four members shall be formed in each ward of the Municipality as provided for in federal law. (Art.,(4),223)

The election of the ward chairperson and members shall be held on the basis of the first past the post system. Every person who has attained the age of eighteen years and is included in the voters list of the Municipality shall be entitled to vote, as provided for in a federal law.

Chairperson and Vice-Chairperson of Village Assembly and Municipal Assembly

The Head and Deputy Head of the Village Executive and the Mayor and Deputy Mayor of the Municipal Executive shall carry out the transaction of business as Chairperson and Vice-Chairperson of the Village Assembly and Municipal Assembly respectively. In, Local Level in sum total representations are 37,314. Representation on Local Level election was held 2017 except 2 n. province

Local Legislature Inclusive and Representation in Local Executive and Legislature

	Level	Number
1	Metropolitan City	
2	Sub-Metropolitan City	11
3	Municipality	276
	Villeage Executive	460
5	Chairperson, Vice Chairperson, Ward Chairperson and Members of Villeage and Municipality	753, 753, 6743 26,720
6	Women and Dalit	13,360+225, and 1826
7	District Coordination Committee (women and <i>Dalit</i> or Minority)	Assembly 37,314 have already elected including Women 13,385 Dalit 2118

Source: Constitution of Nepal and The Government Gazette published in 2073/11/27 (B.S.)

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• First- Past- the – Post Electoral System(FPTP)

At village Assembly and Municipality Assembly 37,314 have already represented including Women 13,385 dalit 2118.

National Assembly
Representation on Federal Parliament House of Representative +National Assembly

Province	FPTP	PP	Total	HR	FPTP	PP	Total
1	56	37	93		28	19	47
2	64	43	107		32	22	54
3	66	44	110		33	22	55
4	36	24	60		18	12	30
5	52	35	87		26	17	43
6	24	16	40		12	8	20
7	32 = 330	21=22o	53 = 550		16= 165	10 =110	26
							275+59=
							334+550=834

Source: Election Commission

Conclusion

There is a history of exclusion and marginalization, and the socio-economic differences among various national groups are stark. The debate about ensuring a just and inclusive Electoral System for Strengthening Democratic Institutions that people's rights also include for a) more participation, b) Self-governance c) empowerment in many segments of society. The debate is how the Constitution should best execute and what mechanism can ensure effective implementation, while preserving a balance with interests of the whole population at large, with general standards of human rights and democracy, and with the goals of establishing an integrated, and prosperous Nepal.

In proportional representation of all regions and groups in the Constituent Assembly but didn't lead to equal participation. If the above factors, the provision made in constitution and legally, the only candidates having taken membership in the political parties became members of the constituent Assembly. Therefore, a proportionate and proper representation and a system that didn't lead to votes and which is understood by the voters could be wrathful.

According to principles of constitutionalism, the state should function on the basis of its laws and regulations. There is also the opinion that laws should be just, equal, and inclusive. Constitution by itself is not an end but a means to protect peace, security, development and freedom of the people. There should be rule of law according to constitutionalism and society should be based on pluralism where wishes of all are given due respect. Democratic electoral system and process should be made key to provide legitimacy to people's aspiration

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Connectivity and Policy Issues for Nepal's Development

Nepal's Foreign Policy in Contemporary Times

Chiran Shumshere Thapa *

P.M. Oli's recent visit was one of connectivity between our two neighbouring countries: laying the foundation stone of the Motihari-Amlekhganj pipeline, agreement to have an early study of a rail link between Raxaul and Kathmandu, and proposal for a sealink through Nepali and Indian waters, to mention the most important parts of the joint communique signed between the Prime Ministers of India and Nepal.

When implemented, these proposed projects will bring our two countries physically closer. The proposed linkages, when implemented, will bring the level of Nepal-India relations to a new height and open vistas on interdependence unprecedented in the good-neighbourly relations between our two countries. While these linkages do provide for removal of some inadequacies, the view that more needs to be done for mutually-beneficial interdependence between Nepal and one of the fastest- growing major economies is reasonable. This is particularly glaring in the year-in, year out growing trade deficit at Nepal's cost. Hopefully, the Eminent Persons' Group is considering the issue with the seriousness it deserves and will propose inter alia practical recommendations for wider opening of India's market for Nepali goods. This is not to deny the opposition's accusation that no forward movement is mentioned on the long-standing Pancheswar project nor is there any mention of the conversion of the higher-denomination Indian banknotes nor the inundation problems in the Terai due to construction of projects along our common border. While these problems cannot be wished away.

A Country Physically Located between Two of the World's Biggest Economies

In Nepal's location, one can never take a one-sided view of relations only southward or northward. China and India have developed with a stunning level of growth which has benefited the farthest reaches of the world. Nepal should have benefitted much earlier but, as the saying goes, better late than even later. Nepal is a signatory to China's OBOR initiative, and, with China's traditional attitude of satisfaction with good Nepal-India relations, which are mutually beneficial, Nepal can expect even more co-operation from our northern neighbour after the recent Nepal-India agreements. The Chinese help when Nepal has difficulties with her southern neighbour, but co-operation when relations are good between Nepal and India are qualitatively different and of higher quantity to

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mutual benefit of Nepal and the world's second largest economy. Water projects, roads, airports, physical infrastructure and social infrastructure are crying to be developed in Nepal and China, even more so than India, because of the fivefold size of her economy in comparison with India's also large economy, has the capital, the technical expertise and appropriate experience to lend Nepal finance and provide suitable technology for repayment by Nepal when the stream of benefits materialize. There are unique features of Nepal's relationship with India, such as our common Hindu-Buddhist heritage as there are with China, particularly the Buddhist heritage we share particularly with China's Tibet but also ethnic transboundary relations across and beyond the Himalayan massif, but there are other areas where what we do with our southern neighbour we can replicate with our northern neighbour, and vice versa. With the likelihood of revision of the 1950 Treaty, the time has come to update the 1960 Peace and Friendship Treaty with China. Many of the articles can apply in the revisions and updating of both countries, with unique features of our southern and northern neighbouring country relations highlighted in one or the other case, such as the Hindu heritage and culture vis-a-India, and the Tibetan and Himalayan shared heritage vis-a-vis China. On trade, transit, peaceful commerce, and railway and oil pipeline, electricity transmission and trade linkages, etc. there is no reason why formulation cannot be the same in the case of the Treaties with both neighbours.

Third Country Neighbours:

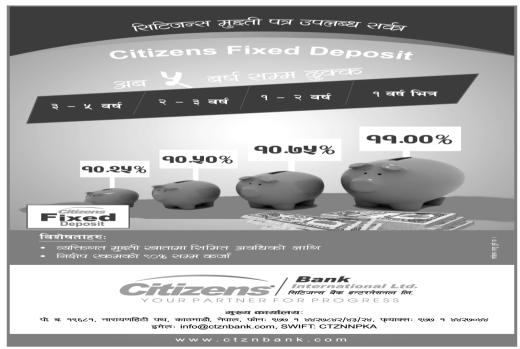
Possibly because of our geopolitical location and our geoeconomic destiny, we make much of the fact that we can choose friends but are stuck with neighbours. In Nepal's case, the choice is not stark as, in the times we live in, we are friends with both our neighbours, the only countries with a billion-plus population and with global-size economies with high rates of all-round growth. Not only do we have a policy of goodneighbourly relationship in our own interests but we also have relations with countries in all the continents and, although landlocked, across all the seas and oceans. It is important that we nurture them with win-win situations in bilateral relations but also in international contexts. Our citizens are known to be great fighters, although not necessarily trained with the latest equipment, professionally second to no other armed forces. As our soldiers serve in the armed forces of a NATO country, that of the United Kingdom, attention should be directed to how we can make good use of a relationship with other NATO countries. Our geographic location precludes any association other than training, purchase and deployment of useful state-of-the art equipment and assets. As Nepal is a democracy with civilian control of the armed forces, we can only gain by exchange and learning of doctrine determining all countries of the NATO alliance. The prospect of a major war is receding everywhere and for the military action where NATO countries are involved, we have Nepali citizens fighting as British Gurkha soldiers so any institutional arrangement with exchange of doctrine, deployment, and training cannot be untimely and may help preparation for a Nepali armed force fighting fit and ready to take on the country's defenses effectively should the need arise. For all practical purposes, the United States, Japan, Germany, the United Kingdom, our SAARC regional

neighbours, the Gulf States, Malaysia are almost third-country neighbours, so close are our economic, cultural, foreign policy and above all human linkages unprecedented in our history. It is an imperative that we maximize our relations with the above mentioned countries and regions to the mutual win-win results bilaterally and regionally.

