

Bharat-Nepal Relations

Defense and Security Issues

A Report of Two-Day Bilateral Seminar

Held on

11-12 April 2017

at

Forest Research Institute, Deharadoon
Uttarakhand, India

Jointly organized by

Antar-Rashtriya Sahayog Parishad, Bharat (ARSP)

and

Neeti Anusandhan Pratishthan, Nepal (NeNAP)

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Editors

Deepak Kumar Adhikari
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Acknowledgments

The Neeti Anusandhan Pratishthan, Nepal (NeNAP) and the Antar-Rashtriya Sahayog Parishad-Bharat (ARSP) jointly organized a two-day seminar entitled *Bharat-Nepal Relations: Defense and Security Issues* on 11-12 April 2017. This book is the collection of the speeches and papers presented in the seminar. The speeches in Nepali and Hindi were transcribed and then translated into English and paper presentations in English were reproduced with necessary editing. However, special attention has been taken to keep the ideas and thoughts of the speakers intact. The information and views expressed in this book are those of the speakers in the seminar and do not necessarily reflect of the opinions of the team of editors.

While conceptualizing this seminar, His Excellency Shri Ranjit Rae was the Indian Ambassador to Nepal and while organizing this seminar Deputy Chief of Mission (DCM) Shri Vinay Kumar was the Chargé d'Affaires but at the time when this report is being published, His Excellency Shri Manjeev Singh Puri is in the Mission. The Pratishthan thanks all of them for their valuable help and support in publishing this document. Former Indian Ambassador to Nepal Shri Ranjit Rae was present in the seminar and also spoke in the seminar. We are grateful to him for his inspiration. At the time of publication, we appreciate the good wishes and support of the present Ambassador of India to Nepal, His Excellency Shri Manjeev Singh Puri.

We express our sincere thanks to His Excellency Shri Deep Kumar Upadhyay, former Ambassador of Nepal to India for his support in publishing several of our publications. His positive gesture of encouragement and inspiration always led us towards creative activities. While organizing this seminar Deputy Chief of Mission Shri Krishna Prasad Dhakal was the Chargé d'Affaires in the Embassy of Nepal, New Delhi, India but, at the time of the publication of this book, DCM Shri Bharat Kumar Regmi is the Chargé d'Affaires a.i/ Minister. The Pratishthan thanks all of them for their valuable help and support in publishing this document.

The Neeti Anusandhan Pratishthan, Nepal, expresses deep gratitude to Shri Binod Subedi for transcribing audio records in Nepali, Hindi and English and Dr. Tikaram Poudel and Mahesh Paudyal for their help in editing the entire enterprise. We also appreciate all the above scholars for taking this task of listening to multi-lingual audio and video records and transcribing them carefully into written texts, which is an extremely arduous and challenging task. We, the Pratishthan family and the publisher, acknowledge the contributions of these scholars to this Herculean task of transcription, translation and editing in spite of their busy academic schedules and family responsibilities for this achievement.

The Pratishthan also acknowledges the contributions of Shri Santosh Acharya, Chief Administrative Officer of the Neeti Anusandhan Pratishthan, Nepal, to bringing this publication to its present form. He did the proof reading of the entire document, setting up its layout and selecting the photographs.

In fact, this book is the outcome of the collective efforts of two organizations the Neeti Anusandhan Pratishthan, Nepal and the Antar-Rashtriya Sahayog Parishad-Bharat. We extend our thanks to His Excellency the former Ambassador of India to Nepal, Shri Ranjit Rae, and to His Excellency the former Ambassador of Nepal to India, Shri Deep Kumar Upadhyay. We extend our gratitude to Shri Shyam Parande, General Secretary of the ARSP and the entire team of the ARSP, Delhi and Deharadoon.

Without the blessing, good wishes and support of many eminent scholars, this book would not have come to this form. We thank all the distinguished speakers and participants, whose presence made the seminar a glorious success, hailing from all walks of life from Nepal and India.

We express our gratitude to the Embassies of India and Nepal. We are thankful to the ARSP Delhi and Shri Rajeev Beri with their entire team of Deharadoon for the crucial roles they played and the help they extended in planning and executing the entire management of the seminar for a historic success.

Lastly but not the least the Neeti Anusandhan Pratishthan, Nepal (NeNAP) is grateful to the Antar-Rashtriya Sahayog Parishad-Bharat (ARSP) for authorizing the responsibility of transcribing the audio-video, language editing and publication.

We thank Forest Research Institute (FRI), Deharadoon, India Administration team and the Government of Uttarakhand and Administration for their crucial assistance. Finally, we acknowledge the inputs and assistance of all our NeNAP volunteers and well-wishers in making this event and this publication a historic achievement.

Deepak Kumar Adhikari
Director
Neeti Anusandhan Pratishthan, Nepal (NeNAP)

Introduction

Bilateral relations between Nepal and Bharat are beyond modern history. The geographical closeness with 1850 kilometer (km) long open border and the ethnic, religious and linguistic affinity between the people of these two countries make Nepal-Bharat relation a unique one in the world.

Nepal-Bharat relations have been intimate since time immemorial. It is crucially significant in the geo-political, economic and security dynamics of Asia, and to some extent, of the world. Nepal-Bharat relations have been founded on the basis of strong familial, socio-cultural and civilization ties, not simply on politics, diplomacy, economy and social interactions. Nepal-Bharat relations have evolved from the same ancestral roots sharing the ethos of common traditions and cultural heritage since the ages of the *Ramayana*, the *Mahabharata* and Gautam Buddha.

In the recent past, Nepal underwent major changes as she moved from constitutional monarchy to democratic republic in a federal system. In this emerging scenario, Nepal-Bharat relations need to be reassessed to keep the age-old relations intact.

The relations between Nepal and Bharat are such that their sages, genealogies, ancestors, gotras, religions, cultures, norms, faiths and shrines are common. Some traditions, folklores and stories might slightly vary from place to place, and this is quite natural. People of Sikkim, West Bengal, Bihar, Uttar Pradesh and Uttarakhand, who live in places near to the Nepal-Bharat border, have same surnames as those of the people living in Nepal, and in fact, they belong to the same families. Many surnames such as Wagle, Chauhan, Gautam, Joshi, Bhatta, Bhandari, Pathak, Bista, Upreti, Prasain, Tamrakar, Pradhan, Thapaliya or Thapaliyal, etc. and, gotras e.g. Atreya, Kaushik, Bashishtha, Bharadwaj, Kashyap, etc. castes and costumes of people in Nepal and Bharat are the same. In addition to that, the Bodos of Assam and the Meches of eastern Nepal are brethren, just as the Santhals of West Bengal and Jharkhand and the Satars of eastern Nepal are. Same is the case with the Koch people in Assam and the Rajbanshis in the eastern Nepal.

Agastya Muni, a sage from South India, came to the Himalayas and married a mountain-girl, as evidenced by the scriptures. People of Agastya lineage live in both the countries. In the story of Shri Swasthani Vratkatha of the Magh Mahatmya section of the Kedarkhanda of the Skanda Purana, there is a conversation between Kumar (Skanda Purana) and Agastya Muni. In the conversation, Kumar narrates the story of the perishing of different parts of Satidevi, wife of Lord Shiva, to Agastya Muni. According to the story, the left eye (nayan) of Satidevi perished in Nainital, formerly Nainatal, in the Indian state of Uttarakhand. The story continues that the right eye of Satidevi perished in Chainpur, described as Chandrapur, where the famous Temple of Siddhakali stands today in the Sankhuwasabha district of eastern Nepal. While Satidevi's anal parts perished in Guhyeshwori of Kathmandu, her vagina perished in Kamakhya in the Indian state of Assam. The places, where the parts of body of Satidevi perished, turn out to be famous Shaktipeeths for all the devotees of the world. These religious and cultural heritages link the people of Nepal and Bharat.

These evidences prove that the people of Nepal and Bharat descended from the same ancestry, lineage, gotras, genealogy, culture and civilization. Manmade political system divided these people into two different countries today. As children of the same ancestors, we are brothers in relation. This tells us the story of our open border for centuries because we move around the same cultural and religious space though we go across the political boundaries. Controlling the movement of people on the border of Nepal and Bharat will tantamount to excluding the people from religious and cultural rights of the people across the border.

With the turn of the time, Nepal and Bharat became two independent countries, though no visa or passports were made mandatory for the movement of the people from one country to the other. A treaty was signed in 1950 and the Treaty was called Indo-Nepal Friendship Treaty respecting the same culture and social legacy.

Since the ancient times, citizens of Nepal and Bharat have been travelling to each other's territory without any daunt. The Char-dhams, shrines, Shakti-peethas, the Kumbha, rivers and rivulets of

India are also holy pilgrimage sites for the Nepalese. In the same way, shrines like Pashupatinath, Muktinath, Janakpur, and Devghatdham are pilgrimage centers for the Indians as well.

In this context, many participants in the seminar raised several issues of everyday life of the people. For example, the citizens of Nepal living in Nepal are not allowed to open bank account in Indian banks. However, such restrictions are not there for the Indian nationals living in Nepal. There were also reports of the difficulties experienced by several Nepalese nationals while traveling in India regarding their identity such as passport for staying in hotels. The speakers also raised issues of not allowing the facilities of concession, which was granted previously, for elderly people from Nepal in Indian Railways. The Government of Nepal invited several teachers to teach in different institutes of higher studies in Nepal but few of them stayed back in Nepal. In their old age they did not get any incentives from the Government of Nepal for their survival. Issues of these kinds violate the very essence of the Indo-Nepal Friendship Treaty of 1950 and the respective governments need to resolve these issues.

It is, therefore, imperative that both Nepal and Bharat handle these issues for the welfare and security of the people. Such an initiative would establish us as modern and practical nations with dynamic, progressive, civilized and open vision for positive change.

To our dismay, however, talks were rife at moments on the issue of the open border between the two countries. The issue is being raised from various quarters, formally as well as informally, both by bodies organised by the government and those organised at civil initiatives and several other agencies, with regard to the security concerns of both the countries. For example, the issue was picked up both in the beginning and closure of the two-day bilateral seminar held in Deharadoun as well, and there were voice demanding closure and barb-wiring of the borders. We need to cautiously handle this issue, keeping in mind the probable influences behind it, and its possible ramifications. We must keep the issue from trikcling down to the rank of sheer emotionalism and radicalism. It is not in the interest of Nepal and Bharat from any angle.

In spite of such innumerable commonalities, we cannot rule out the fact that there have been misunderstandings between the two nations at times. However, in all circumstances, we must address them and move ahead. We have done so in the past, and are sure that we shall stay alert in the days to come as well. Through seminars, symposiums, workshops, discussions, dialogues, discourses, tours, and correspondence, the intellectuals, writers, journalists, subject and area experts, thinkers, litterateurs, poets, professors, social workers, activists, lawyers, politicians, human-right activists, doctors, engineers, saints, sages, mystics, singers, yogis, industrialists and business personnel should make honest, incessant and positive efforts from their quarters.

It is highly important that such mutual disputes be removed through objective analysis of the cases, followed by intimate interaction. The present seminar is a move in this direction. We are convinced that the mutual understanding and trust between both the nations should be accepted as a mutual necessity and not as a compulsion, as often explained. Strong trust and mutual cooperation in security affairs are mutually beneficial for the overall prosperity of the two nations.

The concept of this series of seminars, organized by Neeti Anusandhan Pratishthan, Nepal, Antar-Rashtriya Sahayog Parishad, Bharat, and India Policy Foundation, New Delhi, was developed after the discussions in a seminar in Delhi on 26-27 March 2016 and the seminar organized by Neeti Anusandhan Pratishthan, Nepal, Nepal Center for Contemporary Studies (NCCS), and India Foundation, New Delhi, during the visit of His Excellency President of the Republic of India Shri Pranab Mukherjee to Nepal on November 2-3, 2016. Both the Embassies of Nepal and India and members of civil societies including the participants and speakers suggested that the issues require in-depth discussion from the experts in the respective fields to recommend viable actions to the respective governments. The participants and speakers felt that one and a half hour time duration to discuss a particular issue was not sufficient, and so, they recommended for an in-depth discussion from respective experts on

the issues. Consequently, the six series of seminars in six issues in different areas/dimensions of our relationship of Nepal-Bharat were finalized based on the discussions in Delhi and Kathmandu. Of these six series of seminars, three would be held in Nepal and the remaining three in India. It was decided that each issue would be discussed in two-day seminar each.

The first series of seminar on Bharat-Nepal Relations: Socio-Cultural and Civilization Linkages was jointly organized by the NeNAP and the ARSP in association with Indian Council of Cultural Relations (ICCR) at Azad Bhawan, New Delhi on 6-7 February 2017. It was the first seminar in this series. The second series of seminar on Nepal-Bharat Relations: Economic Development and Cooperation was jointly organized by the NeNAP and the ARSP in association with Nepal Bharat Sahayog Manch (NBSM), Birgunj at Hotel Ichchha, Simara, and Bara on 3-5 March 2017. And this third seminar in the series on Bharat-Nepal Relations: Defense and Security Issues was jointly organized by the NeNAP and the ARSP at FRI, Deharadoon, Uttarakhand on 11-12 April 2017. The remaining three proposed seminars would deal with the issues of role of media, political and diplomatic matters and health and educational linkages as well in order to have a holistic discussion on all aspects of Nepal-Bharat relations. We hope that these deliberations will contribute to enhanced understanding at the people-to-people level. And the main objective of the seminar is to develop a better understanding of our defense and security issues.

We believe that this publication, which encapsulates the spirit of amity and solidarity articulated in the seminar, will help the readers understand the philosophy that defines Nepal-Bharat relations. It will also inform them that sheer emotionalism is to be replaced by a mature, serious and wide consideration of bilateral relations, driven by a positive outlook in the mutual interest of both the nations. Suggestions for improvement are always welcome.

राजदूत
AMBASSADOR



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MESSAGE

At the outset, I would like to congratulate the Neeti Anusandhan Pratishthan, Nepal (NeNAP) and the Antar-Rashtriya Sahayog Parishad-Bharat (ARSP) for jointly organizing a two-day seminar on India-Nepal Relations in Deharadoon on 11-12 April 2017. This book is a compendium of the proceedings of this two-day seminar.

This is a very welcome initiative by the Neeti Anusandhan Pratishthan, Nepal and the Antar-Rashtriya Sahayog Parishad-Bharat which brought together Indian and Nepali scholars and promoted honest dialogues on Defense and Security Issues in the bilateral relationship.

I congratulate the Neeti Anusandhan Pratishthan, Nepal and the Antar-Rashtriya Sahayog Parishad-Bharat on the successful organization of this seminar and this important publication. I wish the Pratishthan good luck for its future endeavors and hope that it would continue to provide platforms that bring the people of India and Nepal together.



(M.S. Puri)

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Introduction of the Speakers

Ambassador Shashank Ambassador Shashank is the former Foreign Secretary of India from December 2003 to July 2004. He also served as India's Ambassador to Denmark, Republic of South Korea and Libya. He has held many important positions before becoming the Foreign Secretary. Earlier he was Ambassador of India to Denmark, Republic of South Korea, Libya and High Commissioner to Malta. He was also Minister (Political), and Deputy High Commissioner in Pakistan and had held senior positions in Indian Missions in New York, Brussels, Hanoi and Cairo. He is a fluent speaker and an erudite scholar. He is currently involved in many organizations that specialize in economic and political affairs. He specializes on Myanmar studies. He is also known as an expert of international affairs of India.

Shri Shyam Parande Shri Shyam Parande is a social worker. He is currently working as an International Coordinator of Sewa International Bharat and Secretary General of the Antar-Rashtriya Sahayog Parishad (ARSP). He is also the Zonal Coordinator of International Centre for Cultural Studies.

Ambassador Madhu R. Acharya Ambassador Madhu Raman Acharya is a former career diplomat of Nepal. He has also worked as an international civil servant in the United Nations. During his career in Nepal's Foreign Service, Ambassador Acharya served as Foreign

Secretary (2002-05) of Nepal, Nepalese Ambassador to Bangladesh (1998-2001) and Permanent Representative of Nepal to the United Nations (2005-2009). He joined Nepalese Foreign Service as Joint Secretary in the Ministry of Foreign Affairs in 1996. In 1997-1998, he was Deputy Chief of Mission in New Delhi, India.

