

# India- Nepal Relation in the Shadow of China: A Complex Triangle

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## Abstract

India-Nepal relationship is a blend of historical ties, geopolitical realities, and economic interdependencies. The India-Nepal Treaty of Peace and Friendship of 1950 forms the bedrock of the distinctive relation between the nations. However, this relationship has experienced instabilities due to various factors, including border disputes, economic dependencies, and changing political dynamics. In addition, the India-Nepal relationship has evolved due to China's growing influence in the Himalayan region. This has led to the changing equations with India, although not without tensions and complexities. The geographical proximity of India and Nepal along with China has influenced their interactions significantly. In such a dynamic scenario, India should adopt a comprehensive communication strategy and transparent approach to rebuild its 'special relationship' with Nepal.

**Keywords:** *bilateral relations, disputes, treaties, geopolitics.*

## Introduction

The roots of India-Nepal can be traced back to ancient times when both the nations were part of the vast Indian subcontinent. The origin of Buddhism can be found in the Lumbini district of Nepal, the birthplace of Buddha. It was in the period from 750 to 1750 AD when Nepal came under Newari rule and converted it into Hindu from Buddhist state. During the medieval period, Nepal was ruled by various dynasties, including the Malla dynasty, which established close interaction with the neighbouring Indian states. The deep-rooted historical and cultural connections that sate centuries was further strengthened in the India-Nepal Treaty of Peace and Friendship of 1950. This treaty gives national citizen to each other's citizens and allowed tariff free movements of good and services. Citizens of Nepal were allowed to apply for all government jobs in India except for the Indian Foreign Service, Administrative Service and the Police Service. Secret letters is also associated with this treaty which emphasis that Nepal will buy arms from India primarily but if India cannot meet its demand, Nepal would purchase it from third countries after informing India. In short, this treaty forms the core of the special relations between the two nations. The strong people-to-people relation further cemented with ties of kinship. Both India and Nepal are natural allies and often said that both have "Roti-BetikaSambandh."

## Area Of Cooperation Between India And Nepal

India-Nepal cooperates in diverse sectors, including infrastructure development, security and cultural exchanges. Territorial proximity leading to easy cross-border movement of people have played key role in fostering the relations.

## Trade And Economic Ties

With bilateral trade surpassing US\$ 7billion in FY 2019-2020, India is the largest trading partner of Nepal. Nepal has ascended to the 11th spot among India's export destinations, a notable rise from its previous ranking of 28th in 2014. In FY 2021-22, it constituted 2.34% of India's exports. In fact, exports from India constitute almost 22% of Nepal's GDP. Nepal's main imports from India are petroleum products, Iron & Steel, Cereals,

Vehicles and Parts, Machinery parts. Nepal's major items of exports include Soya bean oil, Spices, Jute fibre & products, synthetic yarn and tea.

With the aim of encouraging Indian investment in Nepal as well as to prevent fiscal evasion with commercial interests in both countries, India-Nepal signed the Double Taxation Avoidance Agreement (DTAA) in November 2011. Moreover, India and Nepal concluded a Memorandum of Understanding (MoU) for long-term supply of Urea and Diammonium phosphate (DAP) fertilizers from India to Nepal under a G2G arrangement on 28 February 2022. Indian firms are among the largest investors in Nepal, accounting for more than 30% of the total approved foreign direct investments. About 150 Indian ventures operating in Nepal are engaged in manufacturing, services (banking, insurance, dry port, education and telecom), power sector and tourism industries. Some large Indian investors include ITC, Dabur India, Hindustan Unilever, State Bank of India, Punjab National Bank, Life Insurance Corporation of India, Asian Paints, CONCOR, GMR India, Bhushan Group, Feedback Ventures, RJ Corp, KSK Energy, Berger Paints, and India etc.