With the United States, Japan, Germany and the United Kingdom, we have to maximize trade, tourism, airlinks, scientific and educational co-operation, employment prospects. Ditto vis-à-vis our SAARC regional neighbours. With the Gulf States and Malaysia, we have to train the manpower for the needs of the destination countries and bargain for the best remuneration and social welfare needs of our country's manpower. We have to set high standards for mutually beneficial co-operation and work closely with the manpower destination countries for training within Nepal for win-win situation both for Nepal and the labour destination countries.

Conclusion

As the two countries with whom we share the longest borders are forging ahead economically, it is in the common interests of Nepal and two billion-plus population economies for linkages, connectivities and relations where even the sky is not the limit. But we must prioritize our relations with the world's other powers for extensive mutually beneficial co-operation and forge country-specific mutually beneficial co-operation with countries and regions where we have extensive relations but restricted to say export of manpower as to the Gulf States and Malaysia.



Strategic Importance of "Chicken's Neck" in India's West Bengal

Prakash A. Raj*

It's essential to understand partition of undivided India into (Bharat) India and Pakistan in 1947 in order to understand the importance of Chicken's Neck" near Siliguri in West Bengal state in India. The majority of population in Punjab in the western part of sub-continent and Bengal in the eastern part was Muslim. Whereas Hindus and Sikhs formed majority of population in eastern part of Punjab and western part of Bengal, this led to partition of both Bengal and Punjab. East Punjab became part of India and East Bengal that of Pakistan. The boundary between India and Pakistan in Bengal and Punjab was drawn by Sir Cyril Radcliffe and the boundary is known as Radcliffe Award. Almost all of Sylhet District was also given to Pakistan as Muslims formed a majority of population there. The province of Assam on the other hand remained with India as the majority of population was not Muslim. Chittagong Hill tracts situated east of the city of Chittagong was awarded to Pakistan although it had a non-Muslim majority (mainly Buddhists). Darjeeling, Kalimpong and Jalpaigurdi remained part of India. Sikkim situated north of Darjeeling was an Indian protectorate at that time. East Pakistan (eastern Bengal) became an independent country after it was separated from Pakistan in 1971. A narrow strip of Indian territory only 18 km wide separated Nepal from Bangladesh. This is what is called "Chicken's Neck". It is bound by Jhapa district of Nepal in the west and Dinajpur district of Bangladesh in the south. This narrow strip of Indian territory links seven states in northeast India including Nagaland, Mizoram, Arunachal Pradesh, Sikkim and Assam. A narrow strip of Tibet (China) at Chumbi valley is like a 'bulge' just east of "Chicken's Neck'. If this area had been awarded to Pakistan, there would have been no link of Assam and seven northeastern states with Indian mainland. The majority of people in Darjeeling district and the Indian state of Sikkim are Nepali speaking Gurkhas who have close ethnic ties with people of Nepal. The British reportedly offered Darjeeling to Nepal before they left India in 1947. However, the Ranas who were ruling Nepal rejected the offer. If "chicken's Neck" had been part of Nepal it would have had a common boundary with the then Pakistan. China remained neutral during Indo-Pakistan conflict in 1965. If Nepal had a common border with Pakistan in 1971 it is possible that Chinese could have intervened in favour of Pakistan. This is the main reason for strategic importance of "Chicken's Neck" area. Similarly, China would have enjoyed great advantage over India in Sino-Indian border conflict in 1962 if Chicken's Neck had not been part of India.

There was a movement for "Ek Madhesh Ek Pradesh" in Nepal during Madhesh unrest when Nepal became a republic. It is possible that Indian strategic interest demanded a Madhesh extending from Mechi River in the east to Mahakali river in the west. However, this was not to be because the majority of people living in Jhapa and Morang districts in southeastern Nepal are people from the hills speaking Nepali who migrated in the past few decades to the Terai. The rationale for "El Madhesh Ek Pradesh" is no longer valid due to demographic change in far eastern Terai area in Nepal just west of Chicken's Neck. The town of Naxalbari is also situated just east of Mechi River in "Chicken's Neck" area. It was well known for insurgent activities three to four decades earlier. It's interesting to note that present Prime minister of Nepal, K.P.Oli, after overwhelming victory of leftist alliance in Nepal consisting of CPN-UML and CPN-Maoist Centre in December 2017 is a native of Jhapa district situated just west of Chicken's Neck.



China's BRI Nepal's Dream as a Transit Country

Buddhi Narayan Shrestha*

Background

Nepal and China have a very good relationship with each other. Two countries have been connected not only by snow capped mountains and snow fed rivers, but also linked with highways and optical fibers. China is extending its Qinghai railway line from Lhasa to Nepal border via Shigatse and Kerung. Nepal has signed the China's project Belt and Road Initiative (BRI) on 12 May 2017. Under the BRI programme, Nepal will be connected with China by railway by 2020. Later, Chinese railway line will be extended to Kathmandu, capital city of Nepal. It will be further linked from Kathmandu to the Lake City Pokhara, and ultimately Lumbini, birth place of Lord Gautam Buddha.

The diplomatic relation between Nepal and China was established on August 1, 1955. Both the countries organized and performed various programmes and events in their respective countries by commemorating diamond jubilee celebrations. The Prime Ministers of both the nations have frequent visits. The last visits were by the Nepali Prime Ministers Pushpa Kamal Dahal 'Prachanda' on 27 March 2017 and K P Sharma Oli from March 20-27, 2016. Chinese Prime Minister Wen Jiabao had visited Nepal on January 14, 2012 and it is expected that President Xi Jinping will visit in the near future.

Chinese President Xi Jinping as said, in his congratulatory message to Nepalese President Bidya Devi Bhandari on May 28, 2016 on the occasion of Nepal's Republic Day that 'China and Nepal are as close as lips and teeth' and has maintained traditional friendship for generations¹. Chinese Defense Minister General Chang Wanquan said, while meeting with the Prime Minister Pushpa Kamal Dahal on 23 March 2017, China and Nepal relationship is as the fingernails and flesh.²

Connectivity-corridor-transit-BRI

The 19th national congress of Communist Party of China (CPC) highlighted that China would pursue the BRI as a priority following the principle of achieving shared growth through discussion and collaboration. The BRI is an open and inclusive concept pushed forward by Chinese President Xi Jinping. BRI is a signature initiative launched by the Chinese President, which not only connects countries of Asia, Africa and Europe but also connects their economy, culture, values and ideology. It provides a new dimension

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of economic development through larger connectivity and close co-operation among the participating nations.

Nepal and China have been connected also by roads, for example Kerung-Rasuwagadhi and Khasa-Kodari highways. There is a high possibility to connect two countries by more corridor roads. Both sides have agreed to strengthen connectivity, further step up the land and air links and improve the land transport infrastructure.

Chinese railway line will be connected from Lhasa-Shigatse to Kerung-Rasuwagadhi by 2020 AD. The relevant authorities of both Nepal and China have exchanged ideas and proposal on constructing cross-border railways and its network in Nepal, and support enterprises to start related preparatory work. In future, the trans-border railway line will be linked to Kathmandu and this line will be connected to the Indian frontier railhead, so that Nepal can be the transit country between China and India.

Former Prime Minister Dahal, while visiting China in 2017, said that Nepal is ready to cooperate and work together with China on the OBOR initiative. He has conveyed Nepal's desire and commitment to OBOR, Beijing's flagship initiative to build a modern day Silk Road across Asia, for which China is investing millions of dollars in infrastructure projects including railways, ports and power grids across Asia, Africa and Europe. Nepal has expressed its willingness to be a part of the OBOR initiative.³

Trans-Himalayan corridor will open a gateway for reaching out to South Asia: Nepal, India, Bangladesh and Bhutan in particular. The construction of BRI project will directly connect western China with Nepal, and eventually with the northern and north-east territories of India in future. The belt and road will thus open up vast new opportunities of investment as well as trade co-operation among three countries.⁴ It is interesting to note that almost all major political parties of Nepal, in their election manifesto, have committed to implement BRI, opening railway connectivity with China.

Regarding the corridor, Nepal-China has 43 border crossing-points. Among them only two points have been opened presently for trade and commerce. Of these, China has suspended Khasa-Kodari point after Nepal earthquake 2015.