Acharya also served as Director at the United Nations Assistance Mission to Iraq (2010-2011). During the 1990s, he also served in United Nations missions in Cambodia, South Africa and Liberia. He also served as the Executive Director of the South Asia Center for Policy Studies (SACEPS) in 2012-13. In 2017, Acharya also worked as Member of the Federal Administrative Restructuring Committee of the Government of Nepal.

Hon'ble Trivendra S. Rawat Honorable Chief Minister (CM) Shri Trivendra Singh Rawat is an Indian politician and is the current Chief Minister of Uttarakhand. Rawat was a member of the Rashtriya Swayamsewak Sangh from 1979 to 2002 and held the post of organizing secretary of the Uttarakhand region, and later the state, after its formation in 2000. He was elected from Doiwala in the State's first Legislative Assembly elections in 2002. He retained his seat in the 2007 elections and served as the State's Minister of Agriculture.

Shri Rajeev Berry Shri Rajeev Berry is the unit president of the Antar-Rashtriya Sahayog Parishad, Deharadoon Chapter.

Shri Dhruva Bdr. Pradhan Shri Dhruva Bahadur Pradhan was appointed Inspector General of Police (IGP) on Nepal in 1996. On deputation (Officer on special duty), Mr. Pradhan served as Special advisor to the Prime Minister's office from 1997 to 1999 February. From 2014, Mr. Pradhan is the General Secretary of Rashtriya Prajatantra Party (RPP). He is also the president of the Nepal Olympic Committee (Hon).

Shri Buddhi N. Shrestha Shri Buddhi Narayan Shrestha is the first Nepali citizen to enumerate the 37,000 hectare of Kalapani Lipulek area. Lately, he has raised the issue that Nepalese Territory has been disputed, conflicted, encroached and cross-holding occupied in 71 spots and places on the Indo-Nepal Border. He studies border management of Nepal, India-Nepal frontier barrage, border war, etc. and has extensively published. He is well-known expert border management as he has more than 300 interviews published and broadcast in print and electronic media so far. He has been awarded Madan Puraskar (Prize) for the book Boundaries of Nepal. More than 26 organizations and institutions on Nepal have felicitated and honored him.

Shri Rakesh Sharma Shri Rakesh Sharma is an Indian civil servant and politician, who have served as Chief Secretary of Government of Uttarakhand. Mr. Sharma is a 1981 batch cadre of Indian Administrative Service (IAS) officer. An enigmatic leader and effective administrator, he has overseen development projects at both domestic and international levels.

Shri Basudev Dahal

Shri Basudev Dahal is the former Joint Secretary of Home Ministry, Government of Nepal. He had also worked as Chief District Officer (CDO) in Parsa, Banke, Tanahu and Kanchanpur districts. He had also worked as Joint Zonal Administrator in Middle Western Region, Surkhet. Dahal also serve as Joint Secretary at President Office Shital Niwas, Kathmandu.

Dr. Thakur Mohan Shrestha

Additional Inspector General Dr. Thakur Mohan Shrestha (Retd.) was recently retired from a distinguished career with the Armed Police Force (APF), Nepal. His nearly 30-year career included service in the APF and the Nepal Police. He served as an Executive Director of the National Police Force Academy: Mata Tirtha, Kathmandu.

He also served as head of the Operation Department, the Border Security Department, and the Human Resource Development Department. He was awarded the Nepal Vidhya Bhusan-A, the Birenda Prajatantra Bhaskar, the Prakhayat Trishaktipatta, the Prabal Gurkha Dakshin Bahu, and a couple of other medals and decorations from the Government of Nepal and the UN along with letters of appreciation for outstanding performance and so on.

He wrote the book "Police Patrol: Tactics and Techniques". A series of peer viewed research papers and articles are published in various international journals, and national publications. Currently, he has been sharing academic and professional insights and experience in various colleges

and training institutions on leadership and policing, security management, and general management as guest speaker, research supervisor, and faculty.

Ambassador Ranjit Rae

Ambassador Ranjit Rae is a former Ambassador of India to Nepal. Shri Rae dedicated most of his life in the service of the nation. He joined the Indian Foreign Service (IFS) in 1980 and served as an Indian diplomat as well as Ambassador of India to different countries. As a Joint Secretary of Northern Division, Minister of External Affairs (MEA), Government of India, Shri Rae played an important role in enhancing the relationship between India and Nepal. He exhibited excellent performance and earned great fame both within the country and abroad. He came to Nepal as an Ambassador of India in 2013 and completed his tenure in February 2017.

Lt. Gen V.K. Chaturvedi (Retd.)

Lieutenant General Vishnu Kant Chaturvedi (Retd.) Param Vishishta Seva Medal (PVSM), Ati Vishishta Seva Medal (AVSM), Sena Medal (SM) is an Indian Army in the corporate domain through policy formulations, strategic planning and by directing operations. He worked for two years as Advisor of Defense Banking for State Bank of India. He also worked for seven years in Indian Army as a leader of operation and strategic planning. For six years, he served the Indian Army with the responsibility for high command assignments.

Shri Pushkar N. Regmi Shri Pushkar Nath Regmi is the former Additional Inspector General of the Nepal Police (AIGP). He studied in Nepal and the USA. He has a diploma in Defense and Strategic Studies from China.

Shri Kishor Kumar Lama Shri Kishor Kumar Lama is a former Inspector General (IG) of Armed Police Force (APF). Lama is the Dynamic and Assertive Law Enforcement Officer with over 30 years of successive experience in managing investigations, law & order, security, public service, law enforcement training and police force activities. Profound knowledge in internal investigations, ministerial level presentations, public safety programs, emergency response, policy & procedure development, budget planning & resource management and media & public relations. Adept at conducting investigations and diffusing potentially volatile situations with tact and diplomacy. Highly capable of directing and leading police personnel to meet law enforcement objectives coupled with exceptional comprehension of gathering evidence and with special skills in interviewing professional criminals and launching intelligence operation complying with legal requirements. Exceptional communicator with notable success in management of operations focused on lowered crime, heightened security to VVIP, Counter Terrorism, Combatting Global narcotic Drugs, and Trans-national Organized Crime, strengthened substantial productivity and overall quality of life across

the community. Exemplary leadership through subordinate centric motivating techniques, inter-personal relationship and participative principles. Writing skill as writer of professional books, Cops against Drug Crime, Hand-book of Homicide Crime Investigation, worked as Chief Editor of First modern crime CID magazine introducing crime pattern and crime clock analysis.

He has linguistic skill of English, German and Hindi languages. Trained in National and Internationally renowned Professional Training Institutions i.e. Administrative Staff College, Nepal, Police Academy, Federal Criminal Police, West Germany, GSG9, Detective Training School, West Yorkshire, England, FBI San Antonio, State Department, Counter Terrorist Center, Asia Pacific Center Studies, Hawaii, USA, State Department, Washington. UN service, as Contingent Commander for Nepalese Mission Team in Iraq.

Shri Kalyan K. Timsina Shri Kalyan Kumar Timsina is a retired Additional Inspector General of Police (AIGP) of the Nepal Police and is currently the Mananiya Rashtriya Saha Sanghachalak of the Hindu Swayamsewak Sangh (HSS) Nepal. He has completed his M.Com from Banaras Hindu University.

Prof. Dr. Rajesh Kharat Professor Dr. Rajesh Kharat is a Chairperson of Centre for South Asian Studies, School of International Studies, Jawaharlal Nehru University (JNU) New Delhi. He also served

as Chief Advisor, to the Equal Opportunity office of JNU. He has authored of Five Books and more than Thirty Research Articles on the contemporary issues of South Asian region, particularly, Himalayan region. Before joining JNU he served at Department of Civics and Politics, University of Mumbai, Mumbai for more than 17 years.

Shri Prakash Bdr. KC

Shri Prakash Bahadur KC is a senior advocate of the Honorable Supreme Court (SC) of Nepal. He also teaches at Kathmandu School of Law.

Dr. K.K. Tamang

Dr. Krishna Kumar Tamang joined Nepal Police as an Inspector in 1987 and retired as Additional Inspector General (AIG) of the Armed Police Force (APF) in 2017. He has scores of professional training courses in police and military science from India, Kosovo, South Korea, Haiti, United States of America (USA) and China. He started his career from Crime Investigator to the last post of Executive Director of the National Armed Police Training Academy. He served for United Nations Peacekeeping Missions (UNPM) in Mozambique, Kosovo and Haiti. He has also represented the United Nations (UN) in France, Russia, Greece and Ukraine in the selection of police observers to peacekeeping missions. The Nepal Earthquake of 2015 witnessed him as the Chief of Operations Department that mobilized 26 thousand APF troops.

Shri Sunil Ambekar

Shri Sunil Ambekar is an Indian educationist and a veteran student activist. He is the National Organizing Secretary of the Akhil Bharatiya Vidyarthi Parishad (ABVP). Hailing from Nagpur, a prominent commercial and political centre of Maharashtra's Vidarbha region, Shri Ambekarji has done his M.Sc. in Zoology with specialization in Cytology.

One of the prominent figures having a long-standing history of been involved with the nationalist students' movements, Shri Ambekarji's association with Akhil Bharatiya Vidyarthi Parishad harks back to his college days at the Institute of Science, Nagpur. Shri Ambekarji, for more than two decades, has been a relentless crusader against the corrupt, vile and anti-nationalist forces that are trying to insidiously subvert peace and stability in India, by adroitly building up a nationalist consensus among the Indian student and youth fraternity. Given the fact that it indeed is quite arduous an endeavour since rallying the impressionable students and youth is quite a challenge.

Shri Amberkarji has, time and again, evinced the fact of been immensely successful particularly in critical moments like leading the organization as an organizing secretary during the agitation against Bangladeshi infiltration and most recently, against the issue of corruption that is afflicting the Indian state in more ways than one, as both the national organizing secretary of ABVP and advisory member to the Youth Against Corruption.

Furthermore, Shri Ambekarji has been a major force behind the formation of Think India, a forum for premier national institutes' students to deliberate and frame solutions on burning issues afflicting the society and nation at large as well as is one of the founder members of World Organisation of Students and Youth (WOSY) of which he is currently an Advisory Board Member.

MG Nara Bdr. Kandel (Retd.)

Major General Nara Bahadur Kandel (Retd.) joined the Nepalese Army in 1975. He obtained masters degree in history from Tribhuwan University. He attended the Higher Command and General Staff College Course in Germany. He has also attended number of courses in United States of America (USA), United Kingdom (UK), Canada and India. He studied at Royal College of Defense Studies (RCDS) in UK. He participated in many seminars at home and abroad. He held various command and staff appointments in Nepal and in different parts of the world. He has served five United Nations (UN) mandates in different UN missions. He commanded Chandan Nath Battalion and Pashupati Prasad Battalion at home. He commanded the same Pashupati Prasad Battalion in Croatia in former Yugoslavia in 1995. In 2000, he served as Military Assistant (MA) to the Force Commander in Lebanon. He is the founder member of the Nepalese Army Command and the Staff College and has served as directing staff.

He has also served as directing staff in Lester B. Pearson International Peace Keeping Training Centre in Canada. He was the commandant of the Nepalese Military Academy at Kharipati. As a Brigade Commander, he commanded 23 Brigade and as Division Commander, he commanded the Western Division at Pokhara. Before his retirement from the Nepalese Army he served as Adjutant General in Army Headquarters.

He is mountaineer too. He has served as instructor in mountain warfare school at Jomsom and had taken part in Makalu in 1978 and in Everest expedition in 1988. He is married and has one son and two daughters. His hobby is trekking and nature activities.

Dr. Dipesh Kumar KC Dr. Dipesh Kumar KC is the well-known Journalist, Lecturer and Researcher of Nepal. He had his PhD on the issues of cross border crimes on Indo-Nepal border from Jawaharlal Nehru University, New Delhi. He has published eight books, four journal articles and hundreds of newspaper articles. His area of study is Indo-Nepal border society and social problems, especially crimes and conflicts.

BG Dr. R.B. Sharma (Retd.) Brigadier Dr. Rajbir Sharma, Vishista Sewa Medal (VSM) (Retd.) served in the Indian Army from 1962-1992. He led the Indian delegation for the Diamond Anniversary of the Declaration of the Provisional Government of Free India by Netaji Subhas

Chandra Bose in 1943, celebrated at Kuala Lumpur, Malaysia, on October 23, 2003. He is also the founder member of the Forum for Integrated National Security (FINS), New Delhi and a member of the Indian National Commission for Cooperation with UNESCO.

MG Ashok K. Mehta (Retd.) Major General Ashok Kumar Mehta (Retd.) is an author and an expert of Nepal affairs.

Dr. Ram Thapaliya Dr. Ram Thapaliya is the Chair at the Institute of Crisis Management Studies and a faculty member of the Master's Program in Conflict, Peace and Development Studies Tribhuvan University (TU), Nepal. He holds a degree in International Law from Tribhuvan University, a Master's degree in International Relations from the Fletcher School of Law and Diplomacy at Tufts University, USA and has been awarded a PhD in Crisis Management from Atlantic International University, USA. His research interests include the role of the military in South Asia, identity based conflicts and crisis management of both natural and human-made disasters.

Dr. Thapaliya's experience as a mediator, facilitator and trainer has included works in the Balkans, South Asia and with the UNWFP, United States (US) government agencies, regional intergovernmental organizations, as well as international and local NGOs. He represented the Nepali Congress Party at the International Socialist Global Forum to reconfirm the party's commitment to the principle of democratic socialism. He

is an advocate of Nepal's strategic foreign policy engagement and has served as an international secretary of the Party's Foreign Relations Department and is also a Goodwill Ambassador of the USA, as awarded by former President Bill Clinton.

During 2015, Dr. Ram Thapaliya served as the Honorary Disaster Management Advisor to the former Prime Minister Shri Sushil Koirala at the Office of the Prime Minister and Council of Ministers.

Dr. Nihar R. Nayak

Dr. Nihar Ranjan Nayak is Research Fellow with Institute for Defense and Strategic Analyses (IDSA), New Delhi. His areas of expertise are: political transition in the eastern Himalayan region, soft power diplomacy, left wing extremism, and cooperative security in South Asia. Dr. Nayak has a PhD in International Politics from Jawaharlal Nehru University.

He was a visiting fellow at the Peace Research Institute Oslo in June 2006 and in July 2007. He did a special course on peace research at the International Summer School of Oslo University in 2007. He was a visiting faculty at the Center for the Study of Nepal, Faculty of Social Sciences, Banaras Hindu University in 2011. He has been guest faculty at the Lal Bahadur Shastri National Academy of Administration (LBSNAA), Mussoorie since September 2006. Dr. Nayak has both national and international publications including the book *Strategic Himalayas: Republican Nepal and External Powers*.

BG Dr. Umesh K. Bhattarai (Retd.) Brigadier General Dr. Umesh Kumar Bhattarai (Retd.) changed the track from

professional military to academics in the year 2012 from the Nepal Army. He served the United Nations Peacekeeping Operations and he had an advisory role at the Permanent Mission of Nepal to the United Nations. After having PhD in Political Science with core research in Conflict Management in Nepal-he taught strategy, security, public policy and governance at the Department of International Relations and Diplomacy of Tribhuvan University (TU), Kathmandu.

Similarly, he was also involved in teaching conflict and peace, communication and governance and research methodology at an affiliated college of Lumbini Buddhist University. Presently he is teaching management at Mega National College, Kathmandu. He has published works on conflict management in Nepal, role of media in stabilizing Nepal, etc.

Shri Hemant K. Jha

Shri Hemant Kumar Jha is the research Scholar's on Defense Studies and Crisis/ Conflict Management of Nepal. Jha did Master in Conflict Peace and Development Studies (CPDS) from Tribhuvan University (TU), Kirtipur, Kathmandu, Nepal and his research area is national security and defense policy. Jha is from Janakpur and former Karyalaya Pramukh of Hindu Swayamsewak Sangh (HSS) Nepal. He has very good knowledge and information about Madhes dynamics.

Dr. Rajeev Nayan

Dr. Rajeev Nayan is a Senior Research Associate at the Institute for Defense Studies and Analyses (IDSA), New Delhi. He has been working with the Institute since 1993, where he specializes in export control, non-proliferation, and arms control. Rajiv was a visiting research fellow at Japan Institute of International Affairs, Tokyo, where he published his monograph *Non-Proliferation Issues in South Asia*.