### **Energy Cooperation**

For meeting the power requirements in the border areas of both the countries, India and Nepal have a Power Exchange Agreement since 1971. On 21<sup>st</sup> October 2014 with the aim to facilitate and further strengthen cross-border electricity, power trade and grid connectivity between India-Nepal an agreement was signed on Electric Power Trade, Cross Border Transmission Interconnectedness and Grid Connectivity. Again, in 2019, the two prime ministers of both the countries remotely inaugurated the first South Asia's cross-border petroleum products pipeline, constructed and funded by Indian Oil Corporation Ltd., which connects Motihari in India to Amlekhgunj in Nepal.

Recently in the month of June 2023, Memoranda of Understanding (MoUs) were signed between National Hydroelectric Power Corporation (NHPC), India and VidyutUtpadan Company Ltd, Nepal for the development of the 480 MW PhukotKarnali Hydroelectric Project and 660MW Lower Arun Hydroelectric Project. Under this agreement, India plans to import 10,000 MW of electricity from Nepal. This is the first trilateral electricity transaction between India, Nepal and Bangladesh. These agreements are significant to Nepal as it minimise its trade deficit with India.

### **Water Cooperation**

Originating in Nepal, a large number of small and large rivers flow into India and form a significant contributor to the Ganga river basins. The rivers shared between Nepal and India hold immense potential for both nations in terms of irrigation and power generation. Disputes over the utilization and management of shared river resources have been a major source of concern. The three major water deals the Kosi Agreement (1954), the Gandak Treaty (1959) and the Mahakali Treaty (1996) ensure mutually advantageous for both the counties.

To ensure further cooperation and tackle challenges effectively both the Governments have established a three-tier mechanism called Joint Ministerial Commission for Water Resources (JMCWR), Joint Committee on Water Resources (JCWR) and Joint Standing Technical Committee (JSTC). These mechanisms implement agreements and treaties as well as address water-related issues such as floods and inundation. Additionally, a specialized body, the Joint Committee on Inundation and Flood Management (JCIFM), has been set up concerning embankments, flood forecasting and inundation.

In 2014, an important Power Trade Agreement was signed between the power developers of both the two countries to trade electricity across the border without any restrictions. Upper Karnali and Arun III are the two Mega Hydropower Projects of the public/private power developers from India have reached in agreements with the Investment Board of Nepal. On June 1, 2023, a revised Treaty of Transit was signed that will give Nepal access to India's inland waterways. Nepal will be enabling to use Indian ports such as Haldi, Paradip and Visakhapatnam for its third-country trade.

### **Defence And Security Cooperation**

India and Nepal share wide-ranging cooperation in the domain of defence. Since 1965, both the countries have established the tradition of conferring the title of an ‘honorary general’ to each other’s Army Chief. India has been actively assisting in modernisation the Nepal Army (NA) by supplying equipment, providing training, bilateral visits, assistance during disasters, joint military exercises, and other aspects of India’s defence cooperation with Nepal.

Started in the year 2011, the ‘Indo-Nepal Battalion-level Joint Military Exercise “SURYA KIRAN”’ is conducted alternately in India and in Nepal. The 16th Surya Kiran exercise was held at Saljhandi, Nepal 2022. Furthermore, to deal jointly with each other’s security concerns, the two countries have institutionalized home Security level meetings and established Joint working Group on Border Management (JWM) and Border District Coordination Committees (BDCCs).

### **Multilateral And Regional Fora**

Both India and Nepal have similar approach towards regional and multilateral institutions and hence, work in tandem in the United Nations, Non-aligned Movement and other international fora on most of the important international issues. Moreover, both the countries have actively been participating in the regional and sub-regional frameworks such as SAARC, BIMSTEC and BBIN for greater integration within the region. Besides, there are several bilateral institutional dialogue mechanisms, including the India-Nepal Joint Commission co-chaired by External Affairs Minister of India and Foreign Minister of Nepal. Regular exchange of high-level visits and interactions including Parliamentary Exchanges are other important aspects of ensuring cooperation between India and Nepal.

