

# Review of Indo-Nepal treaty is required

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The recently concluded five-day official visit to India by Nepal's Prime Minister Man Mohan Adhikari, the first communist prime minister in Nepal, centered around the 1950 Indo-Nepal Treaty of Peace and Friendship which Nepal has been asking New Delhi to review for years. Prime Minister Adhikari has asked India to sit down "as good friends and neighbors and discuss bilateral issues."

The 1950 Treaty of Peace and Friendship recognized the "special relationship" between the two countries, divided by a virtually open and unmanned border. It reflected the longstanding cultural, economic, and historical ties between the two lands. However, Nepal has questioned the treaty because it compromises its sovereignty. The treaty implies that Nepal and India belong to the same defense zone, which is a correct evaluation, but it also means that the security of Nepal is the sole responsibility of India, a giant compared to tiny Nepal, and Nepal cannot procure arms without officially informing India and explaining its intent.

The treaty also calls for free movement across the border. Indians can cross the border to be employed in Nepal and invest there, and vice versa for Nepalese. There are 15 points along the border accessible for bilateral trade. As for transit with third countries, no restrictions have been imposed at all and Nepal has been allowed to use two transit points for third country trade.

However, since Indian investors are more powerful financially, there exists a fear in Nepal that the Indians can, and may, buy up their country. And since Indians are more skilled, and numerous, the Nepalese worry about the clause which allows Indian employment in Nepal.

The 1962 border war between China and India, and India's three wars with Pakistan over the last five decades, vitiated the environment in South Asia significantly. Smaller nations, in particular Nepal, were told in various international forums by the geopoliticians that India, in league with the Soviet Union, had a design to "swallow" the neighboring Himalayan kingdom. This formulation helped to create paranoia within the ruling monarchy in Kathmandu, and the game of geopolitics took over the "special relationship." Nepal allowed China (then hostile to India) to build a road linking Lhasa, Tibet and part of China to Kathmandu, and was accused in the 1960s, 1970s, and a good part of the 1980s by New Delhi of becoming anti-India and pro-China. Kathmandu drew the wrath of India's mandarins again in 1988, when

Nepal bought four anti-aircraft batteries from Beijing. The act was interpreted in New Delhi as Nepal dancing to the Chinese tune. Furthermore, Nepalese King Birendra's insistence that India should endorse his "zone of peace" proposal—already accepted by China, Pakistan, and about 100 other countries—was viewed by New Delhi as undermining the spirit of the Treaty of Friendship.

New Delhi also retaliated. In 1989, India terminated the trade treaty, and thus curbed the free flow of commodities to Nepal. Although the relationship was rehabilitated during the Nepali Congress Party rule in the early-1990s, India continued to charge that Nepal was providing shelter to Pakistani Inter-Services Intelligence personnel for terrorist acts against India.

In Nepal, India was labeled the "big brother" who would like to keep Nepal in tow and exploit its resources—particularly its massive hydropower resources and water in general. Any Indian attempt to develop Nepal's hydropower potential has been excoriated by the left, monarchists, and a powerful section of the Nepali Congress Party, which has been politically dependent on India in the past.

When the Indo-Nepal Tanakpur hydroelectric power agreement was signed in December 1991, the communist opposition, led by Adhikari, described it as "a sellout of Nepali national interests to India" by the then-Nepali Congress government of G.P. Koirala. With Adhikari now prime minister, the issue has again come to the fore. When Adhikari's Communist Party came to power, the Indian reaction was predictable. There were whispers that it is likely that Beijing has moved its offices down south.

## Clarity in policy needed

It soon became clear that Adhikari's government is seeking the same status with India as its predecessor. The regime has denied permission to Kashmiris from Pakistan-held Kashmir to hold a conference in Kathmandu. Adhikari's emphatic declaration that his government would deny the use of its territory to subversive elements should be perceived as a victory against terrorism.

While Prime Minister Adhikari has indicated his interest to secure India's borders and not allow Nepal to be used for anti-India activities, New Delhi must now attend to Kathmandu's urgings to review the 1950 treaty and remove those clauses which are perceived by Nepal as against its sovereignty. Such acts by New Delhi will help secure peace along the northern borders and overcome the prevailing paranoia.

Moreover, India's northeastern states have remained underdeveloped and have been seething, often for the wrong reasons, for years. An unfriendly Nepal is vulnerable to the whims of geopoliticians who would like to keep India and China paranoid about each other and see that they act against each other's interests. It also helps the British geopoliticians, including Henry Kissinger and other China baiters, to play a destructive role in the area.