He was also a visiting Fulbright Scholar at the Center on International Cooperation, New York University. He holds a PhD and a Master of Philosophy in Disarmament Studies and a Master of Arts in International Relations from Jawaharlal Nehru University, New Delhi. In his Doctoral Dissertation, he studied implications of the Missile Technology Control Regime for Indian Security and Economy. He is a member of the governing council of the International Export Controls Association, hosted by University of Georgia in Washington, DC, and a member of the Export Controls Experts Group and Multilateral Security Governance in Northeast Asia/North Pacific of the Council for Security Cooperation in Asia Pacific (CSCAP).

He is also the Executive Council of the Indian Pug wash Society. He is an Indian partner of Fissile Materials Working Group (FMWG), a Washington- based group of Non-Governmental Organizations active

on nuclear security. He was a member of Regional Network of Strategic Studies Centers Weapons of Mass Destruction/ Border Security Working Group.

MG Prakash Bdr. Basnyat (Retd.) Major General Shri Prakash Bahadur Basnyat is the retired from Nepal Army. He was also a security advisor to former Prime Minister of Nepal Honorable Shri Khadga Prasad (KP) Oli.

Shri Brahmanand Thakur Shri Brahmanand Thakur is a cybercrime expert and is a cofounder of the Nepal Policy Center.

Shri Akshya Joshi Shri Akshya Joshi is the Director of the National Security Council Secretariat, Government of India.

Shri Abhinav Dahal Shri Abhinav Dahal is a freelancer and also an IT expert in software development and its security of Nepal. A technology enthusiast, he is currently the Chief Executive Officer (CEO) of Informatics College Pokhara. He also teaches Information Technology (IT).

Shri Sharad S. Negi Shri Sharad Singh Negi is the Special Secretary and Director General (DG-Forests), the Chairman Animal Welfare Board of India, Ministry of Environment, Forest and Climate Change (MoEFCC). He is the former secretary and Director General of Forest Research Institutes (FRI), Deharadoon.

Shri Meghraj Pokhrel Shri Meghraj Pokhrel is an advocate at the Honorable Supreme Court (SC) of Nepal.

Shri Ramesh K. Bhandari Shri Ramesh Kumar Bhandari is the former Deputy Inspector General (DIG) of the Nepal Police of National Investigation Department (NID) of Nepal.

Hon'ble Shri Bhagat S. Khusiyari Honorable Shri Bhagat Singh Khusiyari is an Indian politician, and a member of the Bharatiya Janata Party (BJP) from Uttarakhand. As a Swayamsewak of Rashtriya Swayamsewak Sangh (RSS), veteran Khusiyari served as National Vice President of BJP and party's first State President for Uttarakhand. He also served as second Chief Minister of Uttarakhand (formerly Uttaranchal) from 2001 to 2002 and, thereafter, he was the leader of the opposition of the Uttarakhand Legislative Assembly from 2002 to 2007.

He has also served as a Member of Legislative Council (MLC) in Uttar Pradesh (UP) (when Uttarakhand was part of undivided Uttar Pradesh) and Member of Legislative Assembly (MLA) in Uttarakhand Legislative Assembly. Later he served as a Member in Rajya Sabha from 2008 to 2014 from Uttarakhand and he is presently a Member of Parliament (MP) in the 16th Lok Sabha from Nainital-Udhamsingh Nagar constituency, earning him the distinction of being elected in both houses of the State Legislative Assembly and of the National Parliament respectively.

SR General Gaurav SJB Rana (Retd.) Sukirtimaya Rashtradeep General Gaurav Shumsher Jung Bahadur Rana (Retd.) was the Chief of Army Staff of the Nepalese Army between September 2012 to September 2015. He is a descendent Shree 3 Maharaja Chandra SJB Rana. Following his father's footsteps he graduated from the Royal Military Academy Sandhurst, UK in 1974 and is an alumni of the Command and General Staff College, Fort Leavenworth, US and the National Defense University, Islamabad, Pakistan

Shri Dattatreya Hosabale Shri Dattatreya Hosabale has dedicated his life for social cause. He is presently the Mananiya Saha Sarakaryavaah (Joint General Secretary) of the Rashtriya Swayamsewak Sangh (RSS). During the period of Indian Emergency from 1975 to 1977 he was arrested under the Maintenance of Internal Security Act (MISA) and imprisoned for 16 months.

He also served as the All India General Secretary of Akhil Bharatiya Vidyarthi Parishad (ABVP), the largest University based student's organization, for four years and National Organizing Secretary for 11 years. He is a post graduate in English literature. He joined the RSS in 1968 and then ABVP in 1972. He became a full time organizer in 1978. He played an active role in setting up a Youth Development Centre in Guwahati, Assam. He was the founding editor of a monthly English Magazine Aseema and a Kannada Vernacular. He became Saha-Baudhik Pramukh (second in command of the intellectual wing of the

RSS) in 2004. Shri Dattatreya Hosabale is a Founder Secretary General of World Organisation of Students and Youth (WOSY) for 19 yrs (1985-2004). He is a fluent speaker of Kannada, Hindi, English, Tamil and Sanskrit.

Shri Deepak K. Adhikari Shri Deepak Kumar Adhikari, Director of Neeti Anusandhan Pratishthan, Nepal (NeNAP), Rastriya Saha-Samparka Pramukh of the Hindu Swayamsewak Sangh (HSS) Nepal and a member of the Advisory Board of the World Organisation of Students and Youth (WOSY), is a social worker, who has for the past several decades engaged himself in pure social work at various capacities. In the past twenty years of his full-time social service, he spent much of his time giving visionary leadership to Pragyik Vidyarthi Parishad (PVP), Nepal and developing a strong organizational foundation for it, working as its National Organizing Secretary.

Deepak Kumar Adhikari is an original researcher. He has special interest in the study of religion, culture, tradition and philosophy, and has a keen interest in research. He has kept himself engaged in several bilateral initiatives aimed at consolidating Nepal-Bharat relations by developing environments for better understanding and dialogue.

Since 2012, Deepak Kumar Adhikari has been committed, as a Founder-Director, to the activities of Neeti Anusandhan Pratishthan, Nepal, a leading research institution for the long-term development of the society.

Day 1
11th April 2017, Wednesday

Inaugural Session



Ambassador Shashank

Thank you very much. This is a moment of immense pleasure for me as I am having opportunity to share seat with the Honorable Chief Minister of Uttrakhand Shri Trivendra Singh Rawat.

Today, I am very pleased to see my counterpart from Nepal when I was foreign secretary. It was long ago. When I went to Nepal as foreign secretary of India, he welcomed me in such an extraordinary manner that I was not even thinking. Today when I met him I thought that he might have been forgotten me for the reason that, I was foreign secretary for a short time. However I am so glad that he still has feelings for us. On the same way, today we have Shyam Parandeji, Deepak Kumar Adhikariji, Rajeev Berryji who is the president of ARSP, Deharadoon Chapter. We also have respected Dattatreya Hosabaleji and I am very happy by your presence here.

As Shyam Parandeji mentioned earlier, I have been associated with the ARSP for ten years now. This organization was established in 1978, at that time India was still not moving towards economic progression. We were willing the growth rate of Indian economy to be at least 1 or 2 percent. We didn't want to see our people to be communist and go to the jungle. The Indian people going abroad, at that time, did not want to identify themselves as Indians. They used to change their names to conceal the identity. They were forced to follow Christianity. Even if the marriage ceremony had not been done

through church, it wouldn't get any validity. In such situation, this organization worked to bring all the Indians residing far away with it. They also got inspirations with our acts. I also want to add that our first member of organization Late Shri Baleshwar Agrawal, who was an engineer and journalist by profession made new records. At that time, there was no tele-printer available in Hindi. The one and only the medium to convey message was English. So he introduced tele-printer in Hindi.

In western countries, we can clearly observe that the people are driven by singular religious feelings. The church is always linked to state as temporal power. It is even associated with royal power. There is everywhere church whether it is education or anything else. But some liberal people like Protestant, Lutherans, etc came with different movement and revolt to keep church separate from other bodies of the state or power. However, if we are taking the same concept here that does not work. So we have a question here whether or not we want to protect and take the cultural heritages of long ago with us. We must protect our Bharatiya sentiments and feelings as well as our culture and Bharatiya civilization. This feeling can be seen in every Indian whether he is a Muslim, a Sikh or a Christian.

Although many books have been written on Hinduism and its heritages, only few people seem to know it. So we need to really concern our Hindu heritage and its preservation. Once when I was the ambassador, my friends from Scandinavia and America used to tell me that there is no great contribution than that of Hinduism to mathematics and cosmology. So these people want Indians in their space research center.

In conclusion, I would like to assert that Nepal and India is the *Deva Bhoomi* for Hinduism and Buddhism. It is predicted that in the 2030s, India will be the super power in the world. Therefore, our concern today is the preservation of our cultural heritages. For this opportunity, I would like to thank organizers.

Thank you.



Shri Shyam Parande

Namaskar!

Ambassador Shashankji, the Rt. Honorable Chief Minister of Uttarakhand Shri Trivendra Singh Rawat, Honorable guest Shri Madhu Raman Acharya, former foreign secretary government of Nepal, and all the distinguished guests and participants. I would like you to heartily welcome you all on behalf of Antar-Rashtriya Sahayog Parishad-Bharat and Neeti Anusandhan Pratishthan, Nepal.

Nepal and Bharat are culturally, socially and also from the perspective of civilization, connected in such a way that we don't feel any difference while we travel from this country to the other. If a person from Nepal comes to Bharat, it doesn't feel that he is from Nepal. Therefore these sorts of seminars are to further strengthen the ties between these two countries. We had organized other seminars too on different issues like social/cultural/civilization issues or trade relations & development, earlier. They turned out to be successful and fruitful with good number of scholars from both sides participating in them. The success of earlier two seminars one in Bharat and the other in Nepal, provided us with lot of confidence and encouragement for moving to the third one.

Today the seminar we are going to conduct will revolve around the strategic issues. We will try to raise the burning security issues like border management, security concerns of both the countries, and

welfare concern along the common unguarded border, arms smuggling & border patrol, and so on. I am delighted to see the participation of so many experts on different fields related to security and strategic faculty. We will also try to include the contribution of the citizens of both countries in our discussions. Security of both Nepal and Bharat is the most sensitive issue; the experts are expected to express in detail the sensitive issues so that both the sides understand each other better. I would like to attract attention of the security experts from both the sides to a very crucial issue called social security. We can observe the threats on this aspect. Such threat may be from religious conversion and similar attempts by external forces. We will also try to cover some issues related to media. Finally I request you to participate in this seminar whole-heartedly and get benefited from this seminar. Once again I would like to welcome you all.

Thank you.



Ambassador Madhu Raman Acharya

Respected Chair Shri Shashankji, distinguished delegates from both the countries, and ladies and gentleman. Special thanks to Shashankji for being with us. It gives me an immense pleasure to share the dais with you, because long ago we were counterparts and spent time in numbers of meetings. On the same way, I would like to thank the organizers; the Antar-Rashtriya Sahayog Parishad-Bharat and the Neeti Anusandhan Pratishthan, Nepal for such an organization of this gathering.

The Chief Minister for Uttarakhand in his short speech mentioned the underlying affinity that India and Nepal possess. He urged Uttarakhand and Nepal to be the *Deva Bhoomi*. I don't want to dwell upon the India-Nepal relations because we know our extensive relations and contacts. The people to people relation is good and so is the case in government to government relations. We even have good relation between security forces. If so, why do we need to focus on security issue? As our previous speaker mentioned that the security in today's context is not the hard core security only. Security has in fact become a wide and comprehensive subject nowadays. It includes human, resource, economic, security of the people's lives across the border. So I believe that the discourse on security related matters should be more inclusive. This is the new paradigm where it asserts on the idea that the experiences from the various experts can draw the better future pathway.

Initially, I want to state that we don't have any contradictory security interests with India. Our interest is rather to protect the India's security and I do believe that the interest of India might be to protect ours. This is because we have open border and common life style. However, we don't have an appropriate regional architecture. South Asia is probably only one region where there is no regional architecture for security. Talking about the security, the bilateralism is very significant. But, sometimes, we are too much obsessed by security concerns and issues rather than other significant issues. Even reviewing the history of our relations, most of India's decisions related to Nepal were taken at Security Committee of the Cabinet. That's why sometimes we should move beyond the security issues and let the other potentialities of our relation to grow further.

Regarding the India's presence in Nepal, it is huge. It is just like an elephant inside a room. What would you do if you have a giant elephant inside the room? If the elephant is in good mode, we can ride it and play with it. Otherwise, it will invite havoc and you must protect yourselves. This is how our psychology has formed. As far as I am concerned, India's response towards our constitution is also linked in regard to the security issues. This is because of the fact that we have an open border. So, if anything takes place in Nepali side that will definitely affect the Indian side. Anyway, India's policy towards Nepal can be seen to be guided by the constructive support. At the time of peace process and different political movement, India supported Nepal. However, at the time of constitution promulgation, such constructive support could not generate good result. This resulted into friction on our relation. Why couldn't these two countries solve the problem of blockade that lasted for five months? That caused immense human suffering in Nepal. It choked the supply of fuel, medicine and other necessary stuffs. This act even intensified the suffering and the wound given by recent earthquake. Is this the sort of relation that we want to continue? That's why such questions need to be vigorously discussed.

I regard the involvement of the India's presence in the political scenarios of Nepal to be totally natural. I don't want to blame India

rather it is the weakness of our own leaders who are inviting it. However, in this invitation, we must demarcate the line between helping and intervening. Otherwise, it will be more problematic. As the honorable Chief Minister said that we are the one, so our sovereignty must also be protected. This is the kind of framework that we require in our future relations.

Another point that I would like to mention is about EPG. It is expected to play an important role. Anyway, it must play very vital role in strengthening the Nepal-Bharat relations.

Finally, India should not take any part or should not be biased regarding the constitution. As the three phase of election is going to be conducted soon, India needs to play very constructive role in the implementation of the constitution.

With these words, I would like to thank the Antar-Rashtriya Sahayog Parishad-Bharat and the Neeti Anusandhan Pratishtan, Nepal for this great opportunity. I hope this seminar will come up with comprehensive and productive outcomes because security issues needs evidence based solution.

Thank you.



Honorable Chief Minister Shri Trivendra Singh Rawat

Thank you very much. Respected former Foreign Secretary Shri Shashankji, the former Foreign Secretary of Nepal Shri Madhu Raman Acharyaji, Shyam Parandjeji, Deepak Kumar Adhikariji, all the distinguished guest from Nepal and ladies and gentlemen. First of all I would like to welcome you all here in Deharadoon.

Regarding the relation between Nepal and Bharat, I don't see any discrepancies between us. Even more, Uttarakhand's relation with Nepal is so significant and we are closely linked with Nepal. We have our relatives across the border. The ladies of Nepal get married to India and vice versa. On the same way, we have a very important and special cultural tie. There is no other great relation than that of culture so this will go further thousands of years in future.

On the same way, the seminar which is being conducted here is very important in further strengthening our relations. Sometimes many ups and downs may come on our relations. It is the third party that constantly seeks its way to interfere on our relations. So these sorts of seminar will be fruitful to erase the misunderstandings and not to allow those third parties to interfere on our ties. So I believe that this seminar will lead a long term vision on our age old relations.

Once I had been to United Kingdom where I happened to see with a guy who said him to be from Hindustan. However, he was actually from Afghanistan. I asked him, "Why are you saying Hindustani"? He replied that if he said he to be Afghani, nobody believes. So this is how the people regard Hindustani and Nepali. So we need to be one to respond to the different incidents taking place in the world. With this I would like to conclude my speech.

Thank you.



Shri Rajeev Berry

Thank you Aroraji. I am really thankful to all of you. I would like to extend my thanks to the Honorable Chief Minister of Uttarakhand, Shri Trivendra Singh Rawat. On the same way, I would like to thank Shri Madhu Raman Acharya, former Foreign Secretary, the Government of Nepal for your presence in spite of your busy schedule. Similarly we are thankful to Shri Shyam Parandeji, Secretary General of ARSP and Shri Deepak Kumar Adhikariji, Director of the NeNAP. We are really delighted by the presence of the distinguished delegates from different security agencies of Nepal as well as media and other institutions.

As we share a long open border with Nepal, we are not supposed to be merely a neighbor but a friendly neighbor sharing different things like culture, religion and life style. Going back to the pages of history, this relation was started in 1950 with a treaty; Treaty of Peace and Friendship. Since then we started our trade and bilateral relation. So today keeping our relation in a sound condition, we need to cope with the modern challenges on security and other issues together.