### **People To People**

To foster closer ties, India and Nepal has undertaken various connectivity programs. For instance, both the countries extend visa-free in their respective territories to each other’s nationals. Sister city agreements like Kathmandu-Varanasi, Lumbini-Bodhgaya, Janakpur-Ayodhya& India-Nepal Ramayana Circuit have been signed to enhance people-to-people linkages. Moreover, Government of India has undertaken initiatives to promote cultural exchanges, which include cultural programmes, symposia and events organized in partnership with different local bodies of Nepal, as well as conferences and seminars in Hindi, Sanskrit to further these cultural connections.

### **Shift In Relation Between India And Nepal**

Located in South Asia, Nepal is a landlocked country situated primarily in the Himalayan mountain range. Known for its diverse geography, the southern, eastern and western borders of Nepal are contiguous with the Indian states of Uttar Pradesh, Bihar, West Bengal and Sikkim. To the north, Nepal shares a long border with China and is separated from Bangladesh by an approximately 15 kilometre wide strip of India’s state of West Bengal. The two South Asian neighbours share a complex and intricate relationship that has evolved over time. Both India and Nepal have undergone tremendous changes since the earliest times till present. Periodic conflict and disputes over various issues political, economic and strategic factors have strained the bilateral relation.

### **Madhesi Blockade**

Relations between India and Nepal took a shift in 2015-2016 when Nepal’s President Ram BaranYadav announced the adoption of a new constitution. Although the new constitution paved the way for the establishment of democratic political system in the country, India expressed its displeasure about the content of the new constitution. The stated reason for India’s dissatisfaction stems from the Nepal’s constitution, which allegedly disregards Nepalese Madhesis. The Madhesis resides along the border of India, many of whom share close connection with Indians. After the announcement, there was unrest in the Madhesi region.

Madhesis and Tharus, indigenous tribes of Nepal's Tarai region started protesting as they claim that the new constitution has eroded their political representation and compromised the architecture of their inclusion. The protestors blocked the India-Nepal border point of Birgunj region, generating pressure on Kathmandu. Oil import from India including Kerosene and LPG declined drastically. India said that its transporters were unwilling to move in to Nepal fearing insecurity. However, the Nepal government called it an undeclared Indian blockage. Some sections of the Nepalese population accused India of interfering in the internal affairs of Nepal and a sense of anti-Indian nationalism sentiment developed.

### **Water-Sharing Issue**

The Ganga-Brahmaputra basin stands as one of the largest geo-hydrological regions jointly shared by India and Nepal. Nepal covers a large part of the upper catchment of the sub-basin of the Ganges River. Originating from the trans-Himalayan region, major rivers of the sub-basin like Mahakali, Karnali, SaptGamdaki and SaptKosi, traverse Nepal and flow southward direction to merge with the Ganges in India, and so are international or trans-boundary in nature. Though Nepal occupies thirteen per cent of the total drainage of the Ganges basin, its contribution to the flow of the Ganges River is much more significant, amounting to about 45 per cent to its average annual flow. These hydrological features bind India and Nepal in a relationship of geographical interdependence and economic complementarities of water resource development.

India and Nepal have several water agreements (the Gandak Treaty, the Mahakali Treaty, 1996, the SaptKosi High Dam, 2014) that govern the management and sharing of trans-boundary rivers between the two countries. These agreements aim to address water resources issues, including water allocation, hydropower projects, and flood management. Although the potential for joint endeavours is considerable, the cooperation between these two countries on the issues related to water resource development has not been easy and forthcoming, since they were heavily influenced by geopolitics. Disputes have arisen over issues like water allocation, the construction of dams and barrages, and riverbank erosion. The management of floods and mitigation measures during monsoon seasons has been a source of tension.