Nepal and China have agreed to open additional seven border crossing-points after India enacted undeclared border blockade to Nepal in 2015. It has made a signature on 20-point agreement between Nepal and China to make a feasibility study in connection to operate these seven border crossing-points.⁵ The parliamentary committee of Nepal has instructed the government to open the crossing-points with China and to upgrade the standard of the roads which connect these points.

The seven border crossing points are Olangchungola, Kimathanka, Lamabagar, Gorkha Larke, Mustang, Mugu and Humla. Besides these seven crossing-points, Kodari-Khasa has been in operation since 1968 for the transaction of trade and commerce, though it is suspended after the earthquake in Nepal. The second commercial border-point is the Rasuwagadhi-Kerung, which has come into operation recently.

In the changing context, following border points have been found feasible for trade and commerce. The distances from the border crossing-points to the nearest towns of Tibet Autonomous Region (TAR) of China, which have been expected to operate for the trade and commerce in future, are as followings:-

Border	Name of Border Points	Crossing		Height of	Name of the Road	Length of the
Crossing Point Number	Nepal Border Market of Point China from Nepal Borde		Distance from Nepal Border Point to Chinese Town (km)	Crossing- points (meter)	to connect China (Tibet) and India	Road (km)
1	Olangchungola (Tiptala Pass)	Riwa Bazar	22	5,095	Riwa Bazar to Panitanki/Galgalia	360
2	Kimathanka Riwa Bazar (Lengdup)		30	2,248	Riwa Bazar to Jogbani	281
3	Lamabagar Phalek (Lapchi)		14	2,050	Phalek to Bhitamode	240
4	Gorkha Larke (Lajyang Pass)	Kungtang	59	5,098	Kungtang to Bhikhana Thori	420
5	Mustang (Korala)	Zhongba	47	4,871	Zhongba to Sunauli	448
6	Mugu (Nagcha)	Hyazimang	21	6,495	Hyazimang to Rupaidiya	374
7	Humla (Hilsa)	Sera	19	5,092	Sera to Gaurifanta	473

Source: 1. Based on Ministry of Physical Infrastructure & Transport.

- 2. Kantipur Daily 27, 2016 and
- 3. This author's article (Nepal-Chin Bichka Saat Naka) Nagarik Daily, November 18, 2015.

This table with the map shows that the shortest having low height road is Lamabagar (Lapchi)-Phalek crossing point road. 31 kilometer of road has to be constructed from Lamabagar to touch the Chinese border. If a 6 km long tunnel road is constructed from Lamabagar, the length of the road will be shortened by 25 km. This road ultimately connects Bhitamode of Indian rail-head.

Kimathanka-Riwa Bazar crossing point road is most feasible for the purpose of increasing the business activities of eastern Nepal with China. But it has to construct 113 km additional road from Khandbari to the border crossing point. This road will connect China to Indian broad-gaze railway station at Jogbani.

Olangchungola-Riwa Bazar cross-road will make connectivity to the eastern districts of Federal Province-1 of Nepal. The road is constructed from Kankarbitta to Fungling (Taplejung). Now it has to construct 95 km additional road to connect Olangchungola. Gola is recently connected to Riwa by 34 km mud-built road. Ultimately, this corridor will have access from Riwa Bazar of China to Panitanki point of India and Galgalia railway head as well.

For the western Nepal, Mustang-Zhongba border crossing point road is most useful. This road is already in operation. But there is mud-built road between Beni to Mustang

(Korala) section, which bears nearly 35 percent of the total 448 km long road. Local trade, commerce and transit have been unofficially already started through this road.

Humla (Hilsa)-Sera (Taklakot) crossing road will be useful for the Nepali people of Federal Province-6. Chinese road has been already constructed all the way from Taklakot to Yari Hilsa border point. And Nepal has extended this road up to 60 km towards Simikot of Nepal. Now there is 30 km more to connect Simikot, the headquarter of Humla district.

Gorkha (Larke) to Kungtang and Mugu (Nagcha) to Hyazimang crossing point roads are less feasible in comparison to other roads. However, the Tibetan authority opens the crossing points near to Samagaun and Chhekampar of Gorkha Larke, two months a year to sell the daily necessities and consumable goods for the Nepali and Tibetan local inhabitants. These border points had been opened also during September-October 2017.

These corridors bring China and India to work together in their development endeavors via Nepal, and thus, Nepal can benefit from both the neighbours. Nepal can be the transit country for the flow of goods in and out of these two countries in their markets. Nepal, in this way, could develop a huge transportation industry to provide services to both the neighbours.

With the best use of these corridors, Nepal can achieve the following results for the development of Nepali economy that Nepal could be:

- a. A stronger freight clearance industry, generating a huge employment opportunity to people.
- b. A viable international banking system to facilitate exchanges among countries involved in the trade system of the South Asian countries.
- c. A stronger insurance system providing services to the enterprises within country.
- d. It may generate further employment opportunity to Nepal.
- e. Nepal, thus, can be a linkage for China and South Asia.

Kerung-Kathmandu-Pokhara-Lumbini railway line

During the visit of Prime Minister KP Sharma Oli to China on 21 March 2016, Nepal and China government had agreed on economic and technical assistance for the railway project. Moreover, during the visit of Deputy Prime Minister of China Wang Yang to Nepal in May 2017, the Chinese government had repeated its commitment to assist the project.

In this context, a high level Chinese technical team has made a preliminary field study in November 2017 for the construction of railway line to connect Kathmandu, Pokhara and Lumbini from Kerung. A joint team of Chinese and Nepal's Department of Railway had visited sites from Kerung to Rasuwagadhi, Kathmandu, Pokhara and Lumbini. The team has been positive towards the development of cross-border rail connectivity. This augurs well for the development of long-awaited railways in our country.

After the visit, the joint team has expressed that the project is technically feasible. China is willing to help to construct the project. However, it needs to conduct more extensive study, as the possible route lies in difficult topography. The altitude variation between Syaphrubeshi and Kerung and the gap created between Indian and Tibetan tectonic plates, after the 2015 earthquake, were the major geological concerns. The Chinese technical team has also conducted a study of the sites where tunnels, bridges and other physical structures related to the project should be constructed. It is estimated that the length of Kerung-Kathmandu railway line will be nearly 72 km and 80 percent of this line will have bridges and tunnels. The highest and lowest altitude will be 4000 and 1400 meter respectively.⁷

The railway line from Kathmandu to Pokhara could probably be constructed along Kathmandu-Galchhi segment of the Prithvi Highway, while the rest of the proposed route could be connected with Tokha. The total length of the proposed railway line of this segment will be 187 km. The speed of the proposed railway is estimated to be 200 km per hour. As a rough and initial design, the length of Rasuwa-Lumbini via Galchhi may be 287 km long direct railway line. At the end of the visit of Chinese team, an initial understanding to construct the railway project was signed by the Chinese team leader and Secretary of Ministry of Physical Infrastructure and Transport.8

Concluding Observations

BRI is a win-win proposal for Nepal and several other countries that are looking for greater connectivity. Connectivity developed through BRI would be an alternative window for Nepal's access to China, Central Asia, and Eastern Europe.

It needs good relationship between Nepal and China within the framework of BRI initiative. For this, the government and the political parties should maintain close relations with high-level exchanges and mutual trust. It is not only the basic premise and political basis, helping to maintain the equal and friendly relations and develop the harmonious cooperation, but also the fundamental guarantee for enhancing the close connection between the two countries within the framework of BRI.

The corridors should be opened as soon as possible to enhance the trade not only between Nepal and China, but also ultimately to India. As these corridors may be connected to the Indian railway head to have Nepal as 'transit country' between China and India. The cross-border railway connectivity has been one of the major interests of Nepal over the years.

It is imprtant that strong political commitment from Nepal is needed to plan, implement and construct the railway project. In the same way, Nepal must express its intent desire to connect and implement China's BRI project. China also must show their commitment to connect Nepal's seven border crossing-points to the Chinese (Tibetan) road network.