On the behalf of the organizers, again I would like to thank the Chief Guest Shri Trivendra Singh Rawat and Guest of Honor Shri Madhu Raman Acharya, former Foreign Secretary of Nepal. We really appreciate the presence of all the distinguished guests and friends from media.

Thank you.

Technical Session –I
Border Security and its Management



Shri Dhruba Bahadur Pradhan

Thank you very much. All the honorable delegates from India and Nepal, I think we are little bit tensed so I request everybody to be very comfortable so that we can discuss and listen to everything carefully and share the views in the presentation. So we have altogether five speakers. Being the chair of this session I have to manage the time. The subject is very important but it is very common that we hear it every day.

We have the experts from Nepal and India. They will present the paper based on their experiences and studies. At the same time we are worried about the border regarding whether it should be open or porous. Let's have the opinion of the experts at first.

Thank you.



Shri Rakesh Sharma

Thank you. The topic given today is very broad and wide. I particularly focus my presentation on the border-land of Uttarakhand. I am a journalist and I happened to be a collector of Pithauragadh in 1991 and I have nine years of tenure as commissioner of Kumaun.

As a collector of Pithauragadh and commissioner of Kumaun I held many meetings with my counterparts in that area. We held many joint meetings in Rani-Khet at SSB headquarters. We interacted with different people on many issues many times. I did not see any major controversy regarding the demarcation. However, we can have debate on Kalapani, one of the controversial issues between the two countries. You have one origin and we have another. We stand on our origin. That is very thinly populated area. There are very small amount of the resources. We are not exploiting that area much. The area best can be used for the promotion of the tourism and trade focusing for those communities.

I remember, in 1990, we were opening Indo-Nepal trade at Gunji which is next to Kalapani. There was a big talk about, if this was going to be a very great barter trade. In fact the laws of the Government of India were very different at that time. We were covered by the General Agreement of Trade and Tariff (GATT) that time and now it is the World Trade Organization (WTO). At the same time, we with the autonomous state of China, Tibet, had discussion to have the barter trade as we know the community in the border area can have better barter trade. There was hardly rupee movement in this area. I am talking of the situation of 1990. So we are forced to open the State Bank of India at the trade mart Gunji just to give a rupee trade.

So my first suggestion is that if really Indo-Nepal relation has to be flourished, we should facilitate economic, cultural and social trade because the community living along the Kali River on the border has a very strong bond. They are the darkest part of the two nations as well. In Utrakhand, we call it Kali Kumaun. There are several songs based on the Kali. Basically anybody living on that side is living on the darker side of the development. That is the background.

The story is same with Nepal. All the areas across the Kali from Tanakpur to Kalapani are the darker side or say least developed side of Nepal. Now new roads are being constructed from Dharchula of India and Darchula of Nepal to Kalapani. So the things are going to change in a big way. These are all called migratory villages on the border. If you start from Darchula on your side, there you can see one-village one-caste. They are very forward looking communities on the west. But the villages are totally inhabited. These are migratory areas. People live there only for few months. So my suggestion is that both for Nepal side and for India side, if you want to do the border management in an effective manner, we must try to bring more economic activities in this area. Now Pancheshwor can be a good trigger in this area. If the Pancheshwor Dam comes up, it will open up a lot of opportunities in these areas. Many of the border issues would be sorted out. Once the economic prosperity is there, once the social and cultural security starts coming to people, I don't think that people would have to fight on the border or pillar issues. In Banbasa area we have the issue of the pillar. It is said to be disturbed many times. The collector of our side and the Chief District Officer (CDO) from the side of Nepal are responsible to look after the pillar to determine if they are in good shape. The issues are not the pillars but the developmental projects in the region. These areas are open now, though they remained in the darker side for long. Nepal has a very vast area on their side. Our area is also very vast.

I see that the border management on these two areas is very simple. If the economic development and social prosperity take place, many issues on border will get resolved. Since my knowledge is confined in this area, I want to leave here without moving beyond. So, in conclusion, my point is that along the Kali River, there are not so many issues. If the representative from the two sides come together to seek the common point and work together for economic development, the issues will easily get sorted out.

Thank you.



Shri Buddhi Narayan Shrestha

The respected chair, distinguished delegates from both the countries and ladies and gentleman. I would like to extend my thanks to the organizers for this great opportunity.

Regarding the topic of this very seminar: “**Border Security and Its Management**”, I will cover the topic such as international border management system, border management practice of Nepal, history of border management with India, open border and security concern and trans-border criminal activities. I, on the same way, will talk about some of the extremists nearby India and Nepal border. Finally I will try to explore some ways to prevent the misuse of the border.

First of all, regarding the fact on international border management system, different countries have adopted different systems of managing their border vis-à-vis their neighbors. Among them, three systems are mostly in practice in international arena: open border system, controlled border system, and close border system. In normal situations, above mentioned levels are implemented one after the other. But sometimes, these procedures may overlap each other or there could be a long gap between the two procedures. Such as the political decision on allocation of border and boundary delimitation can be carried out simultaneously but demarcation of boundary could take years to complete after boundary delimitation. For example, boundary demarcation of western Nepal, along the Mahakali, where the Sugauli Treaty of 1816 did boundary delimitation, has not yet

been carried out. Some borders may remain without administration for years while some may be under the administration of one or the other state before the demarcation is completed.

Nationality, sovereignty, territorial integrity and national security are of primary and inevitable concerns to each nation and its citizens. An independent nation has its defined and demarcated boundaries, a permanent population, owns strong and independent government and is also capable of conducting international relations beyond its borders. A country cannot be regarded as independent in the absence of these conditions. Of all essential elements that make a nation sovereign, boundary plays a great role. The landmass within that boundary gives existence to a nation's identity. For an independent nation, failure to protect its boundary is equal to failure in protecting its national security. When borders are not regulated and protected, the country plunges into a mess of conflicts, crises and sufferings that, in the long run, would lead to no less than a catastrophe.

Nepal's borders on the east, west and south are linked to India, while that on the north is with China. A range of high Himalayas lie on the border between Nepal and China, elongating from east to west, while the southern border with India is stretched by a plain landmass. Similarly, most parts of the eastern and western borders also have a range of low mountains, hills and hillocks. Nepal and China have a controlled border system whereas an open border system exists between Nepal and India. Nepal has never had an experience of having closed borders with its neighbors. It should be admitted that the existing border management system of Nepal has played a sensitive role in its national security.

Issues of national security and border management are interrelated. When peace and security are in danger within the national boundaries, alertness has to be maintained across international borders as well. If borders are not managed with skill and acumen, the country falls into a morass of undesirable activities by native and foreign elements, disrupting its development process. On the other hand, international borders are so sensitive that, if not managed properly, they soon begin to create disturbances. For example, when Indo-Nepal borders are sealed for a few days during elections in one of these countries, we can experience the effects it would create on the other side of the border.

Speaking in the context of South Asian nations, Nepal's security system has become crucial for its neighbors, mainly because of its typical geographical location. Nepal is situated between China and India. China is a country that is most populous, has growing influence in the world arena, occupies the largest territory in Asia, and embraces a distinct political identity. India, on the other hand, is also a large country with its huge population and territory. Even Pakistan, a country with a different political system, is not far distant from Nepal. For all these reasons, Nepal's national security and border management, inter-linked as they are, have become a matter of serious concern to our neighbors in particular and the western countries in general, especially in the present context of global and regional security, after the terrorist attack incidents on 11 September 2001 in the USA and on 13 December the same year in New Delhi, India.

Talking about Nepal-India border management system, Nepal-India Joint Border Management Committee was formed on 28 February 1997 to perform the new activities concerning the management of border between the two countries. Whatever may be the history but an open border system exists between Nepal and India. Citizens of both the countries can cross and enter each other's border any time and without any restrictions. On the same way it has so many implications. Some of the positive implications might be for convenience in movement and travel, strengthening mutual ties, quick emergency response and assistance, medical service facilities, immediate supply of food-grains and daily consumer goods, and competitive market.

Another positive aspect of the India-Nepal open border is the opportunity for enhancing economic benefits for the residents along the border, as they can easily access to each other's weekly open-air markets (*hat bazaar*) for selling and buying their goods such as vegetables, dairy products, domestic cattle, etc. Such markets are organized at different place seven days a week on both sides of the frontier.

At the same time, the open border may be misused and it may bring some negative consequences such as distribution of fake educational certificates, fake citizenship certificates, abduction

of children and businessmen, smuggling of petroleum products, kerosene and food grains, leakage in the revenue collection of customs and excise duty, fake currency not recirculation, adverse effect on Nepali culture and tradition, smuggling of drugs, illegal transport of wildlife, illegal hunting, trafficking of unauthorized medicines, illegal import of below standard chemical fertilizers, smuggling of high quality fertilizer, export of cattle, poaching, transporting audio blue-video materials causing deformity by theft, the loss of Nepali identity due to the disappearance of traditional Nepali culture, the rise in anti-social activities, rape, cheating and dacoit, etc.

To sum up, the open border system existing between Nepal and India for hundreds of years has now to be changed taking into account the present environment, situation and national security perspectives of the country. On the one hand, the open border is being misused, and on the other, the existing border system has somehow below functional in order to strengthen peace and security in the country. Due to the open border, terrorists and unwanted elements perform destructive activities in the country and hide in another country after crossing the border. The terrorists wounded in the fight against the state security agency of a country receive treatment in the health centers of another country without any information. They make plans for act of violence and terror on one side of the border and perform destructive activities on the other side after crossing the porous border easily. Similar types of criminals perform murder, loot and rape in one frontier and run away into another border area. -

Inactive and ineffective lands are the sites where such incidents take place. Such criminal activities are taking place only because of the open border. Needless to repeat, open border has enhanced the ill motives of the criminal elements. In the perspective of all these facts, two Prime Ministers of Nepal and India have agreed to prevent the misuse of open border by terrorists, criminals and other undesirable elements and directed that co-operation in this regard be enhanced. They have realized that the discussions on the management of the border should be continued in the Joint Working Group on Border Management, between the two Home Secretaries.

Thank you.



Shri Basudev Dahal

Thank you Chairman.

I will not spend so much time about border management but I will point out some major things we have faced while working in the field of the border system. First of all, some people occupy the no-man's-land in border system. There is no any act in Nepal and I believe same is the case with India. When there is no act we cannot file a case in the court. So many people are occupying the border places and there is no any instance that we have punished them. There are many examples of farming, constructing houses, excavating the sand and soil to fill the land around border area. These sorts of problems are constantly happening in the no-man-land area.

I want to say about the ID card as well. We have not managed any ID card up to now. My pervious friend Buddhi Narayanji also talked about ID card that we have started but we could not continue it. Until and unless we don't manage the ID card system, we cannot manage to keep the data of the people moving across the border. Sometimes we have to say by the appearance whether it is Indian or Nepali and this is very difficult task. We use same language, have the same appearance. So if we apply the ID card system, in many cases we can solve the problems.

The second thing I would like to put is about the route that people use while coming and going India/Nepal. There is no any fixed route. People can use any border point. So without disturbing the people's movement we can manage the fix route. Then number of routes may be increased but without any fix route at right now, it is taking so many illegal activities like women and children as well as drug trafficking. For such purpose they don't use general route. So, we have to fix the route.

Talking about the application side, we talk about this issue in every meeting. May be in next meeting as well, we talk this issue. However implementation of some laws or rules after finding out the problems is more important. This problem was also in my time and still it is going on. Even more foreign people can also have movement from the India-Nepal border and we cannot recognize them with face. So these things must be taken into consideration.

Thank you.



Dr. Thakur Mohan Shrestha

Respected Chair and distinguished delegates from India and Nepal. Jai-Hind-Jai-Nepal!

First of all, I would like to thank the organizer for this august opportunity to share my ideas to learn more from veteran lectures from both sides. I would like to also thank the Antar-Rashtriya Sahayog Parishad-Bharat and the Neeti Anusandhan Pratishthan, Nepal.

Actually we are in 21st century. The security dilemma has been changed. Specially, globalization, modernization, and democratization are the directive forces for any nations followed by the IT (Information Technology). The security management is very crucial and essential foundation for the overall development of a nation. With this reference the security challenge has been hiking up globally as well as locally.

Disregard of the defense, security and the relation as per the crux of the discussion in this august presence, the status of the any sovereign country that applies in Indo-Nepal as well. The paper presenters, the previous three speakers, they have already highlighted on the philosophy of the border management and security management along with the burning issues and the different incident, examples and their perception.

We know the Indo-Nepal relation is quite different from other nations from overseas. No doubt, it is beyond diplomacy and the

politics. Then what this actually is. Of course the Ganga Mahima, Sabhyata, Sanskriti and our virtues are the directive forces for present issues as well as for future orientation to find the solution within the problem. Of course we are the nearest and dearest. The ending of the Indian Territory begins the territory of Nepal. In this concern Nepal is not landlocked rather it is the land-linked country. We have a series of hopes as our elder brother, not big brother.

In regard of our security, the border demarcation issues and opportunities, we should have in-depth research for particular and common purpose. But today, we are going to discuss in a single basket. Demarcation is, I think, different from management perspective. I also believe that every problem born with the solution. Common issues should be collectively addressed. The comprehensive integrated security management could be effective way out at present and in future orientation.

Now I would like to take the attention on illegal interlinked of triangular mission and domination of smugglers and tycoons from China, Nepal and India, is also growing as an undercurrent by initiating human trafficking, smuggling of gold dollar, red sandalwood, counterfeit currency, thus affecting the security administration.

As per my experience, it was observed that our youths to some extent have negative perception/attitude towards our neighbor. What are the reasons? Although we are gaining the support from India for education and infrastructure development, the issues of growing negative perception/attitude in Nepalese youths could be a bad asset against INDO-NEPAL historic relation, if the stakeholders regarding the Nepal Bharat relation are not going to study for the main causes, consequences and remedies to address timely.

During the inaugural session, respected guest of honor Shri Madhu Raman Acharya has already highlighted all the issues straightly, and clearly. I would like to use the 'elephant' as the symbol of 'Lord Ganesh', on only the animalistic aspect. The God Ganesh has a series of potential attributes in regard to the essential three management themes: 'knowing', 'being' and 'doing'. It could be other asset to proceed ahead on the way to address the demarcation issue, and border management.

Post-conflict status in Nepal has a hope for perfect democratization. Besides the problems we have a hope for green dollar (tourism), hope for white dollar (Hydro) and geo-location in between two huge markets-India and China. India is not only the market but it is also big support for Nepal. It should be used strategically with the spirit of mutual understanding. Transnational crimes and international terrorism have become multinational challenges. A well defined definition of terrorism and terrorist could be a basic way-out to the discourse of integrated intervention.

From my country our leaders, our generation has already lost almost 66 years to get the system. This is the right time to be focused on sustainable development and democracy with the foundation of rule of law. But how is it possible? It is possible by trustworthy professional security management and accountability and integrity of top leaders, management and support from neighbors. No doubt, border management is the challenge for Indo-Nepal security and integrated development. It should be managed with mutual understanding. Both, INDO-NEPAL should have pay for strengthen bilateral relations.

Thus, searched based comprehensive integrated security approaches and education programs should be articulated to reduce the growing perception/negative attitude in the youth of both nations. The text to assist in this process would be better to introduce in the secondary level which ultimately may discourage other groups to mislead and lay negative impact in relation and brotherhood.

Finally, forums like the Antar-Rashtriya Sahayog Parishad-Bharat and the Neeti Anusandhan Pratishtan, Nepal can play more effective role in strengthening INDO-NEPAL bilateral ties and people to people relations with the soul spirit of glorious history and in new dimensions of 21st century including security and humanity. Therefore, that could reach our relation in a new height.

Thank you very much.



Ambassador Ranjit Rae

Thank you Mr. Chairman.

I have listened to a lot of views from various speakers before me. But I want to put forward my own opinion. I just want to raise a few issues. The first is that Nepal Bharat relationship is unique; it is a relationship based on emotions and feelings. There are deep cultural, religious, people to people linkages. We speak of *roti beti ka sambandha*. How did this come about? How did our relationship acquire such deep foundations? In my view it is because of the open border that we have this special relationship. If the borders were closed, I don't think that we would have such relationships. Therefore, the open border plays a very significant role in nurturing and strengthening our relationship. However, the open border can also be misused sometimes, by terrorists, by other unscrupulous elements. Therefore, we need a policy that can maintain the open border but minimizes the misuse that has been taking place.