### **Kalapni Dispute**

The Kalapani area holds crucial strategic importance in South Asian diplomacy due to its role as a tri-junction connecting India, China, and Nepal. The region's proximity to the Indian state of Uttarakhand makes it strategically important for potential trade routes and connectivity between India and Nepal relation. Moreover, Lipulekh sits atop the Kalapani Valley and forms a tri-junction between India, Nepal and China. Pilgrims from India undertake the Kailash-Mansarovar Yatra, which involves traveling through this pass to reach Mount Kailash and Lake Mansarovar in Tibet. In 2020, a new road constructed by India through the Lipulekh Pass to facilitate easier access for pilgrims to KailashMansarovar led to a diplomatic row with Nepal. The road passed through a village called Gunji, which Nepal claims as its own. This dispute added to the complexity of border-related issues in the region.

The origin of the Kalapani dispute has its roots in the Treaty of Sagauli, 1816. The name 'Kalapani' derives its name from river 'Kali' that flows in the region and marked the boundary of the Kingdom of Nepal and British India. Article 5 of the treaty specified that the King of Nepal would relinquish any territorial claims towards the west of Kali River, which originates in the high Himalayas courses into the plains of India, while the east of the river Kali is under Nepal's territory. Now, the key disagreement over Kalapni is regarding its origin. Nepal claims that the source of Kalapani begins in the mountains near Limpiyadhura, at a higher altitude east of the Kali River. Nepal claims that a landmass, high in the mountains that fall to the east of the entire stretch starting from Limpiadora downwards, is theirs. Meanwhile, the Indian government is of the opinion that the border begins at Kalapani which India says is where the river begins.

The long-standing territorial issue flared up again in late 2019 when India published new political maps after the abrogation of Article 370 in Jammu and Kashmir, which showed the Kalapani region as part of Indian Territory. Nepal responded by publishing its own updated map that included the Kalapani region within its borders, leading to a diplomatic standoff between the two countries.

Efforts have been made to resolve the Kalapani dispute through diplomatic channels and negotiations. The situation remains unresolved, and the dispute continues to be a point of contention in the India-Nepal relationship.

### **China-Centric Factor In India-Nepal Entanglement**

Nepal shares a border stretching 1,415 kilometres along the Himalayan range with China's Tibet region. More than 90 per cent of Nepal's frontiers with China pass through uninhabited high altitudes. Of the world's ten tallest mountains, eight mountains, including the Kanchanjunga (28,209 ft.) and the Mount Everest (29,029 ft.) are located in Nepal's Northern region bordering with Tibet. The main watershed dividing the Brahmaputra (known as YarlungTsangpo in Tibet) and the Ganges, including various major river systems in Nepal, lies across the Nepal-China border to the north in Tibet. The earliest document of China-Nepal relationship is the legend of Chinese monk Manjushree, who allegedly travelled to Nepal and helped "establish human settlement in Kathmandu valley." Likewise, from Nepalese side, historical records can be traced from the visits of monks such as Buddha BhadraShakya and Shilamanj.

In April 1955, Nepalese and Chinese delegates had successful meetings during the first Afro-Asian Conference held in Bandung and in August 1955, Nepal and China, agreed to establish diplomatic relations. They signed an agreement in 1956 whereby strict visa regulations were imposed on the movement of people from one country to the other. However, Nepal's privileges in Tibet became a point of contention. In 1956, discussions led to the agreement between Nepal and China to maintain friendly relations, nullifying Nepal's special privileges in Tibet. Significant milestones in Sino-Nepali relations include the Treaty for Peace and Friendship in 1960 and a Boundary Agreement in 1961. Disputes over Mount Everest were resolved with a boundary-sharing agreement, maintaining ambiguity over sovereignty. China also supported Nepal's commitment to neutrality, which aligned with China's interests in Tibet.

From the 1960s to the late 1990s, China adopted a low-cost, low-risk strategy towards Nepal, primarily offering political support and modest economic assistance. In the 1970s and 1980s, Nepal secured Chinese support for declaring itself a Zone of Peace and gaining international recognition for landlocked states' transit rights. China occasionally used its influence to extract concessions related to Tibet. In 1974, Nepal disarmed Tibetan resistance forces at China's request, leading to allegations of Indian support to Tibetan refugees. China played a role in Nepali politics from 1955-2005, supporting exiled leaders of democratic parties. It secured assurances from Nepal regarding Tibet. The closest China came to challenging India's interests was selling military equipment to Nepal in 1988.