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Social Cultural Relations between Nepal and India

Prof. Dr. Ram Dayal Rakesh*

"History and geography have thrown India and Nepal together. We cannot forget that history or change geography" - J.L. Nehru

There are many ups and downs in India and Nepal relations at many times in the past. Last year also the relation between the two countries became tense because of border blockade. The blockade was neither blessing nor boon for Nepal as well as for India. History has proved that many times in the past there had been tense relations between the two countries. There are many trials and turmoils in the political and diplomatic relations between them but cultural and social relations remained sweet perennial. We Nepali and Indian people have been sharing more or less the same cultural heritage since time immemorial. Religious social relation has been always soothing and sober. It never turned sour in the history of both the countries. Religious and social life has never been disturbed. There was social harmony all the time in the annals of both the countries. Nepal has been Aryan-Indio centric with regard to her economics and with its Hindu: majority people remain culturally closer to India than its economic counterpart does. Social harmony is the backbone of Indo-Nepal relation. No any super power can erect Himalaya between Nepal and India. The main motto of the cultures of Nepal and India is universal brotherhood -j;'w}j s"6'Dasd\. This region shares common traditions and mystical roots. Creative potential derived from the Arts, whether musical or other has a common linguistic background of having the same script "Deonagari".

Shriman Narayan, former diplomat of India, has discussed this relation in details. I quote here his saying:

"Relationship between India and Nepal is not merely a case of friendship; it is, in truth, a brotherly bond of affection. Thousands of years ago, king Janak's daughter Sita was married to Prince Ramchandra. Lord Buddha, though born in Nepal, moved mostly in India to spread his message of the 'middle path'. One of the daughters of King Asoka had gone to Nepal to propagate Buddhism; she married a Kshatriya and settled down near Kathmandu. The forefathers of the Shah Dynasty of Nepal, had also come from Chittoor sometime in the fifteenth century and ruled Gorkha. Saint Gorakhnath was their Guru. Both the Queen Mothers hail from a rich Zamindar family of Uttarpradesh. All the three sisters of king Mahendra were married in the Indian Princely families of

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Poonch, Sikar and Mayurbhanj. In recent years, the Maharaja of Gwalior has married the daughter of a Rana family in Nepal, and his own sister has been given in marriage to the grandson of Maharaja Mohan Samsher, the last Rana Prime Minister of Nepal. The Rajmata of Gwalior and Yuvrani Karan Singh also belong to well known Rana families. A number of former Princely states in Saurastha are intimately connected with Nepal through marital ties." His advice is still relevant.

We should, therefore, bear in mind this special bond between Nepal and India always extend delicate, human and sympathetic co-operation to the Himalayan kingdom, despite minor irritations and some cobwebs of misunderstanding which may still persist in the inner corner of our minds. If treated in this gentle and sincere manner, Nepal is bound to respond to this gesture in an abundant measure.

In the ultimate analysis, lasting friendship between two nations must rest on the solid foundations of a common purpose and objective. Quite often, I have been told frankly by friends in Kathmandu that Nepal's co-operation should not be taken for granted; it ought to be carefully nurtured and cultivated. Likewise, Nepal, instead of taking India for granted, should always remember that real understanding between countries must inevitably function as a two-way traffic. Unilateral ties are likely to be snapped and torn asunder under circumstances of stress and strain. These are the hard lessons of world history over the ages, and we cannot afford to overlook or bypass them.

The Nepal Himalayas have been heavenly abode of scholars, sages and saints from neighboring country India since time immemorial. Likewise, the people of Nepal have been attracted and fascinated by the holy places of prayers and pilgrimages located in India. They come down to pay homage to them times and again. The Hindu epics such as the Ramayan and the Mahabharat have religious and spiritual inspirations for the Nepalese as well. Scriptures Upanishad, Brahmsutra have also taught the same and similar lessons all the time.

Religion plays a vital role to nourish and nurture the cordial relation between Nepal and India. Till recently Nepal was a Hindu kingdom where Hindu culture is still dominant. As a Hindu monarch that the kings of Nepal had been accorded religious privileges in India. For example, in the world-renowned temples of Jagannathpuri and Rameshwaram, other than priests of the temple, the king of Nepal alone had the exclusive right to enter the inner most sanctuary of Lord Jagannath and pay homage.

When Jagadguru Shankaracharya of Sringeri visited Nepal in April 1966 AD, he received spontaneous and full-throated ovations from the people of Nepal. Similarly, when King Mahendra visited India in 1965 AD, he was also accorded a very warm welcome in all parts of the country, particularly as the sole Hindu king in the whole world

I again want to quote Shriman Narayan:

"Cultural ties between India and Nepal have existed since the dawn of civilization. References to Nepal are found in Kautilya's Arthashastra and even

in the Mahabharat. The Pashupatinath temple with four priests from south India still shines out as the most precious cultural link between Nepal and India. Thousands of Indians visit the temple every year during the Shivaratri festival. Likewise, every devout Nepali Hindu aspires to visit the Vishwanath Temple of Varanasi and the Rameshwaram shrine at least once during his/her lifetime.

Shriman Narayan; India and Nepal p. 68.

The temple of Pashupatinath in Kathmandu, situated on the bank of the sacred river Bagmati occupies an exceptional place in the cultural history of Indo-Nepal relations. Likewise, the birthplace of the Lord Buddha, the Light of Asia, is centre of attraction for the Buddhists of the entire world. The other three great places of pilgrimage for the Buddhists are situated in India such as Bodh-Gaya, Sarnath and Kasia.

Percival Landan writes in his book named 'Nepal' vol. 1 pg. 428.

"It is stated in ancient history that during the reign of Stunks, 14th king of the Kiranti Dynasty, Ashoka the great, came on pilgrimage to Nepal about 230-250 B.C. accompanied by the venerable Upagupta, the great Buddhist monk."

He recorded the visit on a pillar and married his daughter Charumitra to the Nepalese prince Devapala. Chandra Gupta Vikramaditya, visited the valley and introduced his famous era (Vikram Sambat).

S. Levi, Le Nepal (Vol. 11) P.67.

Shavism, the faith of the Gupta Kings, spread in Nepal and it stuck deep roots there. The Lichhavis, were related to the Guptas of India. During the 5th and 6th centuries B.C. a celebrated ascetic named Vasubandhu visited Nepal accompanied by some 500 disciples and founded religions schools in the country.

Daniel wright writes in 'History of Nepal':

Shankaracharya, the prophet of Hindu renaissance, came to Nepal during the reign of Brikhatendra Verma 18th king of the solar Dynasty.

Daniel Wright: History of Nepal, P. 118.

Nepal and India share same and almost similar cultural legacy since the dawn of civilization. They also belong to the same cultural stock. They interact with each other sharing caste, religion, cultural and social values. These factors have special significance in shaping India relations with Nepal. They have close socio-cultural relations since early times. Thus close social interaction is cementing the friendship, fraternity and intimacy between the two countries. The people of Terai-Madhesh maintain close relations with their counterparts in India. They have matrimonial relations with them since the times of the Ramayana. This relation is still in vogue in both countries.

The Maithil Brahmins of Mithilanchal (Both in Nepal and India) have common marriage market in Saurastra Sabha (assembly) where marriage of the bride and groom is solemnized by the help of Panzikar (registrar) who has the authentic record of their genealogy. He finalizes the sacred date and time of marriage according to the Mithila

Panchang (Calendar). Besides, Maithil Brahmins, all the castes of Terai-Madesh establish and maintain matrimonial relations with their counterparts in neighboring Indian states such as West Bengal, Bihar and Uttarpradesh, Political scientist L.R. Baral has stated proximity has many things to do with people to people relation. So nobody can even think of separating Nepal's Jha, Mishra, Pandit, Pandey, Dikshit, Sah, Gupta, Mahato, Mandal etc. from their relations in India. Nobody can separate from father-inlaws to son-in-laws, daughter-in-laws from father-in-laws, sons from fathers, brothers from brother and from mother and daughters. Even the government also cannot do this. Therefore, Government to government relations may not be cordial but peopleto-people relation has been always cordial and co-operative. The government of India has many commissions to look after the welfare of her minority groups such as O.B.C. Commission, Opportunity Commission, Dalit Commission and Muslim Commission. Likewise Nepal has also several commissions such as O.B.C. Committee. Dalit Commission, Muslim Commission and other commissions are under consideration. There is a strong caste hierarchy in Nepal as well as in India. So naturally, there is casteism in vogue, which sometimes hampers the relationship and friendship among them. Racial discrimination comes up in surface sometimes, which is detrimental to some extent. Many foreign scholars have marked this and written about it. "The idea behind hierarchy, purity and pollution the conceptualization of gender inequality the stress on communality, all symbolically meaningful factors, convey the meaning, the ethos undertaken by social agents and to mechanism enforcing social relations. (Gerard to Toffin 2008)

Likewise, Parmanand in his 'Current Crisis and Future Process', has maintained that the two South Asian States India and Nepal have so much in common on the fronts of social relationships, religion, culture and economy that many tend to recognize the existence of some special relations between the two. Many see numerous mini-Nepals in India and an India in miniature in Nepal. Of course, several nationalist Nepalese do not like the concept of any 'special relations' between the two. It is an altogether different matter that such nationalists are neither hesitant nor lethargic in taking advantage from India, if and when they come across any such opportunity. Chandrasekhar, a great leader of India addressing the Nepali Congress Conference in Kathmandu in 2046 B.S. alluded to the special bonds of friendship between the two peoples regardless of the nature of government to government level contact. Sometimes "love-hate relationship" between Nepal and India.