How do we prevent the misuse of our open border? People have talked about erecting a fence, installing CC cameras, introducing ID cards for cross border movement, etc. But I think that some of these things are to be put into the border with enemy countries. Ours is a border that joins. It is not a border of separation. Most importantly we need to think about the persons living at the border points. A person at border may cross it almost 4/5 times a day. The children of both

sides cross the border to get to the school and college. The people cross the border for shopping, for marriage ceremonies. This open border is not based on any treaty. We say that we have a relationship since the Treta Yug. So this border has always been open. Before we became sovereign nations, we had an open border and had such relations between the peoples. So this is the symbol of our relationship.

So, if we cannot close the border, how do we prevent its misuse? I believe we can do it through enhanced security cooperation. I must say that security cooperation between Nepal and India is very exemplary. The security agencies, intelligence agencies and defense authorities are working in close coordination and we have been able to prevent some major terrorist incidents. When a terrorist incident takes place a lot is written in the media. However, when an incident is prevented, the common public does not hear about it. So in my view, better coordination and cooperation between security agencies in both countries is a major factor for improving the security along the border.

You know the security is not cold security provided only by security forces. The best way to have security is to have a border area where there is prosperity, development and stability. If there is instability, inimical, third country or non-state actors will take advantage. I, therefore, believe that the best way of border management is border development. So if we develop our border in proper manner then the issue of insecurity and other problems will automatically resolve. There are so many projects to develop the border as well that we should strengthen.

I also want to share something about the border demarcation. I think almost 97% border has been demarcated already. Both sides have agreed. Only 2 or 3 percent needs to be resolved in Kalapani in Uttarakhand and Susta. So our proposal is that when 97 percent is agreed, we can finalize this with the discussion in at political level. However, the Nepalese view is that we should resolve all pending issues, that unless the 2% is resolved, we cannot sign the final border agreement. Perhaps there is suspicion that if the 98 percent is finalized,

the two percent may remain pending in perpetuity. So I think we need to work on this.

The last point I want to discuss is the no-man's land. The way we interpret no man's land in India and Nepal is a place where you cannot do anything. Obviously you cannot construct buildings. But to prevent road construction is ridiculous. I went to Nepalgunj-Rupediya border, up to the border gates there is very fine road but in-between it is all ditches and potholes. The road must be constructed. Many people told me that if they want to construct the road, the authorities stop them. This situation must be remedied.

In conclusion, the open border is a great asset for both countries and is a symbol of the unique relationship. Therefore, we should not even think about erecting walls between India and Nepal. If we do so, it means like erecting a border between the souls of the two countries. However, the border should be better regulated through intelligence, cooperation, and coordination between the authorities on both sides. On the same way, demarcation should be completed as soon as possible. Political issues have to be resolved at the political level.

Thank you.

Question-Answer and Comments

Haribansh Jha

My name is Haribansh Jha and I am from the border area, Janakpur, Nepal. As far as I am concerned about the fact, the border between Nepal and Bharat has never been closed. Rather there was a system when the people from the Terai must have taken the permit to entry Kathmandu if they wanted to visit the Pashupati. In other words, people would have to take visa. Most particularly, people could go to Kathmandu only in the occasion of Shivaratri. There is a place in Kathmandu called Tripureshwor, we could only stay in that area. This was the system in the 1950s.

Here, I think the issue regarding which border to open and close is not the issue at all. But the development in the border region is the issue. Most importantly, we know, we have very good relationship between the two countries. Therefore, how could such relation be possible after fencing the border?

I just want to put forward my view on what Ambassador Ranjit Rae has said. I totally do agree. We have a great emotional relation and if we talk about fencing and demarcation, how could it connect our relation further? Fencing is erected when we don't trust each other. I don't think that we need fencing with Nepal. I was thinking that in our Army, there are almost 30 to 35 thousand Nepalese brothers. They use to work with us putting hands over hands and they fight for us. When they go home at the time of vacation and, if they see fencing, what they might feel? So I believe that the issue of fencing must be ended here and should not proceed it further.

My second point is regarding the demarcation. Mr. Thakur talked about the demarcation and I do also agree with him. So we need to focus more on management rather than on demarcation. In the border we need to bring the programs that connect us rather than divide us. We can organize the football or cricket match in the border areas. When there is prosperity the misunderstanding and other problems will automatically get resolved.

Rakesh Sharma I just take few minutes to response the queries and comments. Somebody said about what is the need of no man land and what is it? When there is two nation systems, the no man's land is for the demarcation of the two nation. It is a natural process.

Second point is that the development is the answer to the problem created at border. I think all of we are moving towards that direction. The fencing is not the way to save the border. The key to make our border more secure is the development.

Kishor K. Lama I want to clarify about the integrated check post. On this issue, central level meeting had taken place between India and Nepal. The construction of Integrated Check-post at Birgunj from Indian side has already completed, one more point in Birgunj will be completed in six months and construction of the rest of the three in the far western side is yet to be started.

You talked about the management is the better option rather than all the fencing and other. Regarding management, I don't know why is it taking so long? The management of border would be effective if executed at the earliest. Besides that, the sentimental socio-politico and cultural

attachment between the two countries and people have utmost importance. But the current complex problem is the threat of the terrorism which is a Global trans-national challenge. I therefore believe fencing would also be one of the solution to enhance preventive measures for both the countries.

The border of Germany and Poland is open, but due to increment in the cross border crimes, border management rules and regulations were implemented such as use of Identity, Border Point Access Control and Patrol Team and Border Out Post. Likewise there exists serious Trans-national Organized Crime, Terrorism, Cyber crime impacting National Security, therefore Border Management rules needs to revamped and preventive measures be implemented as deemed necessary.

Hemant K. Jha

Yesterday I came here from Kathmandu and I saw a piece of news in the Kantipur National Daily about the border issue. In the newspaper, the villagers of Susta were pictured. The harmony of the both side people was given. They were cutting paddies together. This kind of harmony cannot be seen in Kyerung and other border. But in the 22 district of the Terai, we can freely make any movement.

We know that the same place where we pay tax has also the ownership of it. But the tax collected in the different temples and border points goes to Kathmandu. Why?

Prakash Bdr. Basnyat

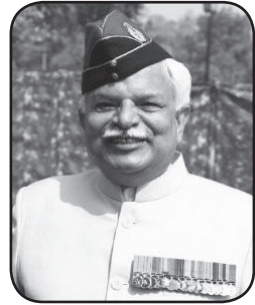
My query is to Ambassador Ranjit Rae about border management of India and Nepal. Why were we not able to have extra mission for mitigating the misuse of our border by thieves, criminals, etc.?

Dhruba Bdr. Pradhan Dear ladies and gentleman, we on this technical subject talked a lot. We want to have very mutual relationship with India. Because when we don't have good relation, the issue of the border doesn't come to the resolution no matter if we want to keep it open, porous, walled or fenced. In each time and moment, we need to have very good relation between the two countries. So we want that whatever needs to be done, India must show the interest. We even have a porous border with China. It is regulated.

Therefore, we need to manage or regulate the border properly. We might not have our interest towards the northern border because it is the Himalaya and water always flows down towards the south. We even more have cultural connection, religious connection and other several connections that is not the case with northern side.

Furthermore, the general Sahab mentioned the contribution of Nepali Gurkha regiments to the security of India. They are always serving at front. They are ready to sacrifice themselves for the security and sovereignty of India. So this also needs to be properly taken into the consideration. With this, I want to finish this session here.

Technical Session – II
Trans-border Criminal Activities



Lieutenant General Vishnu Kant Chaturvedi (PVSM, AVSM) (Retd.)

It was a great opportunity to be in this august gathering. In this session we are going to talk on trans-border criminal activities. We know that there are many criminal activities like drug trafficking, human trafficking and fake currency trafficking. That's why before the incident goes to escalation state; we must resolve it by sitting together, the brothers of two countries. I don't want to say two nations rather I would prefer to say brothers. That's why our session mainly focuses on the criminal activities taking place in the border areas and we will seek some solution to resolve them.

Thank you.



Shri Pushkar Nath Regmi

Mr. Chairman, distinguished delegates, ladies and gentlemen. Thank you for offering me the opportunity to present this paper before this august gathering. The topic of my presentation is “Trans-border Criminal Activities”. Since, the ultimate effects of such activities jeopardize all-round integrity and security of a nation; I have amended the title of this paper as “Trans-border Criminal Activities and its Impacts on National Security”, and attempted to concisely present the paper as of the modified title.

Now, let me talk briefly about the trans-border crimes. Basically, trans-border crimes refer to crimes that have actually or potentially affected across national borders and crimes that are intra-state but offend fundamental values of the national and international communities and involve the planning and execution of illicit business ventures by groups or networks of individuals working in more than one countries using systematic violence and corruption to achieve their goals. In other words, trans-border crimes take place in one country and they have their impacts in other countries where the transit country may also involve. Trans-border crimes include drug trafficking, human trafficking, arms/weapons smuggling, kidnapping/looting, money laundering, counterfeiting currency, cybercrimes, extortion, trafficking of natural resources, terrorism etc.

The fastest rate of the globalization has fueled the dimension of trans-border crimes. In the context of Nepal-India, the geo-condition of open border between these two countries has further intensified

trans-border challenges. Improved transportation at land and in air is also the hallmark of that process. This easiness makes it possible for criminals as well as militants to shift operational bases without qualms.

Now let's talk about the challenges ascending from Nepal and India border. Trans-border crime has grown in scope and is stretching increasingly over the international arena. The syndicates protect and expand their activities through violent and ruthless means, link to terrorist groups and devise unique and notorious strategies to counter state actions. The open border has been misused by criminals and same advantages are taken by terrorist too. Many hardcore criminals chased by Indian and Nepalese law enforcement agencies escape through the open border in one-another country so that they further formulate criminal activities such as smuggling of different commodities, fake currencies, trafficking of women and children, arms and explosive, natural resources and the objects of having archaeological importance etc. There is always high possibility of illegal movement of people and goods with the support of personnel serving along the border units. In addition to it, the person of neighboring country has high resemblance in physical appearance thus their nationality cannot be easily recognized. It is hard to isolate them as national of third country.

Another challenge is the illegal migration from Kashmir, Pakistan and Bangladesh. It is said that, in the past (during eighties and nineties), the Sikh and Kashmiri militants used to infiltrate into India through Nepal using the open border. Likewise, the suspected criminals and militants take advantage of the open border and attempt to enter Nepalese or Indian territories to ensure their safety.

Now, let me discuss the impacts of trans-border crimes on national security. One of the most significant challenges is on socio-economic development of the nation. Money laundering and crimes related to financial gains despite of being illicit activities, are assumed as next to other business performances because it involves human resources, physical resources, necessary skills, markets and technologies like any other business acts. It encourages corruption among the political and bureaucratic authorities' and utilizes their positions to sustain illicit trade and launder finance and various fiscal activities. These criminal

activities exert negative impacts to the legitimate financial activities in the nation by declining economic growth and reduce productivity by diverting resources. Further, the enhanced crimes and corruptions slow down the economic growth and distort internal/external trade, and encourage capital flows ultimately leading to incapacitate the process of investing national capital resources towards developing required infrastructure. Moreover, trans-border crimes have been sophisticated through the technologies that permit capital flight all over the world resulting catastrophic consequences on the countries' economy. It also creates serious effects on youths by attracting them to illicit trade or trafficking.

More serious issues are revealed when terrorist organizations use money laundering to strengthen their activities.

As the trans-border crime is vulnerable to national economic development, it would be the prime reason of increasing poverty in the country. Poverty incidence affects about 40% of the Nepali population and consequently, the distribution of national income and wealth could be seen skewed in favor of a wealthy minority. The growing poverty poses a serious threat to national security, especially to the extent that it breeds and abets rebellion, crime and dissidence.

In the same way it also causes serious impact on ecological balance. Trans-border and organized syndicate engage in smuggling natural resources like sand, timbers and endangered species or their body parts for economic gain. The uncontrolled deforestation and exploitations of natural resources bring about serious consequences of environment degradation causing climate change such as floods and soil erosion that make survival of the species more and more challenging.

Let me talk about another serious consequence of trans-border criminal activities on national security. National security can be understood as a state or condition where most esteemed national values/beliefs; institutions of governance and unity, democratic life style, welfare and well-being of a nation and people are eternally protected and enhanced incessantly. The growing and uncontrolled trans-border criminal activities and their syndicates by virtue of their illicit activities gradually intrude the legitimate system of the country and, in the course of time, pose serious threats to national security.

The nexus of global terrorism is complex and this nexus has connection all over the world. The incident of 9-11 of Twin Towers in the US and 26-11 incident of Mumbai has changed the paradigm of terrorism. The US hence declared 'War on Terror'. According to the GTI 2016, India ranks 7th in total terrorist attacks and deaths. Terrorism in India is characterized by extremist communists, Islamists and separatist groups. These communists are the most frequent perpetrators and the main cause of terrorism and deaths. Police are the largest target group of communists, especially Maoists. Bihar, Jharkhand, Chhattishgarh, and Odisha are main operating grounds of Maoist communist groups. The dispute with Pakistan over Jammu and Kashmir is the main source of Islamist terrorism. The two deadliest Islamist terrorist groups in 2015 in India were Lashkar-e-Toiba and Hijbul Mujahideen, operating in Pakistan, Afghanistan and Bangladesh. Though, Nepal also suffered gravely from 11 years long armed conflicts in the past, had/has been utilizing its optimum capabilities in curbing any form of terrorism as well as prohibiting such activities inside its land that are hostile to any country of the world. Nepal's government machinery has been unremittingly using every possible effort in curbing such activities in the country.

The permanent misuse or violence of national border or territory and its ineffective control or administration by the state allows trans-border criminals and their syndicate to utilize it as a safe root for illicit trades. Various incidents that occurred in the past indicate the fact that the smuggling of the fire arms, illegal migration, and movement of the foreign terrorists through the porous border are the major threats and are the major concerns.

Threats to information security and cybercrime are other serious challenges. Vital resistance of the government and national security strategies are now electronic based and thus vulnerable to threat. Today Wiki leaks are very well-known. It has very easy access to the state data. The regional or international nexus of trans-national crime syndicates and terrorist organizations seek opportunities to have access to the government information with the major intention to paralyze the government (national activities and goals).

In addition to the challenges mentioned above, uncontrolled trans-border criminal activities further lead to higher organized

crimes and in the same way pose threats against socio-political stability, cultural cohesiveness and national unity & strength.

Now, let me speak a few words on the strategies that are significant to combat trans-border criminal activities. The open border between Nepal and India has a favorable impact on fostering close economic relation and addressing mutual security concerns between the two countries. But at the same time the open border has been a serious concern for being misused by criminals and terrorists. Many hardcore criminals haunted by other countries' law enforcement agencies escape into one another nation through open border where they could further set up smuggling gangs and criminal syndicates. The open border has been a major way for smuggling a large scale commodity, national products and the things alike. The Nepalese security agencies have conducted study and identified 18 types of crimes prevailing along the border including human trafficking, drug trafficking, robbery, circulating fake currency etc. Despite of:

- The existence of bilateral 'Joint Working Group (JWG)' and efforts of the Secretaries of the Home Ministries of Nepal and India's to control such crimes,
- The existence of border District Coordination Committees holding bilateral meetings (as and when deemed necessary) and arrangement of Nodal Officer (for needed coordination) at every district police office along the border, and
- Four Integrated Check Posts (ICPs) (under constructions at Budhanagar 4 and 5 - Morang district, Alau 1 and Sirsiya 7 - Parsa district, Siddhartha Municipality 1- Rupandehi district and Jayespur 7 & 8 - Banke district);

Still many problems do occur. Therefore, both nations should preferentially work to improve the situation along the border by setting up of joint task forces to investigate cross border crimes, sharing real time intelligence, having joint patrolling, repairing and re-erecting the border pillars, and jointly employing security infrastructures along the border.

It would, therefore, be prudent to keep the border open if we manage to have effective and strong law enforcement and security

mechanisms. Since the trans-border crime poses serious threat to social peace and stability, communal harmony, good governance, national development & integration; all dimensions of such crimes must be forcefully combated. This can only be achieved through appropriate security, legal, political, social and cultural strategies. Strengthening the professionalization of the security agencies and special force to fight against trans-border crime is imperative. Similarly, consideration of strengthening the operational capabilities of security agencies in conducting effective actions and joint operations at the border and highways must be put at the top priority. They should keep the local communities and civil societies in confidence in the battle against trans-border crime.