### **Sino-Nepalese Endeavors**

China and Nepal have a prolonged history of close relationship. Both the countries have maintained diplomatic ties and cordial bilateral relations for several decades in various areas. Abiding by the ideals of the Five Principles of Peaceful Co-existence, China-Nepal relation has been marked by mutual understanding and appreciation.

In terms of economic cooperation, Nepal-China relation dates back to the formalization of bilateral relations in October 1956 when the first "Agreement between China and Nepal on Economic Aid" was signed. From the mid-80s, the Chinese Government has been pledging grant assistance under the Economic and Technical Cooperation Program to the Government of Nepal in order to implement mutually acceptable development projects. Over the years, China has become an important partner for Nepal, contributing greatly in the areas of infrastructure projects, human resource development, health, education, etc.

Another significant milestone is the signing of the Memorandum of Understanding on Cooperation under the Belt and Road Initiative on 12 May 2017 in Kathmandu between Nepal and China. This massive infrastructure and economic development project launched by China aims to promote mutually beneficial cooperation including policy exchanges, trade and infrastructure connectivity as well as integration of people. The Rt. Hon. President Mrs. Bidya Devi Bhandari attended the Opening Ceremony of the Second Belt and Road Forum for

International Cooperation, and also participated in the Leaders' Roundtable during the State Visit to China in April/May 2019.

In the context of bilateral trade relations, China is the second largest trade partner with Nepal. Nepal exports fur metal products, textiles, metal products and handicrafts to China, and products like Telephones for cellular networks, laptop, vaccines for human medicines etc. are imported from China. In recent years, China has emerged as the largest FDI source country in terms of commitment amount and the second largest in the amount invested. As per the reports of the Department of Industry about 1923 projects worth 197,521.82 million Nepali rupees has generated more than 88 thousand job opportunities in Nepal. In March 2016, Nepal and China signed Transit and Transport Agreement that allows Nepal to use Chinese ports to for third country trade. The agreement China has allowed the Tianjin seaport for transit of Nepali good.

From people-to-people perspective, there is a long-standing history of cultural exchange, religious ties, and interactions between the people of both nations. In recent years, there has been an increase in tourism and educational exchanges between Nepal and China. In 2018, Nepal witnessed the highest influx of over 150,000 Chinese tourists. Alongside, over 6000 Nepali citizens are engaged either in studies or employment in China. Moreover, the Confucius institute located in Kathmandu is teaching Chinese language to about 600 Nepali students. Efforts to enhance people-to-people connections have also been observed through cultural exchange programs, art exhibitions, and collaborative events displaying the traditions, arts, and customs of both nations. Every year China provides scholarships to at least 100 students of Nepal. For the academic year of 2022-2023, China has offered 67 scholarships. In accordance with the agreements outlined in the Memorandum of Understanding (MoU) on Cultural Cooperation established in 1999 and the MoU on Youth Exchange from 2009, both parties have been engaging in cultural and youth-related initiatives.

Nepal welcomed China's deepening ties after becoming a republic. China was viewed as a helpful political actor during the constitution-making process and a reliable partner. Nepal's "China card" appeared to be delivering results, bringing its diversification dreams closer to reality. However, this alignment came with conditions, including suppressing political expression and protest by Tibetan exiles and accommodating other Chinese concerns. The shift in Nepal's relations was, to some extent, a result of India's declining image. Despite India's crucial role in Nepal's transition to democracy, its actions led to a deteriorating relationship. Disagreements over Nepal's new constitution and a perceived "suzerain mentality" during an undeclared blockade further strained relations. This contributed to Nepal's more favourable perception towards People's Republic of China.

### **Future Pathway Of India-Nepal Relations Amidst Chinese Shadow**

Nepal-India relations are unparalleled in world and so it is called 'unique.' In view of this reality, it is often said that Nepal and India are like twins sharing only one soul. Former Indian Prime Minister AtalBihari Vajpayee during his visit to Nepal said that the "relations between the two countries are higher than the Himalayas and deeper than the ocean". Nonetheless, at the government-to-government level the relations between Nepal and India have not always been smooth.