The vicissitudes of India-Nepal relations present for the scholar as well as the nonprofessional a whole gamut of relationship between closeness with Nepalese populace.

Lakshmi Prasad Devkota, the poet Laureate of Nepal, has elaborated:

"We are the products of the Buddha's soil

the honey sweet playmates of Janaki

the flower of our earth".

(Indreni: coronation special issue -2013)

Madhav P. Ghimire has also the same literary respect:

"Here was Janaki born

Like the paddy blade,

The Graceful Janaki

Dedicating herself to Rama."

M.K. Singh has rightly observed in the following lines:

"India-Nepal relationship is shaped by the countries old social, cultural, historical and geographic linkages. Extensive people-to-people contacts permeate all aspects of the lives of the people of India and Nepal and transcend borders and government welfare of the people of the two countries interlinked and developments in one country variably have an impact on the others. No one sovereign state in the world can take pride in a relationship as wide ranging and multi-faceted as that stand between India and Nepal."

M.K. Singh: India and Nepal Current Scenario: P.5.

There is a provision for Social Empowerment Ministry in the constitution of India but there is no such provision of Social Empowerment Ministry in Nepal. So There is a need of Social Empowerment Ministry in Nepal as soon as possible for maintaining social harmony in our country. Our society is still crippled with social discrimination in every step. I would like to quote:

"If, despite all the political and economic advancements we have made and all the corrective measures we have taken, fissures along caste and racial lines still run deep and wide in the subcontinent with even the well educated among us becoming its perpetrators or victims, then solving it requires more than just passing new laws and framing new policies. It requires us to better engage with one another and have empathy for those different from us.

Abhinawa Devkota: The Kathmandu post Jan 21, 2017.

Some highlights on Nepal-India recent cultural co-operation.

Cultural Cooperation

Festivals of North East India in the nine cities named 'Namaste Nepal' were performed from 14-27 January 2017

Fagu and Deepawali festivals are celebrated with the same zeal and jest in both the countries

Festivals of Uttar Pradesh were also performed from 26-29 January, 2017 in Kathmandu Committed to reconstruction of major cultural heritage sites of Nepal

Kathmandu-Varanasi, Janakpur-Ayodhya and Lumini-Bodhgaya became sister cities MOU between Lalit Kala Academy and Nepal Academy of Fine Art signed, and MOU between Sangeet Natak Academy and Nepal Academy of Music and Drama signed MOU on Youth Exchange signed

Second International Day of Yoga was celebrated

B.P. Koirala India-Nepal foundation in its 25th year has been promoting art, music, literacy, culture and academic research in Nepal

Through its activities, BPKF has aimed at women empowerment, socio-political consensus, child development, environment preservation, and fostering people to people

ties between India and Nepal

Indian Cultural Centre, Kathmandu conducts regular classes for about 600 Nepalese students on Tabla, Classical Vocal Music, Yoga and Bharatnatyam Dance

The Indian cultural Centre holds various events and cultural shows coinciding with various Nepali and Indian festivals and occasions.

Bharat- Nepal Relations

Socio-Cultural and Civilization Linkages

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Jointly organized by Antar Rastriya Sahayog Parishad (ARSP) and

Neeti Anusandhan Pratisthan Nepal (Ne Nap)

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Potentials of Nepal and North-East India to link South Asia and South East Asia

Rudra Shrama*

Abstract

This paper tries to explore the potentials of North-East India with respect to the multilateral, regional and bilateral trading regimes especially in relationship of Nepal. In fact, it is a Nepalese perspective of the possibilities and potentials that can be explored for the sake of North-East India as well as Nepal, India other related countries. The legal and regulatory framework on international trade and investment are often developed on the basis of needs. The needs may be based on geography, time and issues. Nepal, India and their neighbors are members of WTO. SAARC countries have South Asian Free Trade Agreement (SAFTA). SAARC countries also share many other regional forums like BBIN (Bangladesh, Bhutan, India and Nepal), BIMISTEC (Bay of Bengal Economic Cooperation), Boao Forum for Asia etc. At the same time, SAARC countries have also seen progress of other regional trading arrangement like ASEAN, and the European Union (EU) that can be considered as the most successful examples of regional trading arrangement. As we have witnessed it, the legal and regulatory framework can work into four stages to integrate the economy.

How North East India Looks from Nepal?

From Nepal, North East India is perceived as a place similar to Nepal itself as people in Nepal presume that Nepali language is generally understood for communication in most of the parts of North East India. There are similarities in religious, cultural and other aspects of societies between Nepal and North East India. As we look into the North East India from Nepal, two other countries come together in the landscape of the geography. They are Bangladesh and Myanmar. Nepali communities are well settled in Myanmar too and Bangladesh is one of the major trading partners of Nepal and also a way to sea port. Nepal is surrounded by India in three sides of its borders and one of them is the North-East India in the eastern part of Nepal.

The North-East India which is popularly known as seven sisters can have several

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preparation of this research article.

aspects to consider in the areas of international trade and investment with Nepal. Nepal can have mutual prospects to share and explore in multilateral, regional and bilateral forums. It is natural that investors from Nepal may want to extend their businesses to North East and vice-versa. Nepali investors and businesses can take North-East India as a gateway to East Asia and some other countries. Similarly, the investors and businesses from North-East of India can take Nepal as an efficient way to other parts of India and South Asia. After a decade's long armed conflict, Nepal has entered into the phase of development, and therefore, Nepal wants to explore the opportunities of trade, investment and development with North- East India. It can be a reasonable expectation from the side of Nepal if the Act East policy of India can bring some opportunities for Nepal too.

Nepal has been entered into the framework of federalism recently and India is practicing federalism since its independence. Therefore, it is reasonable to consider how the trade, economics and developments are fostering into the federal framework of India especially the North-East Region. Nepal's Constituent Assembly promulgated the constitution of Nepal in September 2015 and the elections of local level are held recently. It may be news for many that there will soon be 760 governments in Nepal as there are 753 governments at the local level, 7 governments at the provincial level and 1 government at the central level. Therefore, Nepal is following closely remarkable developments related to federalism and development in India and other parts of the world. One of the incidents closely noted is the deal of India with Bangladesh with respect to the sharing of water of Teesta river and the role of the West Bengal government in this deal*. Such instances give lessons to Nepal to consider a conflict management scenario in federal governance and development especially relationship of center and state governments with respect to development projects.

Another perspective that Nepal looks towards North-East India is related to regional economic development. In this perspective, other countries especially Bangladesh and Myanmar come together in the landscape. Bangladesh has proposed to develop hydroelectricity in Nepal by using the BBIN corridor**. If Bangladesh produces 1600 MW electricity in Nepal and takes it to Bangladesh, such a huge project would exert multiplier effect to the region including the North-East India.

As mentioned above, Nepal looks towards North-East India in many perspectives. However, the major point is about trade, investment and development. Due to the above mentioned accounts, Nepal watches closely the Act East policy of Government of India. It can be imagined at this point that Government of Nepal may also make Act East policy in future enabling the provinces No. 1 and 2 of Nepal to engage with North East India for several kinds of economic activities. Nepal also into the North-East India with

** See, The Kathmandu Post, October 20, 2016 http://kathmandupost.ekantipur.com/news/2016-10-20/bangladesh-to-build-over-1600-mw-hydro-projects.html.

^{*} See, Times of India, 9 April, 2017 at https://timesofindia.indiatimes.com/city/kolkata/teesta-a-far-cry-mamata-banerjee-offers-torsa-water-sharing/articleshow/58090819.cms.

respect to similarities of development agenda. Some of such similar development issues are – tourism, development of mine and minerals, infrastructure projects including hydropower and better connectivity after development of better infrastructures especially road connection. For example, the Fulbari-Benglaband route was like a remote place till one decade back. Now, it has been a very convenient transport route***. Such convenient transport routes can be extended to other parts of North East India and thereby lessening the distance between Nepal and North-East India.