As the sole responsibility of the government is to fight against such crimes, the parliament of the both countries should commit themselves to fight against trans-border crimes and become fully involved in facilitating various issues including reforms of security sectors. Furthermore, both governments should inform, communicate, create awareness, bring people to understand the root causes and repercussions of trans-border crimes, ensure the implementation of the most pertinent and sustainable solutions. Similarly, the role of the parliaments should be to lobby the parliamentarians towards positive security governance and managing and mobilizing the financial and technical resources required to fight against trans-border crimes.

Finally, I would like to conclude this presentation by saying that trans-border criminal entities and their activities pose increasing threats against national economies, overall safety and security of the countries, stability of entire regions and the future progress of public trust and core democratic set-ups. Therefore, there is indeed the need to employ coordinated and comprehensive strategies by Nepal and India jointly to fight these crimes and their syndicates. This demands developing strong law enforcement approaches and boosting cooperation between the two countries.

Thank you for your attention.



Shri Kishor Kumar Lama

Respected Chair, Respected guest, delegates and all the participants of the seminar,

The new paradigm and momentum of trans-border criminal activities have become global challenge. No country of the world is separate from globalization phenomenon. The impacts of globalization and scientific technology have made easy trans-border movement increasing in magnitude. Global governance has failed to keep pace with economic globalization. The unprecedented openness in trade, finance, travel and communication has created economic growth and well being but simultaneously it has given rise to massive opportunities for criminals to make their business prosper. The trend of interdependence between states and opening of borders which exist alongside socio-economic, cultural, legal and political inequalities and similarity both has facilitated the activities of trans-national criminal groups and geo-condition of open border between India and Nepal has further exacerbated Trans-border criminal challenges. Trans-border Crime has diversified, gone global and reached macro-economic proportions; illicit goods are trafficked between India and Nepal and preceded to third countries. Mafia, Terrorism today is truly trans-national problem, a threat to national security especially in poor and conflict ridden countries. Trans-border crime is fueling corruption, infiltrating business and politics hindering good governance and development. And it is undermining governance by empowering

those who operate outside the law. The open border between India and Nepal has provided criminals lee-way in their nefarious cross-border activities through corruption, coercion and white collar collaborators (in the private and public) sectors, creating lower risk to criminals and has made trans-border criminal activities sophisticated, complex and lucrative business. Thus, easy trans-border movement exacerbated trans-border crime. Improved transportation on land and in air system is also a hallmark of the current process. Easy cross border movements offer criminals sufficient space and time. This easiness also makes it possible for criminals as well as militants to shift operational bases without qualms. It also affords perpetrators the opportunity of evading arrests by law enforcement agencies by traveling to other country. There are many instances wanted criminals of both countries India and Nepal have absconded taking advantage of open border. The developing countries in South East-Asia present a peculiar dimension in security demands as a result of poverty, unemployment compelling youths to make excuses of abusing and selling drugs, and involving in other trans-border crimes. The major trans-border crimes prevailing between India and Nepal are Human trafficking, Drugs, goods, Gold, Arms smuggling, counterfeit currency, money laundering, infiltration of terrorist, Kidnapping, trafficking children for human organs. There is increasing risk of probability of Nepal being used as transit point and safe sheltering for criminals and terrorist due to easy open border as well as existing transitional state of the country. The seriousness of these problems has necessitated governments of both the countries to explore constantly innovative and effective policy responses and implement strategies to deter and control Trans-border criminal activities.

“Trans-Border Crime” represent a number of illegal and notorious activities carried out by individuals and groups across national and international borders, either for financial or economic benefits and also socio-political cum religious considerations. It is a set of criminal acts whose perpetrators and repercussions go beyond territorial borders. Crimes that have actual or potential effect across national borders and crimes that are intra-state but offend fundamental

values of the national and international community and involves the planning and execution of illicit business ventures by groups or networks of individuals working in more than one country using systematic violence and corruption to achieve their goals.

There are 13 types of major trans-border crimes in between India and Nepal which falls under the characteristics of its definition. They are drug trafficking, human trafficking, weapon smuggling, kidnapping/looting, terrorism, money laundering, counterfeit currency, cybercrimes, extortion, environmental resources trafficking

(Timber, herbs, Yarsagumba, wild life, stones, sand), and weapons, counterfeiting (duplicate medicines and other products), identity theft, antiques, endangered species and migrants.

Trans-border Crimes are challenging issue having direct impact upon security of India and Nepal. Despite efforts of joint cooperation of India and Nepal to control criminal activities in border, it is sad to mention the degree of outcome is not satisfactory as expected due to various factors. Firstly it is open border; the networks of trans-border criminal are well organized having modern resources with stronger network as well as low risk control mechanism, instruments and certainly the corruption influenced public sector. The Trans border crime is pervasive and expanded to global periphery. The activities of trans-border criminal activities have disturbed the conducive environment of border. The open border is a tempting factor for smugglers to involve in trans-border criminal activities. The traditional approach with outdated resources and accepting gratuities attitude can never be the effective measures to control this criminal nexus. The intelligence sharing needs to be prioritized and exchanged in constant basis, disseminated on time. The expanded area of southern border of 1880 km. has provided in numerous loop holes for criminals. The vulnerable situation necessitates government of both countries to identify specific points in border areas to formulate innovative and constructive policies thereby implementing rules to regulate border.

Drug trafficking is also serious trans-border crime especially raw heroin brown sugar and psychotropic substances coming from India to Nepal. There is greater quantity of white heroin smuggled to Nepal as transit point and heading towards other destination like South Asian Countries and Europe. Narcotic drug Brown Sugar and Psychotropic substances bought illegally in border of India is supplied to Nepalese addicts. This availability is one of important factor of increasing trend of drug smuggling and addiction. The transit route of white heroin emanating from golden crescent i.e. border areas of Afghanistan, Pakistan and Iran has impacted Nepal defaming its image and in concerned areas of public and private officials implicated with corruption. Likewise drugs Heroin is trafficked en route of Nepal from Golden Triangle i.e. border areas of Thailand, Burma and Laos. The brown sugar of 15 – to 25 kgs are smuggled to Nepal's major cities Kathmandu, Dharan, Pokhara, Biratnagar, Birgung in a month. Drug peddlers smuggle it from Raxaul, Barabanki. The route of Mizoram is used to smuggle drugs from Burma. Drugs from Afghanistan, Pakistan are smuggled via Rajasthan and transited through Nepal. Illicit cultivation of marijuana in Terai areas are destroyed by Local administration and police.

Human Trafficking today has turned in to transnational organized crime as modern Human Slavery. The women are generally sold for prostitution and children for human organs, as circus workers have become extensive due to poverty and the temptation of people involved making it lucrative business. The destinations of human trafficking are Mumbai, Delhi, Calcutta, Lucknow, Mujaffurpur, Gorakhpur. They are trafficked to Gulf countries via India. The trafficking border points are Ilam-Pashupatinagar, Jhapa-Kakadbhitta, Morang-Jogbani, Sunsari-Bargenia, Parsa-Raxaul, Rupandehi-Sunauli, Kapilvastu-Krishnanagar, Dang-Koilabas and Banke-Rupediya.

The duty levied goods are smuggled through illegal points or in concealed manner. The merchandise is electronic, motor-parts, antiques, herbals, automobiles and forest products. This evasion of custom duty has directly impacted in revenue of the country. There are seizure reports of illegal goods worth of crores by Nepal Police,

Custom and Armed Police affecting revenue loss. We can just presume how much amount of worth the goods would have evaded beside the seized items. Environmental Resources trafficking of wild lives, skin of tiger, leopards, horn of rhinos, precious stones are smuggled.

Small Arms especially country made as well as factory made are increasing in its use by criminals and hooligans. There are many instances where groups involved in vandalism are using small arms. The criminals too are using arms to commit crime. The seizure data indicates that the small arms are available extensively in illegal markets. Beside small arms, explosive are smuggled by armed groups operating in Tarai region. Investigation reveals that illegal arms, ammunition and explosive are smuggled from Munger of Bihar state.

Counterfeit currency of Indian rupees and US \$ are seized by police. The findings have directed that these counterfeit currencies are used especially by Terrorist network. The rackets involved are organized criminal gang operating from outside of Nepal. These currencies are printed outside of Nepal. The people involved are Nepalese and foreigners. Nepal police has mobilized special unit to control and investigate this crime. There are counterfeit medicines as well as other duplicate products of different brands which are sold in the market.

In some parts of Tarai region in Nepal some armed groups are operating in the garb of political cover as extremism and separatist. They are involved in kidnapping for ransom, extortion and are committing heinous crime. These armed groups have easy access of crossing the borders and have net working with local criminals of border of both sides. These criminal activities of the groups have threatened the security of border as well as communal harmony. There is possibility of further deterioration of the security situation if not contained or legal action taken against these groups. Their presence involved in criminality is fuelling in developing state of impunity and encouraging criminal elements in border areas. These groups can be greater criminal nuisance for both the authorities of Nepal and India. Today, Money laundering has been expanded, meaning "Any

financial transaction which generates an asset or a value as the result of an illegal act, which may involve “tax evasion” or false accounting. It is a practice of engagement in financial transaction to conceal the identity, source or destination of illegally gained money. The process of taking any action with property to any form, the proceeds of a crime disguising the fact of property is proceeds of crime or obscure the beneficial ownership of said property. The concerning aspect of the laundered money is invested in organized criminal activities, corrupting public /private officials, politicians, increasing unethical practices which breaks the backbone of the democracy. To my belief that the current demonetization in India is one of the major control measure to deactivate laundered money, property and its financial setback causing to country’s economy. The first reference of money laundering appeared during the “Watergate scandal” in USA. Therefore Money Laundering Investigation Department is recently established after the agreement with Financial Action Task Force. This department is identifying their targets of action and jointly performing their action with Nepal police, Custom and related agencies.

There are number of cyber crime using internet by swiping credit card stealing money from the bank account belonging to others. These hacker groups has IT engineer for technical support. Till now they have hacked and transferred about 3 Crores Rupees from different account of different persons from various banks by swiping ATM card in swipe machine using Lap Top Computer to seek required information. The hackers are apprehended by Nepal Police, Nepal Police have established Cyber Crime Section in Police Headquarters. There are illegal migrants sneaking to Nepal in the garb of Indians by Kashmiris, Pakistanis, Bengalis and mongoloid features and complexion from Manipur, Assam as Nepalese Mongolian. The suspected Militants, terrorist have taken this benefit to enter Nepal. They hire houses and marry Nepalese women, and breeds children as well. Hence, in this disguise they even take citizenship and works as contact person, providing safe house for militants visiting Nepal for planning future terrorists’ acts goals.

Trans-border criminal activities damage the financial institutions that are critical to economic growth, and reduce productivity in economic sector. This encourages crime and corruption especially in developing countries. The youths are driven towards criminality leaving schools, becoming drug peddlers and addicts. The backbone of social harmony is fractured undermining social norms and values. There are many developing countries vulnerable and are spiraling down in to ungoverned Narco and crime ridden states. Trans-border criminals are expanding criminal activities of trafficking in drugs, humans, terrorism, arms smuggling, etc. Cyber crime, innovative channels of e-currency, or digital funds through mobile payments technology hacked by criminal elements are hot issue which are devastating the economy of third world countries. Criminal elements contribute to the erosion of the rule of law when they harness public institutions to facilitate their illicit activities creating a culture of impunity. Trans-border criminal organizations and enterprising kleptocratic regimes throughout the world pose increasing concerns for international community and have direct effect on stability of border areas of both the countries India and Nepal. Money laundering is one of the major challenging financial crimes. The phenomenal rise in money laundering and drug trafficking and other trans-border crime has generated much concern for policy makers. This has significantly affected the economy of developing societies and creating insecurity. Trans-border criminalities discourage investment and stifle long term growth and economic development. The developing countries present peculiar dimension in security demands as a result of poverty, unemployment. The public trust and core democratic values are enfeebled by criminal culture. The governments of both the countries need to employ coordinated and comprehensive strategies to fight trans-border crimes. These entail developing strong law enforcement approaches in border areas enhancing effective information sharing, cooperation and also developing public-private partnership. The new leadership of Uttar Pradesh Honorable Chief Minister Adityanath Yogi's initiated new policies of crime less and conducive environment

in the state indeed is prominent and relevant for better future of the State and for the UP border adjoining areas of neighboring country Nepal too. The existing socio-eco environment favors probability of politicization of crime and criminalization of politics.

Nepal as a transit point for the smugglers of gold and animal parts is likely to turn a safe port for the international terrorists. The weak law and order coupled with weak intelligence service and open border between Nepal and India offer a good chance for the terrorists to take shelter in Nepal. This was revealed during the three-day Asian Regional Conference of International Police Organization (INTERPOL) that concluded issuing a five-point declaration in Kathmandu. The 23rd regional conference organized by the Nepal Police also made public the INTERPOL strategy of 2017-2020. The conference reached an agreement to collect information to tackle crime issues such as human trafficking, organized crimes, border security issues, trans-border crimes, terrorism, and poaching, among others. The concluding ceremony was addressed by Honorable Deputy Prime Minister and Minister for Home Affairs Shri Bimalendra Nidhi. He said that the conference remained fruitful adding that Nepal was eager to work together for combating trans-border crimes. During the conference, senior police officers from Nepal suspected that Nepal could become a haven for the terrorists and other criminals if effective mechanism is not developed. As many as 136 law enforcement officials and heads of police from various 36 Asian member-states of INTERPOL had attended the conference. The conference pledged increased cooperation among security agencies in the region. It said that Islamic State was the major threat in the region at present.

Thank you.



Professor Dr. Rajesh Kharat

Thank you chair and all the dignitaries from both the nations in this august gathering. I don't have any particular title for my presentation because whatever I am going to present is out of my research project which I am doing from the Indian council for social science research. I have taken this project two years back on India Nepal borderland communities. So based on my visits to these borders and the communities I would like to highlight those issues which have concerns regarding not the borderland communities. This would be the outline of my presentation.

Generally what we could see is that anywhere in the world borderland communities are treated as assets in border. In the last session, Ambassador Rae has said open border is always assets. In the same manner, in the open border the borderland communities are always assets. There are certain countries they feel open border to be burden. But as far as India Nepal relations are concerned, it is always an asset. However I believe that the borderland communities should be considered as the part of the system of the government and should enable with certain power. For example, the borderland communities in the Lumbini, many foreign people come there but they have to face the problems smooth infra-structure facilities like electric load shedding for several hours. So there should be adequate electricity, proper connectivity, roads and so on. This kind of facilities should be given to the borderland communities. So that we can prevent them indulging in other criminal activities. At the same time

they should have proper health facilities. There are not even economic opportunities. This sort of issues should be tabled in the joint meetings of the two countries.

As far as the member of the borderland communities of the Nepal India border are concerned, they are supposed to be from the lower strata of the society whether Indian or Nepalese . This is wrong assumption. There are so many people who are from higher strata as well. But in the absence of all above mentioned basic infrastructure facilities from which they have been excluded. Therefore both the states should adopt inclusion policy. They are being marginalized and not even treated as the equal citizen in either of the states. So people are wondering whether they are the assets or burden for both, Nepal as well as India. There is such confusion. So the states must address this sort of dichotomy about the border land communities. These are the issues that I have observed during my field trip in these areas. I have even observed the borderland communities in Tatopani, the borderland between China and Nepal. Upto lower Mustang, I visited. That's why I have a question to Shri Buddhi Narayan Shrestha sir, how can we monitor the borderland communities whether through CC Camera, ID card or other system? I think we cannot do so. Because we are saying that we are brother from the very morning. Still we have suspicion and doubts within our family.

Another observation and issue is that there is the proliferation of arms and other weapons in the borderland area. The people living in the borderland particularly in Uttar Pradesh and Bihar, the gun culture is there. The gun culture is the symbol of power and prestige for the people there, so the people want to have gun by any means by hook or crook. So anybody if they challenge your power, then you fire. That has developed as the part of culture; gun culture.

Talking about the development of the border region, I would like to give some suggestions on this matter. First we should highlight the inclusion policies not only socially or economic, but also politically so that they feel to be the part of that nation. Political, economic and social and cultural integration should be there. This is first point. I am just highlighting the important issues. The second point is about the tourism in the border region. We can have the border tourism. We can have border tourism not only of the Mount Everest but also

Lumbini, the birth place of the Lord Buddha. Janakapur is also equally important due to its significance in Ramayana epic and birth place of Sita. We should work in all these areas and Indian government should assist Nepal government in these projects and begin the process. Many countries like Japan, America and other Scandinavian countries are helping for the development of the Lumbini but India is not doing anything on this matter. I think India should have leading role in it. Even in Bhutan, at its capital, Thimpu, where the largest statue of Lord Buddha is located. Thus, at the same time the government should focus on religious tourism.