Despite periodic turmoil, abolishing absolute monarchy in 2008 and establishing Nepal as a Federal Democratic Republic, offered India new opportunities to strengthen ties with the newly established democratic government of Nepal. At the same time, China lost a long-standing political ally that has safeguarded its fundamental security interest for decades. To fill this void China adapted to the changing political scenario when in 2006 Maoist insurgency joined the political mainstream. Formal relation was established in April 2008, when the Maoist became the largest party in the Constituent Assembly. Since 2013, china evolved its outlook to establish closer linkage with the neighbouring regions. In case of Nepal, China perceived to deepen political and economic integration to reduce Nepal's dependence on India and secure Tibet 'south-western frontier. To establish new economic possibilities with South Asia, in 2000 China initiated its Western Area Development, also covering the Tibet Autonomous Region. Consequently, since 2017 there has been a growing Chinese intervention in Nepal's internal affairs. In October 2019, Xi bolstered Oli's position by making the first Chinese presidential visit in twenty-years and elevated the relationship to a strategic partnership. However, china's involvement in Nepal's politics has not been entirely without challenges. China becoming more politically

intrusive, may lead to a closer questioning of its actions. China has transitioned from a passive to an active stance in Nepal. Their current policy involves a fusion of national security, military, political, and economic goals, which include deepening integration, strengthening political sway and aligning crucial fractions.

How India might proceed in the light of the new situation in China-Nepal relations requires a careful evaluation of future Chinese and Nepal's perspective. India opting out from Nepal's internal affairs would make a positive start. Nepal's aspiration to maintain their distinctiveness from India could be address by a clear and unequivocal affirmation of Nepal's independence and sovereignty from New Delhi. Along these lines, it could be an apt moment to revise certain aspects of the bilateral relationship, starting with the 1950 Treaty of Peace and Friendship. The perceived constraints of the "special relationship" outlined in that treaty have reportedly been a source of discontent among Nepali leaders for an extended period. In addition, completion of undertaken projects would significantly contribute a reset. For instance, despite signing an agreement in 2014 to construct the 900 MW Upper Karnali project, GMR, an Indian company, after a decade has sought an extension until 2024 to secure financing. Former PM BaburamBhattarai suggests that Nepal with its strategic location in between two big markets comprising a third of the global population, has the potential to serve as an active economic corridor or a vibrant economic link. This arrangement could prove to be cost- effective to both India and China.

Formation of the QUAD to retain China, along with the US's effort to bring Nepal into the ambit of its Indo-Pacific policy and to establish counter-coalitions in South Asia, suggests a potential re-evaluation of Beijing's perception about India's neutrality. There is also a shrinking scope for coexistence and collaboration as China perceives its ascendancy over India in the region, fosters connections with India's neighbouring countries, and solidifies its presence as a resident power. However, there is the realization that domestic politics might not allow Nepal to tilt completely away from India.

There is a New India that aspires a transformational change leading to a more prosperous, inclusive and globally competitive India. In the wake of 2015 earthquake in Nepal, Government of India was the first country to respond immediately by launching a full-fledged rescue and relief operation (Operation Maitri). As a part of its long-term assistance, India extended US\$ 1 billion to Nepal for housing, education, health and culture heritage sector. Despite the challenges that escalated in November 2019 , an important milestone in the further expanding this relationship was marked by a “four day visit” to India by the Nepal Prime Minister Pushpa Kamal Dahal from May 31 till June 3,2023. With the developments made and agreements signed during the India visit of Nepal's Prime Minister, the future prospect of the India-Nepal relationship appears promising and poised for further advancement. Both India-Nepal navigate a dynamic landscape, balancing cooperation and addressing issues of contention while striving to foster a relationship based on mutual respect, shared interests and regional stability.

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