1. Regulatory framework

The regulatory framework can be divided as follows –

A. Bilateral

Nepal and India have following bilateral treaties

- i. Peace and Friendship Treaty of 1950
- ii. Treaty of trade
- iii. Treaty of Transit

According to the treaty of transit, India has provided transit to Nepal through India. The Banglabanda port can be reached after crossing the 54 Kilometers from Kakadbhitta all the way from Bagdogra-Ghoshpokhar-Phulbari. The Banglabanda port route is opened by India and Bangladesh opening a new avenue of gateway for Nepal, India, Bhutan and Bangladesh towards the North East India****.

- iv. Agreement to control Unauthorized Trade
- v. Bilateral Investment Promotion and Protection Agreement (BIPPA).

Nepal and India have signed BIPPA on 11 October 2011. However, it has been controversial before it is implemented and even the ruling of the Supreme Court of Nepal could not clear the confusions about this*****. Project Development Agreement (PDA), Production Sharing Agreement (PSA) and other similar agreements can be the options. These agreements also need to resort to reliable international or cross border legal and regulatory framework. We need to work together to identify such workable legal and regulatory framework. Efforts are made to develop some PDA and PSA with respect to some projects like Arun III and some other project. However, the main challenge has been identified how to make such agreements bankable and workable.

Regional

A regional mechanism can go beyond the multilateral mechanism. As Nepal and

*****See, Road of BIPPA, Constitutional Center for Youth Development (CCYD), March 2012, Kathmandu

^{***} See, Parbat Portel, Kantipur national daily at page 7, September 23, 2017.

^{****} Seé, https://bdnews24.com/bangladesh/2016/02/18/india-bangladesh-open-a-new-land-portconnecting-phulbari-banglabandha.

India both are member of the multilateral trading regime WTO, they can participate in Regional Trading Arrangements (RTA) too*. Nepal and India share the following common forums of RTAs.

- i. SAARC, SAPTA and SAFTA The members of South Asian Association for Regional Cooperation (SAARC) established in 1994 signed an agreement in 1993 called South Asian Preferential Trading Agreement (SAPTA). Further, they also signed another agreement in 2004 called South Asian Free Trade Agreement (SAFTA). According to the agreement of SAFTA, the member countries are required to reduce custom rate of all goods to zero by 2016 except the goods mentioned in the negative list. Heavy negative lists of member countries have been challenge to implement SAFTA.
- ii. Bangladesh, Bhutan, India and Nepal (BBIN) initiative-It is a sub-regional initiative of eastern South Asian countries aiming South Asian growth Quadrangle. India has signed motor vehicle agreement with SAARC countries**. However, it is said that Bhutan has withdrawn from the BBIN initiative of Motor Vehicle after two years of signing of the agreement.
- iii. Trade in Service Agreement between SAARC countries 2010.
- iv. Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC)- Established in June 1997, it included Myanmar in December 1997 and Nepal in February in 2004. Considering its membership and objectives, BIMISTEC can really be considered as a bridge between South and South East Asia***. In the 18th Session of the BIMISTEC meeting held in Kathmandu in August 2017, the senior officials of BIMICTEC have agreed to deepen cooperation rather than widening the areas****. In fact, BIMISTEC's areas of cooperation are already wider and it can be wider as it deepens too. One of the examples is that Nepal proposed in 18th Session a draft concept of paper on mountain economy.
- v. Association of Southeast Asian Nations (ASEAN) Evan as Nepal and India are not members of ASEAN*****, we need to consider ASEAN seriously mainly because of the reason that the North East India is supposed to be a bridge between South Asia and East Asia.

^{*} See, WTO at - www.wto.org/english/thewto_e/whatis_e/tif_e/bey1_e.htm.

^{**} See, The Hindu, June 16, 2015 - http://www.thehindu.com/news/national/india-signs-motor-vehicle-pact-with-three-nations/article7319041.ece.

^{***} See, http://bimstec.org/.

^{****} See, The Kathmandu Post, August 11, 2017 at page 2. **** See, http://asean.org/asean/about-asean/overview.

The same applies to Nepal too as Nepal can aspire a kind of bridge between South Asia and East Asia through North-East India. ASEAN can be the most successful regional trading arrangement in developing countries. Therefore, we need to consider seriously about the success stories of the ASEAN countries. India and ASEAN have signed a free trade agreement *******. We can hope at this point that the Free Trade Agreement between India and SAEAN can be very useful for the prosperity of North East India.

vi. Others-There are other many regional mechanisms in the area of anti-money laundering, countering terrorism, protection of environment, sustainable development, intellectual property (combating counterfeit product), combating unauthorized trade and many other areas.

B. Multilateral

The followings are the major multilateral mechanisms with respect to governing international trade and investment.

- i. World Trade Organization (WTO).
 - As the WTO was established in 1995 with its history since 1947, the international community has witnessed that multilateral trading regime is inevitable, even if, the guards of it may be changing.
- ii. World Intellectual Property Organization (WIPO)
 - Established in 1967 as a specialized agency of the United Nations, WIPO****** carries out several activities with respect to intellectual property. The activities of WIPO are different than Trade Related Aspect of Intellectual Property (TRIPS) under WTO. As a part of WTO, TRIPS seems to be more binding than WIPO. However, WIPO covers a very wide range of promotional and creative activities. India can consider WIPO activities with respect to its Act East policy so that the Act East policy and the promotional and creative activities of WIPO can be supplementary to each other.
- iii. South-South Cooperation—This South-South Cooperation*******canbe utilized as an effective tool for development of North East India and extending cooperation with other countries. The forum of South-South cooperation can be very useful for India for further projection of its image as a regional power as well as global power.
- iv. United Nations The role of United Nations is obvious. However,

See, http://fta.miti.gov.my/index.php/pages/view/asean-india?mid=35.

^{******} See, http://www.wipo.int/portal/en/index.html.

it is mentioned here that India can effectively utilize the forums of United Nations by culminating the efforts of the above mentioned (from I to III) multilateral forums so that India's role in United Nations would be more effective. At the same time, such efforts can contribute the development of North East India.

- **C.** Public International Law- Public international law is at the top to regulate international trade and investment. Most of the subject matters related to public international law are well settled.
- **D.** Private International Law- Private international law is one of the emerging areas that can regulate may emerging areas related to international trade and investment. It also covers settlement of dispute through arbitration and other means of alternative dispute resolution mechanism as well as recognition of enforcement of foreign arbitral awards.
- **E. Others Regulatory Frameworks**-There are some other regulatory frameworks which are already known generally. For example, the Breton Wood institutions including the World Bank and International Monetary Fund (IMF), Washington Consensus, Beijing Consensus and others. Such regulatory frameworks and institutions are equally important to consider for the development of North East India.

Prospects of trade and investment

After decades long armed conflict, Nepal is now moving towards development. As the new Constitution has given a better sense of stability, this is time to capitalize the opportunities. The Rasuwagadi route has been declared as an international border point allowing citizens of other countries (citizens besides Nepal and China) to travel across the border*.

As Nepal can be ambitious to be a bridge between East Asia and South Asia, it can watch closely the developments related to Free Trade and Trade in Service Agreement between India and ASEAN. Similar is the case of Mekong Ganaga Cooperation**.

There are some prominent issues in this region to be facilitated by the international legal and regulatory framework. For example, the Bhramaputra Ganga River linking project. A byproduct of this project can be water navigation in the region and it would be very important for a landlocked country like Nepal. Construction of high dams in lower hilly regions covering the areas of Nepal and India can share the benefits of the same to many countries namely Nepal, India, Bangladesh, and Bhutan. Such high dams will be the basis for production

rasuwagadhi-kerung-becomes-intl-crossing-point.html. See, The India Express, August 8, 2017. http://indianexpress.com/article/india/india-calls-forexpanding-cooperation-with-mgc-member-countries-vk-singh-4787053/.

See, The Kathmandu Post, August 31, 2017. http://kathmandupost.ekantipur.com/news/2017-08-31/

of hydro electricity, water sharing, flood control, irrigation, preservation of ecology and many other issues including tourism. A successful implementation of all these issues requires a smart regime of legal and regulatory framework. The existing multilateral, regional and bilateral legal regime can give a starting point for establishing a workable legal and regulatory framework.