Wildlife tourism has also huge potentials in the borderland areas of India as well as Nepal. Natural heritage could even be important aspects for the tourism there. India can help in the development of the infrastructure.

Another point is that we can have border economic zone. We can create economic opportunities there. In this economic opportunity, we can provide the job opportunities to the people from India and Nepal. So on these issues, we should conduct more meetings and seminars in fact which are required and then plan and channelize the discussions in this process. If such opportunities are created there, then borderland communities would not indulge into activities of crimes and terrorism.

Border medical zone is another suggestion. You can see maximum people from Nepal in particular, most of the political leaders for their medical treatment; they prefer to come to Delhi. So instead of coming to Delhi, they can go to the border area like Lucknow or other towns which are having proper facilities. Other than going to TATA hospital in Mumbai, they can develop medical facilities from any kind of assistance either from the European countries or other international agencies which are involved in health care system. So that medical facilities would be easily available and accessible to the people not only who are from coming down from the Kathmandu and other mountainous regions of Nepal but also those who are living in remote areas of Indian States like West Bengal, Uttar Pradesh (UP) and Bihar.

I would like to thank the organizers for giving me an opportunity to share my thoughts and observations.

Thank you.



Shri Prakash Bahadur KC

Thank you Chairperson. Honorable Member of Parliament (MP), honorable dignitaries, ladies and gentlemen, and my fellow friends. First of all, I am very grateful to the organizing committee for providing me this opportunity for sharing my views in this august gathering of high level delegates from both Nepal and India.

Being a lawyer, my presentation might be more technical. We know emotions work sometimes, not always. When you have tumor, the medicine only does not work. You need surgery. We gathered here to sort out our common problems. It might be a small problem for some of us or a big one and we need mutual effort to solve them. It can be cured by bilateral relations. Whenever we talk about trans-border crimes, it is not related with only a particular country i.e. India and Nepal. Therefore, we have to identify what are the actual issues before us. Before I proceed with suggestions, I would like to project the actual reality. When we discuss crimes, we speak on behalf of victims. In the same way when we talk about criminal justice system, we talk about punishing the criminal and providing justice to victims. So when something happens in the border, who will suffer? It is not only Indians or Nepalese, but human beings in general. If we think that way we can get proper solution. Here I shall try to project rational ways so as to get the solution. In my opinion, whenever there is a problem, there also exists a solution. We know that Nepal has ratified many international instruments and so has India. India is a richer

country than Nepal. But can we say that there is no problem, no crimes in India? We should not forget that economic development in itself is not the key to solve the problems. We rather have to research and identify the influencing factors. In Nepal we have all together 24 special Acts that directly or indirectly cover this issue. But still the crime rate is increasing. In India, there is even capital punishment even though the crime is increasing day by day. We have achieved a lot of development but we cannot say that we have no problem.

When we talk about trans-border crime, there are several nexus not only interlinked between India and Nepal but globally. So this issue is not only limited to India and Nepal. This is rather a global issue. Yes there are certain issues, which Nepal and India can resolve but not all. Europe is very much developed, but it still has problems. They are haunted by the terrorisms.

We gathered here for interaction on the issues of security. I am very hopeful because the representatives with diverse experiences of professionals from the Armed Police Force, bureaucrats, and diplomats as well as professors will reach to a consensus to mitigate the problems we are facing now. I want to present some recent efforts made in national as well as international level. The United Nations has recently made a resolution by adopting Resolution No.21952014, for urgent international action to break links between terrorists and trans-national crimes. Similarly, in Asia, we have ASEAN. They have made Asian Vision 2025 and they have certain recommendations about how to protect the people of the region. In Nepal, the Supreme Court has made a lot of decisions regarding the conviction in many of these cases. However, we have not been able to execute them. Nepal has also enacted related acts, as Treaty Act. But still there lies a problem. How can it be resolved? Nepal is one of the members of International Covenant on Civil and Political Rights (ICCPR) and it has also ratified second protocol of ICCPR. We also cannot allow making the capital punishment as in India. So many criminals from India are committing crimes here and hiding in Nepal where they have their relatives too.

Ladies and Gentleman, I am Damad (son-in-law) of this place. My wife belongs to Deharadoon. My daughter lives in Australia, and other daughter is a citizen of America. So this world is very tiny. Within a minute you can get everywhere you want. So without being emotional, we should try to identify the issues on the basis of ground reality. I am hopeful that if we identify these issues whether they are bilateral, we can resolve them properly with the proper mechanisms and surveillance system. So the developing mechanisms rationally, not emotionally, can combat such problems. Therefore, we need to manage our border respecting and recognizing the concern of both countries. If we are unable to manage our borders, then we should be ready to make our nation paradise of criminals.

Thank you for your patience.

Question-Answer and Comments

Question My question is regarding connectivity. Is it possible to have connectivity between the birth place of the Gautama Buddha, Lumbini and Bodhgaya to Sri Lanka? I think if there is connectivity, both the countries will be benefited. This is my curiosity.

Ranjit Rae I want to compliment Dr. Kharat on his remark on creating a border medical and economic zone. To develop the border areas, the state governments have a very important role to play. If you develop eye hospital in border areas, it will benefit both sides. So far, this has not been happened. I know it is pretty much in isolation that everybody is talking about border development. I think we should make it a matter for bilateral discussion.

Question Since the end of cold war, international relation, foreign policy and international secularity are becoming the top subject matters for discussion. In this reference, the smart policies of Honorable Indian Prime Minister Narendra Modi are very good approach. Why are we not applying them?

Question As we are talking about the trans-border crime, I would like to request Dr. Kharat to sum up his points.

Ashok K. Mehata I am perhaps the only person here who has entered Nepal on foot and every step from Sikkim, from West Bengal to UP since 1959. But Ranjit Rae has discussed border development. I have made this recommendation since the time of my travel when I used to be treated by Nepal army as a spy. That was not my intention. My intention was to write report on development of the border because I used to feel shame because the border in Bhairahawa and

Kakabhitta are developed much better in their side than ours. This is the real problem and if you write to Prime Minister Modi, nothing will happen. Border has to be done by the state governments. What Ranjit has said is the right way to get things done. I recall an incident in Nepalgunj last year, Ranjit was also there. There was a conference on development of border region.

In Nepal side four lane highways are running with the assistance of Asian Development Bank but in the Indian side you can see still Tanga (wagon). This is the matter of shame on us Indian people. Because of the parliament, there were World Trade Organization (WTO) Member of Parliament from UP, who came to attend that conference and they made commitment. I think if you have will to do things and you will get the resources. So we should work with the state governments.

V.K. Chaturvedi Thank you. Apart from the infrastructure development, the human development index like health and education, these facilities also need to come up along the border. I am sure that people don't have to go 10 km away to get schooling. There should be good schools available along the border. The border economic zone is an excellent idea. This will, I am sure, give boost to the relation that is already excellent. It is only furthering of the relationship that will take place. Once the development takes place, the criminal activities will definitely come down. As far as the other issues of criminal activities are concerned, we believe that the people on the border regions would not let any activities to be used against their soil which will be anti-India. We don't have any doubt on it.

The terrorism is a global problem and it has already been discussed. In most of the places, I don't think that such a situation exists. Rest of the places we can definitely control. We can definitely avoid their soil to act against us. That is something we are very confident. Joint patrolling is another thing. Due to our same goals and objectives, I am sure that the things will improve. The meeting of the hearts is always there so I believe that trust will remain. I thank all of you for your excellent presentations.

Technical Session – III
Trans National Infiltration and Terrorism



Sukirtimaya Rashtradeep General Gaurav SJB Rana (Retd.)

Good Morning, ladies and gentlemen. It gives me immense pleasure to be among this wonderful group of professional academics and intellectuals and to chair this session of the seminar on transnational infiltration and terrorism.

Deharadoon is a place that raises nostalgic memories in me. As a schoolboy, I remember trekking from The Lawrence School Sanawar on three different occasions, into this lovely valley, from three different points, Mussoorie, Nahan and Chakrata. Deharadoon also prompts me to recall my regiment's illustrious history, for it is in the Battle of Nalapani that my regiment "Purano Gorakh" fought the British and gained international recognition as the bravest of the braves, among the warriors of the world.

The last time I was here in 2014, as the reviewing officer for the Passing out Parade at your globally acclaimed, Indian Military Academy. It was a great honor and a clear example of the special and unique bonds of friendship that exists between our two historically, geographically, culturally, and socially linked nations.

Today, the topic focused on 'Terrorism' is of ever-greater importance, as agreement on what constitutes terrorism continues to be difficult and eludes us because of the wide range of potential acts involving violence. Terrorism is a weapon of the weak, conducted by a minority of individuals who promote an extremist ideology. It is the weakest form of irregular warfare with which to alter the political landscape and it often fails to create political change.

Terrorism, or acts of violence by sub-state groups, has been separated from criminal acts on the basis of the purpose for which violence is applied, namely political change. A terrorist is fundamentally an altruist; he believes that he is serving a good cause designed to achieve a greater good for a wider constituency-whether real or imagined-which the terrorist and his organization claims to represent. The criminals by comparison support no cause at all.

There are four types of terrorist organizations currently operating around the world, categorized mainly by their sources of motivation (a) left-wing terrorists-intertwined with the Communist movement (b) right-wing terrorists-drawing inspiration from Fascism (c) ethno-nationalists/separatists terrorists-accompanying the wave of decolonization in the immediate post World War II years (d) religious or 'sacred' terrorists-becoming more significant in the wake of Al-Qaeda.

Terrorism in the late 20th century was mostly local. Today, there has been a perceptible shift from localized terrorist groups, supported by state sponsors, to loosely organized global networks. They are backed by like-minded organizations throughout the world and in many respects have achieved de facto sovereign status by acquiring the means to conduct war. They are well financed, have a large recruitment base, are well trained, have worrisome access to weapons of mass destruction and are well organized and difficult to penetrate as they have adopted networked structural modules with less hierarchical form. This allows them greater secrecy and security.

Trends in terrorism since 1968 include greater casualties, increasing sophistication, and suicide attacks. The current wave of terrorist violence uses religion as a motivator and to provide justification to kill non-combatants. Elements of globalization that permit the rapid exchange of ideas and goods can also be leveraged and exploited by terrorist groups. The technologies associated with globalization allow terrorists to operate in a highly distributed global 'network' that shares information and allows small cells to conduct highly coordinated, lethal attacks.

Having set the stage for further discussions today we have with us six distinguished speakers who are going to provide you with a comprehensive picture of transnational infiltration and terrorism.

Thank you.



Dr. Krishna Kumar Tamang

Terrorism is the unlawful use of violence or threat of violence against governments or societies to instill fear of invisible or collateral damage often motivated by religious, political, or other ideological beliefs. Terrorism is a threat for human rights, democracy and the rule of law. The impact of terrorism has wide spread and long lasting threats. It knows no boundary, geography and demographic characters. Fear, uncertainty and threat inflicted by terrorism affects the normal life system of a community or a government, and gradually of an entire nation. It could be global in its depth, in its nature and multi-faceted in character.

Transnational terrorism is a premeditated threat or violence in attaining a political motive with fear, coercion, or intimidation of which ramifications transcend national boundaries through the nationality of the perpetrators or institutional victims, location of the incident, or mechanics of its resolution. It is distinguished from domestic terrorism by its more complex organizational structure, the involvement of multiple states, and the use of sophisticated technology. According to sources, terror group Islamic State of Iraq and the Levant (ISIL) has set up secret training camps across Europe to prepare fighters to carry out Mumbai like special forces style attacks in the UK or other EU countries.

Transnational terrorists are seen action oriented to prioritize surprise and at times ahead to outwit states. Therefore, it necessitates for international collective cooperation to conquer. The 9/11 terrorism effect was felt worldwide and thereof anti measures taken in global coordination and collaboration. Terrorism is not beyond control; however, it is important that the act does not go unpunished.

To fight against transnational terrorism, inclusive efforts are important among countries and law enforcement agencies. The government of Nepal has deployed the Armed Police Force (APF) to look after the international border of Nepal. The APF has mandates of securing the border and tasked for anti-terrorist activities, whereas Sashatra Seema Bal (SSB) the Indian counterpart and Chinese People's Armed Police Force (PAP) share their respective borders. In the line of making international border security more strengthening recently a team led by the Chief of the Armed Police Force (APF) comprising members of home ministry and other concern agencies flew to New Delhi for regular coordination meeting. On top of that with the advent of federal democratic republic Nepal has reformed structure of the APF with its troops being deployed all over the country with probable rising of observer posts along sensitive borders earlier overlooked.

Every year national festivals of India namely the Independence Day on 15th August and the Republic Day on 26th January bring joy to country people; however, they are of utmost concern for Indian government and authorities. Those days are of great alertness for India to prepare safety and security to celebrate it undisturbed. The most imminent fear is of terrorist attack, particularly from Pakistan.

Military intervention cannot be guaranteed always successful against terrorism, and insurgency, as for instance, the experience during the Malayan Emergency, the IRA of the Irish Civil War, and the Vietnam War. Military operations can be the last effective resort to disrupt terrorist actions; however, they would be for the time being and sometime do not suffice to resolve completely.

Transnational infiltration or territorial penetration in person for war purpose would always be not enough. In the past experience of

Pakistan every time it gets defeated. Thereafter the other way round instead of armament and military might it thinks of foiling Indian economy with strategy of fake Indian Currency Notes (FICN) flooding into India by paralyzing economic standard. *Corruption and poor governance* are the hindrance for the development of sound economy at the progress of the country. Better the living standards of country people higher the faith for good governance. For mitigation of corruption and improving in governance the requisite is that all the actors engage in process of good governance, adhere to well-structured codes of conduct and their public affairs.

Illicit cross-border flows could involve networking from different countries. Those could be transnational and linking up laymen to politicians. They are also found dealing in more than one trade of smuggling drugs to arms and human trafficking, smuggling of guns to initiate or sustain combat or insurgency. Administrative systems and governments need to do more for more political commitment, strong legal instrument, and effective enforcement mechanism. India has also border with Bangladesh where from constant threats of terrorism in various forms are imminent and everlasting. Thus agencies against terrorism from different countries must have compliance to be able to operate in other countries. International cooperation is a must in anti-terrorism fight since the borders are not barrier for terrorists. In a single sentence what all we need is concerted and coordinated efforts to achieve common goals.

Thank you.



Shri Sunil Ambekar

Respected Chairperson and all those present.

Today we have deliberated on various facets of Nepal-Bharat relations. At the very outset, I wish to underscore the fact that when the relations between the two armies were being discussed, I thought that we did not have any sort of demarcations imposed on our relations. It is indeed infinite. So it transpires that if we think in such a manner, I think the most of the problems of the world will be resolved in no time.

In fact, today we are talking about terrorism. It requires no emphasis that terrorism is taking a myriad of localized forms even though it is an international conspiracy. Surprisingly, the countries that are reckoned as superpowers with the cutting-edge weaponry are still not immune to the threats of terrorism and are embroiled knee-deep in scotching away this threat of terrorism for good and all. When we tune in to the foreign news channels we do clap our eyes on the fact that each and every time there is a terrorist attack in any part of the world it indubitably has a bearing on the so-called developed nations, either directly or vicariously. Thus, when we think of terrorism it cannot and should not be thought of as a localized or an isolated phenomenon. Sometimes I am confronted with questions from various quarters like why is terrorism an ever-burgeoning phenomenon in the international context? I answer back

saying that till the time oil remains the sole preserve of Gulf countries, international terrorism would keep afflicting international peace and sovereignty; securing control of our own borders in the manner we deem suitable without any sort of extraneous intervention from the outside world would by all accounts be a better solution to cope with terrorism.

Upon contemplation, it transpires that the most noticeable trend today when we encounter hard realities as extreme forms of terrorism, is that it contemporaneously engenders extreme form of laws as a panacea to counter terrorism. For instance, it has been observed that in India whenever a terrorist incident takes place, within no time we find a raft of strict legislation been put in place. But then such harsh legislation only adds insult to the injury by perpetuating mutual enmity and distrust among communities. So it entails the existence of soft measures to cope with the hard realities. In other words, the panacea should not be more inimical than the disease itself. Thus, it is incumbent upon us to create medicines or solutions that seek to refine upon mutual trust and affection; I mean we should not jeopardize our relations because of some petty factors.