The people of North- East of India have upheld huge treasure of biodiversity. The Manipur University has made inventory of 333 medicinal plants. These have high value products. This indigenous knowledge based high value products can be game changer in the free trade basket***.

3. Conclusion and Suggestions

As mentioned above, some broad legal frameworks with respect to governing international trade and development of North-East region of Nepal are being developed. However, it should be further developed to address the operational situations on the grounds. We need some legal and regulatory framework to explore these possibilities. We can use the multilateral mechanism like WTO, regional mechanisms like SAFTA, BIMISTEC which are already in place. Further, we can also take them as a resource to develop new and more compatible legal and regulatory framework. We need to look into the grounds what are the needs and we need to work together on the basis mutually acceptable framework. Legal and regulatory framework is necessary not only for starting the businesses or investment. They are also necessary to nurture them and also for settlement of disputes if any arise in course of the business or investment.

There are some issues that should be addressed by the legal and regulatory framework of international trade and investment of this region. The most comprehensive legal and regulatory framework governing international trade and investment is the multilateral trading regime called World Trade Organization (WTO) as it covers wide ranges of legal regime on trade in goods; trade in services, intellectual property including investment and so many things. There can be other more specific legal regimes under regional trading arrangements and bilateral agreements between two countries. Each country has its respective national legal regime covering trade and investment. The national legal regimes and the international legal regimes including multilateral, regional and bilateral legal regimes are often influenced by one another. As a member of WTO and one of the prominent players in the multilateral trading regime, India has much prospects to shape the rules as well as catering the fruits of investments to the people. North East India has greater role to play on behalf of India with respect to the relationship of India with North-Eastern neighbors namely Nepal, Bangladesh, Bhutan, China and Myanmar. quote here his saying:

"Relationship between India and Nepal is not merely a case of friendship; it is, in truth, a brotherly bond of affection. Thousands of years ago, king Janak's daughter Sita was married to Prince Ramchandra. Lord Buddha, though born in Nepal, moved mostly in

^{***} See, Mahendra P. Lama, Renegotiating the mountain commons, The Kathmandu Post, at Page 6, October 11, 2017.

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Mega Hydro Prospects in Nepal and Affairs with Neighbors

Biraj Pradhan *

A small landlocked nation Nepal but with tremendous gift of nature in water has a huge hydropower potential. In fact, the perennial nature of Nepali rivers and the steep gradient of the country's topography provide ideal conditions for the development of run-of-the river type hydroelectric projects providing large savings to Nepal's economy. Current estimates are that Nepal has approximately 40,000 MW of economically feasible hydropower potential. However, the present situation is that Nepal has developed only approximately 600 MW of hydropower.

Nepal's electricity generation is dominated by hydropower. Powerful sources cite that only 1% energy need is fulfilled by electricity. The bulk of the energy need is dominated by fuel wood (65%), agricultural waste (15%), animal dung (8%), imported fossil fuel (8%) and small fraction by Solar Energy (4%). The other fact is that only about 65% of Nepal's population has access to electricity.

There is a global warning new stating that the USA and the UK will be without electricity by 2030 unless governments invest more in renewable energy. Nepal has publicly unveiled its ambitious plan to build 10,000 MW projects by 2028. As we all realize and look forward to its implementation with greater partnerships with our big neighbours India and China, the dreams of a prosperous and happy Nepal could be realized soon.

Nepal Energy Forum states that during peak time in monsoon from 2020/21 onward there will be excess supply of 200 MW and 900 MW during off peak period. But during winter dry season there might be short supply of 700 MW. It's a given fact that a proper energy trade agreement between India and Nepal would substantially help each other.

In addition, even though significant energy exports to India is expected from 2025, Nepal could boost its economic development by early development of transmission infrastructure.

^{*} Mr. Pradhan is an Executive Member of NCWA

For electricity trade to materialize, policy, institutional and technical infrastructure are necessary. Nepal is currently importing from India, so technical infrastructure (interconnection) already exists. Without a stable, long-term conducive policy and an institutional environment in place, which ensures payment security, it is unlikely that investors will put their money in this risky business.

Additional 94.8 MW of electricity generated from various hydroelectricity projects will be connected to the national grid within this fiscal period. NEA has announced that by 2020, key projects like Upper Tamakoshi, Upper Sanjen, Middle Bhotekoshi, Rasuwagadi and Sanjen would be completed.

The good news is that the Parliament of Nepal endorsed the SAARC Framework Agreement for Energy Cooperation on 30 August 2016. Recently, India has taken the lead in integrating the electricity grids of the countries in South Asia.

International Rivers tracks all Chinese hydropower companies' investments throughout the world. Researchers and intellects hope that this tool will continue to help individuals and organizations researching topics such as how many dams are being planned or constructed in particular countries or regions; which Chinese companies are funding which dams; and how much money is being spent.

Such information and timely action by Nepal's government would Mega Hydro projects eventually. The objective is to export surplus power from these projects to our immediate neighbor India further strengthening economic corridors among the countries involved.

National Unity as a Prerequisite for Effective Foreign Policy

Gaurab Shumsher Thapa*

Abstract

This article aims to examine the need for Nepal to exhibit national unity in formulating and implementing its foreign policy in an effective manner to achieve national interests. It becomes even more essential for Nepal to do so considering its geopolitically sensitive neighbourhood. The primary objective of foreign policy of a state is to safeguard its independence, sovereignty, territorial integrity and to protect and promote its national interests in relation to its dealings with other states by means of effective diplomacy. Foreign policy objectives should not deviate with change in governments. While political parties may have different ideologies and policies, there must be unity in formulation and implementation of foreign policy. Foreign policy objectives can be achieved only in the condition where national unity is strong.

Introduction

A state formulates and conducts its foreign policy basically to protect and promote its national interests. Foreign policy decision making refers to the choices made by a state that reflect its actions on the international stage. Foreign policy decisions are characterized by high stakes, great uncertainty, and substantial risk. National unity is the process of bringing together people of diverse social and cultural backgrounds from within societies into a single fold. The sum total of capabilities that a state possesses determines its national power. National unity is essential for increasing national power which helps in achieving national interests.

It is often said that foreign policy of a state is an extension of its domestic policy as the nature of domestic politics is responsible for determining the capability and credibility of its foreign policy. Domestic politics can be stable only when there is national unity. Unless there is national unity on the vital national interests, a nation will not be able to conduct its foreign policy effectively to achieve the desired goals.

Nepalese Context

The Constitution of Nepal states that the policies related to international relations shall be "to conduct an independent foreign policy based on the charter of the United Nations,

^{*} Mr. Thapa is a Member of NCWA

non-alignment, principles of Panchsheel, international law and the norms of world peace, taking into consideration of the overall interest of the nation while remaining active in safeguarding the sovereignty, territorial integrity, independence and national interest of Nepal".

As Nepal is landlocked between two emerging regional powers of the 21st century, China and India, it should maintain cordial and balanced relations with both its immediate neighbours. Small state foreign policy options such as aligning with one neighbour or balancing one of the neighbours would be detrimental to Nepal's sovereignty. Nepal's crucial geostrategic location between two big and powerful neighbours dictates that it must keep its national interests above anything else while conducting its foreign policy. "The best interest of Nepal is in nurturing a relationship of trust and confidence with both India and China".

With the successful completion of local, provincial and federal elections leading to implementation of federalism, the political transition has come to an end. The beauty of Nepal lies in its unity in diversity. Although federalism is new to Nepal, it must be nurtured in such a way that it will enhance national unity and ensure sustainable development for nation building through the collective efforts of the government, political parties and citizens.

National unity is a prerequisite for a consistent and effective foreign policy. Internal discord and disharmony weakens national unity which poses hindrance to effective implementation of foreign policy. A decade of armed insurgency which started in 1996 and another decade of political instability thereafter invited a suitable opportunity for foreign powers to interfere in the internal matters of Nepal and influenced our foreign policy in a way which served their national interests more than ours. The national unity exhibited by the Nepalese people during the economic blockade imposed by India in 2015 is believed to have served the national interest of Nepal. Similarly, there has been a national consensus on the need for Nepal to remove the asymmetric dependence on India by diversifying its trade and transit through trade and transit agreements that Nepal signed with China two years back, and connectivity option with China through its global project of Belt and Road Initiative (BRI).

Conclusion

Due to decades of political instability and varied interests of political parties and their leaders, the foreign policy of Nepal has neither been consistent nor free of external influence. If national unity can be conserved, foreign interference in the internal affairs of Nepal will automatically be neutralized. It is now high time for Nepalese political parties to leave their partisan interests behind and exhibit national unity so that the foreign policy of Nepal can be directed towards fulfilling our national interests. Successful formulation and implementation of a foreign policy based on national unity and backed by effective diplomacy will surely safeguard Nepal's national interests and ensure economic prosperity.

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Annex - I

Activities of NCWA 2017/018

The NCWA held its 69th Anniversary on February 17, 2017, (Falgun 6, 2073), at Hotel Malla, Kathmandu. On the occasion, the Chief Guest Rt. Hon'ble Vice President of Nepal, Mr. Nanda Bahadur Pun, addressed the Council.

The newly elected Executive Committee of NCWA organized a half-day seminar with members of the organization. The main theme of the programme was "Suggestions for Enriching NCWA's Activities". It was organized on March 24, 2017, at the NCWA Hall. Members of NCWA focused on strengthening objective of the Council.

The Council organized an Interaction on "Nepal's Foreign Policy, Economic Diplomacy and Development" on April 21, 2017, at the NCWA Hall. Former Foreign and Finance Minister, Hon'ble Dr. Ram Sharan Mahat, Former Foreign and Finance Minister, Dr. Prakash Chandra Lohani, and Ambassador of Nepal to Srilanka H.E. Dr. Bishwambher Pyakuryal, respectively spoke on the occasion.

The Council organized an Interaction on "Revitalizing the SAARC Process" on August 3, 2017, at the NCWA Hall. Secretary General of SAARC, H.E. Mr. Amjad Hussain B. Sial, shed light on various aspects of the issue.

Annual General Meeting (AGM) of the Council was held on August 18, 2017, at Amrapali Banquette, Kathmandu. The meeting passed the annual budget and proposed programme for the fiscal year 2017/2018. The Secretary General Mr. Ashim Thapa, presented the annual report of 2017. The report was unanimously passed by the meeting. Similarly, the Treasurer, Mr. Rabindra Nath Bhattarai, presented financial statement and annual budget for the next Fiscal Year 2017/2018 (2074/75 BS). The meeting approved auditor's report and financial report for the years 2016/2017 and appointed an auditor for the next fiscal year. The meeting ended with the concluding remarks by the President Mr. Hemanta Kharel.

Nepal Council of World Affairs organized Dashain, Tihar, Nepal Sambat, Chhat, Maharram, and Lhoshar festival greetings in its own premises on October 16, 2017 at NCWA Hall, Pulchowk, Lalitpur.

The NCWA organized an interaction programme on "Nepal-Pakistan Relations: Prospects and Challenges" on November 7, 2017, at the NCWA Hall, Pulchowk, Lalitpur. H.E. Mr. Mazhar Javed, Ambassador of the Islamic Republic of Pakistan to Nepal, spoke on the topic.

The Council organized an Interaction programme on "Nepal-Thailand Relations and Future Prospects" on December 15, 2017, at the NCWA Hall. His Excellency Mr. Bhakavat Tanskul, Ambassador of Thailand to Nepal spoke on the topic.

The NCWA organized an interaction programme on "Nepal-Republic of Korea Relations and Future Perspective" on January 4, 2018, at the NCWA Hall. H.E. Mr. Park Young-Sik, Ambassador of the Republic of Korea to Nepal, spoke on the occasion.

The Nepal Council of World Affairs organized an interaction programme on "Nepal-India Relations: Future Perspective" on February 6, 2018, at the NCWA Hall, Pulchowk, Lalitpur. H.E. Manjeev Singh Puri, Ambassador of the Republic of India to Nepal, spoke on the topic.

At the friendly invitation of Government of Nepal, high level delegation led by H.E. Mr. Ivica Dacic, First Deputy Prime Minister and Minister for Foreign Affairs, Republic of Serbia visited Nepal on May 4-6, 2018. The Nepal Council of World Affairs organized a talk programme in collaboration with the Ministry of Foreign Affairs, Nepal on "Serbia in the Region, Europe and the World", on 5th May, 2018 at Hotel Malla, Kathmandu. Bilateral relations and various issues of mutual concerns were discussed on the occasion.

Exchange of Visit Programme

At the friendly invitation of Nepal Council of World Affairs, a six-member delegation led by Mr. Liu Hongcai, Vice President, Chinese Association for International Understanding, Beijing, China, visited Nepal from May 24-26, 2017. Others members of the delegation were Deputy Secretary-General, Ms. Zheng Yao, Division Director, Mr. Liu Zhenzhong, Associate Research Fellow, Mr. Du Xiaolin, Assistant Research Fellow, Mr. Yin Qingqing and Program Officer, Ms. Wang Bo. The Council organized an international symposium on "Promoting People to People Relations: Ideas on One Belt and One Road Initiative", on 25th May, 2017 at Hotel Shangri-la, Kathmandu. Various issues of mutual concerns and bilateral relations were discussed on the occasion. Both sides agreed to continue the exchange visit programme in the days ahead.

China NGO Network for International Exchanges (CNIE) invited the President of NCWA, Mr. Hemanta Kharel, to visit China from November 19-28, 2017. The CNIE organized an international symposium on "First Silk Road NGO Cooperation Network Forum" at Beijing, China. During the president's visit various issues of mutual concerns and bilateral relations were discussed.

At the friendly invitation of Nepal Council of World Affairs, two-member delegation led by H.E. Munshi Faiz Ahmad, Chairman, Bangladesh Institute of International & Strategic Studies (BIISS) visited Nepal. In Honour of the delegation members, the Council organized a symposium in collaboration with the Embassy of the People's Republic of Bangladesh in Kathmandu on "Trade and Connectivity between Nepal and Bangladesh", on 23th December, 2017 at Hotel Shangri-la, Kathmandu. Various issues of mutual concerns, bilateral relations, and trade connectivity were discussed on the occasion. Both sides agreed to continue the exchange visit programme in the days ahead.

Annex - II Activities in Pictures



Chief Guest, Rt. Hon'ble Nanda Bahadur Pun, Vice President of Nepal, Releasing NCWA Journal on the occasion of its 69th Anniversary on February 17, 2017

Suggestions for enriching NCWA Activities on March 24, 2017





Members participants of NCWA in an Interaction on strengthening activities of NCWA in future on March 24, 2017



An Interaction on Nepal's Foreign Policy, Economic Diplomacy and Development on April 21, 2017

Participants in an Interaction on Nepal's Foreign Policy and Development on April 21, 2017





Workshop on Promoting People to People Relations: Ideas on One Belt and One Road on May 25, 2017



CAFIU Delegation's visit to NCWA premises on May 25, 2017

Participants in a workshop on OBOR on May 25, 2017





Group Photo in an Interaction on Revitalizing the SAARC Process on August 3, 2017



Participants in an Interaction on Revitalizing the SAARC Process on August 3, 2017

Past President of NCWA, Dr. Bhekh Bahadur Thapa addressing the Council on its Annual General Meeting on August 18, 2017





Festivals Greetings programme on October 16, 2017



Participants in Festivals Greetings programme on October 16, 2017

Ambassador of Pakistan to Nepal, H.E. Mr. Mazar Javed, in an Interaction on November 7, 2017





Participants in an interaction on Nepal-Pakistan Relations: Prospects and Challenges on November 7, 2017



President of NCWA, Participating in First Silk Road NGO Cooperation Network Forum, in Beijing on November 20, 2017

H.E. Mr. Bhakavat Tanskul, Ambassador of Thailand to Nepal, in an Interaction on December 15, 2017





Workshop on Trade Connectivity between Nepal and Bangladesh on December 23, 2017



Participants in a workshop on Trade Connectivity between Nepal and Bangladesh on December 23, 2017

H.E. Mr. Park Young-Sik, Ambassador of Republic of Korea, in an Interaction on January 4, 2018





H.E. Mr. Manjeev Singh Puri, Ambassador of India to Nepal, in an Interaction on January 6, 2018



Participants in an Interaction on Nepal-India Relations: Future Prospective on January 6, 2018

H.E. Mr. Ivica Dacic, First Deputy Prime Minister and Minister of Foreign Affairs, Republic of Serbia, in a talk programme on "Serbia in the Region, Europe and the World" on May 5, 2018.





Participants in an interaction on "Serbia in the Region, Europe and the World" on May 5, 2018.