The perspective of one nation as regards another is very important factor. Sometimes, the changes in the governments appreciably affects the policy formation which in turn has a bearing on the bilateral relations. In fact, it may engender some changes in the realm of bilateral relations and in the process can lead to feasible solutions.

When we broach the issue of illegal infiltration of Bangladeshi immigrants, we find that it is not only an ever-burgeoning phenomenon but also has afflicted Nepal, Sri Lanka, and other countries in large measure.

Now this problem of infiltration and the concomitant issue of terrorism is a rather serious issue, one that needs to be sedulously dealt with. It basically stems from the fact of our bilateral relations, the way we perceive our neighbours. In fact, bilateral relation is a rather fragile thing that is predicated upon human emotions. Human emotions might play an important role at the individual level; however, in state

affairs such trend is unmitigatedly a failure. So in a bid to preclude such failures our diplomats and intellectuals must play important role. They can proffer important suggestions to eke out a solution. Thus the aim of this seminar is also to contribute to the solution of these issues in the intellectual level. In fact, it has been observed that precisely because of infiltration the free, inter-state movement of drugs and illegal material can be widely observed. In my opinion I do not think that fencing is a viable solution. Rather we have other solutions like CCTV surveillance. Furthermore, our Army Generals should not be limited to a secluded honorary protocol; rather they should work in cooperation with each other in the border areas so that there would not be any unnecessary problems on the border. Our defence forces work in seclusion and hence we fail. We need to have joint operations at the border areas because only concerted operations can control the menace of terrorism. It is my firm conviction that the mutual trust that we harbor for each other as neighbours can be the foundation for this because only then can we give a fitting reply to those who perpetrate terrorist activities.

The number of instances of terrorism has burgeoned appreciably because technology is playing an important role and it is increasing in geometric progression. So, the measures and actions that we adopt should progress in the same rate with the help of technology. No matter how much terrorism increases, we can deal with it easily if only our actions are suitably technologically-reinforced.

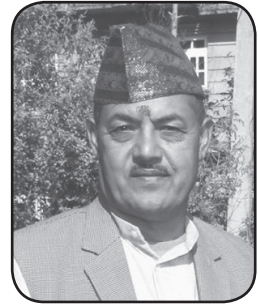
Coming back to the aspect of mutual trust and faith, it is a truism that when the level of understanding plummets, it only affects the government, the people, and the diplomats. It does not only create infiltration in our border areas; rather it infiltrates and impinges upon our mind with frustrating thoughts and mutual distrust. In the process, it affects our thinking pattern and the overall policy making process. Ultimately it becomes a rather hopeless reality. It can even be observed right now. Therefore, we need to foster a very good understanding to do away with infiltration not only at the emotional level as well as in the practical level. So it is incumbent upon us to shift our understanding from the emotional to the practical level. As

we have the relation of *roti-beti*, the very ancient relation, it needs to be done rather cautiously. When the intelligence of the both countries come to this understanding, when they begin to speak the same discourse, only then will it influence the political process. Even the public engagement can play significant role. All in all, this seminar can be taken as an example of a very good initiative.

Furthermore, terrorism has myriad forms; Islamic terrorism, left-wing terrorism (the terrorism of the Maoists) and so on. Somebody has raised the issue that anti-Indian sentiments have been developed in the minds of the Nepalese youths. I do not agree with this statement as I have very good relations with the Nepalese youths working and studying here in India. I even have very good connection with all the top level student political leaders and have had several meetings with them. In fact, my past experiences does engender the feeling that all the second generation leaders from both the countries should be included in such seminars. We know so many conspiracies are hatched to destroy our relations. However, in reality there are no anti-India feelings in the minds of the people and the youth of Nepal.

In conclusion, for fostering better relations between our countries youth engagement is very necessary. We must not get emotionally swayed by fabricated reports and propaganda of certain media houses that are acting with a sinister motive. So the engagement should be initiated, not only in the emotional level, but in the practical level, so that it can veritably strengthen the Bharat-Nepal bilateral relations. That's why cooperation in the intellectual level and concomitant public engagement should be a perpetual process so as to lead to a better perspective that can form the very foundations of this Nepal-Bharat bilateral edifice.

Thank you.



Major General Nara Bahadur Kandel (Retd.)

Thank you very much sir. Good afternoon and namaskar to you all. Honorable Member of Parliament Shri Bhagat Singh Khusiyari, distinguished delegates from Nepal and India, scholars, generals, experts, media persons, ladies and gentlemen. It gives me immense pleasure to speak few words in this session. I would like to extend my sincere thanks and gratitude to the organizers for this opportunity to share our views and opinions.

There are 34 landlocked countries in the world. Nepal is one of them. Our relation with our southern neighbor India is unique in nature. It is characterized by religious harmony, cultural similarities and socioeconomic interdependence. There are personal interrelationships and inter-marriages across the border. It is the fact that Nepal and India share almost 1850 km long open border in 26 districts of Nepal. These places are considered to be sensitive in terms of security to both neighbors. There are 8553 pillars along the border. About 903 of them have been swept away by floods or have gone missing for some reasons. Due to the open border, drug trafficking, human trafficking, smuggling and many more criminal activities are increasing day by day. Such threats are posing great security challenges to both the neighbors.

Regarding India Nepal border regulation, I would like to submit new proposition. i.e., Option 1, we can have maximum 8/9 custom

points namely Kakarbhitta, Biratnagar, Janakpur, Birgunj, Bhairahawa, Nepalgunj, Dhangadi and Mahendranagar. We can close all other unnecessary border points mainly Chhoti Bhansars. This makes 1 or 2 custom points in all federal states. Let us then start to fence the open border from the both sides gradually. This is a long term solution and visionary approach. Option 2, we can have adequate border points on the basis of our needs. In both the cases ID card could be better option to introduce. This is just a food for thought. This will certainly address the security challenges.

In today's world, open borders are always vulnerable. It can be misused by either sides or any other third party. With the new invention of technology, security challenges will be far more complex. If we do not pay due attention to this issue right now, we may have to pay high price in the days to come.

The 21st century is said to be the age of Asia. China will be the world's largest economy by the middle of this century, if not before. After that China will sit on the top table. In South Asia, India has leading role to play in terms of size, economy and the population.

The prospect of China to connect Kathmandu with railway under the plan of One Belt One Road (OBOR) seems viable. In this matter, India is also showing its interest to connect railway from Raxaul to Kathmandu. The fast track from Kathmandu to the Terai which is being constructed by Nepalese Army will bring our nations very closer. The people to people relation and our dependency is more towards India than towards China. It is true fact. Even the Chinese great leader Mao Zedong had accepted that Nepal's relation with India due to its geography and proximity is closer to India than China. As a result of this, Nepalese political leaders have no choice to visit Delhi more frequently than going to Beijing.

In last couple of years, Nepal is seeking more assistance from her Northern and Southern neighbors as they are the second and the third largest economy of Asia respectively. Categorically, Nepal has been seeking more connectivity as well as investment from the Northern neighbor because Nepal has bitter experience of four blockades in the history of Nepal-India relations.

There is trust deficit as we just discussed before also. This is the major hurdle in restoring Nepal-India relations. Confidence restoration measures among the young generations are highly required. To be a good friend one must think of others rather than seeking benefit for oneself. There should not be any political aim to change social harmony. In this endeavor, India should show magnanimity toward small neighbors. Regarding the 1950 Nepal-India Friendship Treaty, both sides should not make any hasty decision while reviewing the treaty. Each and every issue has to be carefully scrutinized or vigorously discussed. Our strategic vision must make both sovereign neighbors happy and 21st century friendly. Once the 1950 treaty is successfully reviewed, it will pave the way to furthering our relations. If Nepal repeats past mistakes, it will be like from the frying pan into the fire.

Tarai region is Nepal's belly or vibrant economic zone. Without belly, biologically one cannot survive. It is the law of nature.

Finally I would like to end my presentation with the statement that Nepal and India, both nations' aspirations must be building the kingdom of God on earth.

Thank you.



Dr. Dipesh Kumar KC

Namaste! Good Evening to all of you. Respected Chairperson, Honorable Former Chief Minister of Uttarakhand, Shri Bhagat Singh Khusiyariji, and distinguished speakers. It is a privilege for me to present my research experience related to Indo-Nepal Cross-Border Crime in this forum. I will try my best to generate the academic flavor. I will share my experiences of my field works.

I will start my presentation on the Kanpur train accident happened on November 20, 2016. According to the report of the Nepal police, they have arrested several persons interlinked with the terrorist activities. Two persons were killed in Nepal and murdered which also has interlinked with the same terrorist activities.

We can observe this issue in two different ways. First, either the terrorist entered Nepal and trapped by the Nepal Police or the Intelligence Agencies. Regarding the case of Niranjan Hojai, he was arrested in Nepal's airport while travelling from Singapore. There are several cases of arrest of the persons actively involved in anti-Indian activities. This indicates that Nepal is not the safe land for terrorists targeting India or any other countries. Next two cases in which India's most wanted two terrorists, Abdul Karim Tunda and Yasin Bhatkal, were arrested in Nepal in different time frames. This is the evidence that Nepal is not a safe place for terrorists rather the security agencies nab the terrorists.

Let's begin with my field of the study. I visited one the prisons of Nepal, Parsa District Prison, situated in Birgunj which is close to Bihar's Raxaul. I observed several prisoners with their nexus with several terrorist organizations. Though they were imprisoned they were powerful inside the prisoners threatening other prisoners. There were total 1200 prisoners. The prisoners, especially some Muslims, are terrorizing the prison. They were generating money inside the prison. They were making money by operating criminal activities from the prison. There were prisoners involved in fake currency cases and they were imprisoned in the same case. Similarly, I visited different cities of the Terai and conducted my research in companies operating money transfers in and out of the country. I also noticed terrorists and organized criminal organizations are generating foreign currencies through the illegal channels, *Hundi* and *Hawala*. Such activities are not limited to the Terai but also in the hilly regions of Nepal. Obviously, criminal and terrorist activities are trying to strengthen their tentacles in the Terai but they are also attempting to operate their activities from Kathmandu and other main cities of the hill. Paradoxically, we are defaming the border indicating the cross-border and cross-terrorist activities through the borderline. However, the fact is that the criminals are conducting activities from any part of the country. As it is the 21st century, it is also easier to conduct such activities staying out of the country. In Kanpur incident, the terrorists operated their activities from Dubai using the youths residing in the border of Nepal and India.

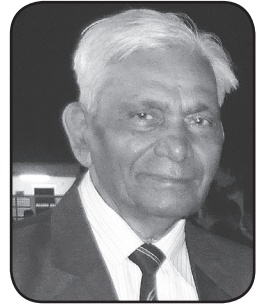
Regarding my study, out of the total people in the prison, 56% Nepalese and 44% Indians are associated with the fake currency related crimes. Similarly, 71% Nepalese and 29% Indians are interlinked with the drug-related activities. Among the criminals in the Parsa District Prison, 63% Hindus followed by 28% Muslims, 2% Buddhists and 7% Christians were involved in the cross-border criminal and terrorist activities. Interestingly, 55% are Non-Madhesis among the total criminals in the prison which is situated in the Terai with the majority of the Madhesi population. Hence, blaming the Madhesis and people resided in the border as trans-border criminals

are the extreme prejudice. The research concluded that the operators of terrorism and organized crimes are misusing the Madhesis and Muslims who are backward and discriminated from the mainstream society. Interestingly, organized criminal organizations are misusing Muslim women for drug trafficking.

In conclusion, the terrorism has no religion, caste, class and state. They are conducting their activities not only in the border areas but also at the centre of any nation or society. Hence, blaming the border for crime and terrorism is the ignorance of prejudice. Fencing or constructing the wall in the border is not the solution to curb with the terrorists and organized criminal activities. If we analyse the cross-border crimes in The US and Mexico, criminal organizations have constructed the tunnels to run their cross-border illegal business and activities. At first, we have to understand our cross-border interrelationships and culture before implementing policies against cross-border crime and terrorism. Sometimes the policies seem to be counter-product that brings further problems in the societies.

On the other hand, we must be aware of the different forms of conflicts flourishing in the Terai regions. The dynamics of the conflicts is continuously changing in the first and second decades of the 21st century. There are possibilities of the ethnic -violence, fueled by the religious organizations that are funded by the international organizations and the particular countries. Rapid transformation and conversion is the consequence of money and cultural attack in the country. The non-state actors are activated in different sectors of the country. The gulf is continuously constructed in the planned way bringing new forms of violent conflicts in the near future. In order to stop such incidents, the research related to the topic is essential for appropriate recommending the best plan and policies for the country. Meanwhile, both Nepal and India should be serious in such issues and have adequate policies to curb the criminal activities.

Thank you.



Brigadier General Dr. Rajbir Sharma, VSM (Retd.)

Respected Chair, Honourable Panelists, worthy Members of the Forum and fellow participants in the seminar.

It is my privilege to be the last speaker in this daylong seminar on a vital international security issue. During the course of the preceding sessions the highly serious issues concerning the phenomenon called Transnational Terrorism have been examined by a galaxy of fellow experts. I take liberty to convert my part of the presentation into what we Indians prefer to call as *chaaye ke paschat charcha*. Sir, my submissions follow the notes jotted down during the day.

You were right Mr. Chair, when you said it was difficult to define the concept of terrorism. Similarly, it is indeed difficult to define the term transnational terrorism. During the course of deliberations, a wholesome list of illegal and nefarious activities that are carried out by mafia of all sorts across international borders worldwide has been discussed threadbare. Quite a few of these activities, however fall under the category of trans-border or transnational criminal activities instead of as transnational terrorist activities. Broadly, a group of people that is engaged in deliberate, indiscriminate and excessive violence in fulfillment of their exclusive religious, ideological or political purpose is a terrorist outfit. And, when such an outfit by itself or in collaboration with some similar other outfit / mercenary outfit carries out its agenda across/beyond the borders of its mother state the phenomenon may be designated as transnational terrorism.

Respected Chairperson, terrorism was said to be the weapon of the weak. This perspective must change. I dare say, terrorism (more so it's transnational cousin) is the weapon of the strong against the weak. The terrorist is 'seen weak' as only his visible assets are counted. Such assets represent only the tip of the proverbial iceberg. Also, the terrorists seem to be weak because they project themselves as victims. That's why other weak people also join them giving them an undue weight and momentum. They project some excessively violent incidents committed against hapless people as their achievements and go viral via the social 2 media. These outfits are so calculating that they invest minimum of inputs and generate maximum of returns.

All said and done, terrorism is the byproduct of the international power play involving some (rogue!) nations and the underworld. While these nations provide the terrorists not only with safe havens and facilitate their buildup but also extend to them diplomatic support as and when needed, the underworld creates the ways and means for carrying out violent and gory acts. Thus, the two together bring forth the infant terrible, called the 'transnational terrorist'.

The strategies and tactics of the terrorists are not only well thought out but are also professionally worked out, put through acid tests, rehearsed and executed under close supervision. They cannot afford to be random.

Terrorist have no qualms in using common folks and weaker sections of people like women and children as targets, since such incidents generate more outrage. Profiles of their rogue operations are innovative and varied in terms of manner, time and place. No text book plan of action can be framed against them. They have the advantage of modifying their strategy and plans overnight whereas it takes quite some time to change the strategies and the structures of the combating forces. Dare devil response backed by timely, factual and actionable intelligence is the key to success against them.

They are not supposed to have dearth of resources; human, or material. Many people come to die on their bidding. They brainwash their young trainees who willingly opt to carry and detonate suicide bombs. They convince them to believe that theirs was a divine mission.

Ladies and gentlemen, as a student of geo-politics, I believe that we have to prepare both our nations for an altogether different security paradigm that is not much in vogue yet so as to cope with this brand of terrorism. As the malady is transnational, the tackling paradigm too has to be transnational. A stand-alone national effort will not help. So, I believe that until and unless there are wide ranging multilateral and bilateral structures in place at local, regional and international levels to combat this menace, a free and peaceful international order will remain a distant dream.

A reference may be made to the suggestion regarding raising fences and walls on the borders so as to physically restrain the terrorists sneaking in and out of the neighboring countries. To note, there is an existing wall on Earth, the only man made structure visible from the space, the Great Wall of China. I wonder, if it could provide an all time peace and security to China. Well yes, such measures have been successful in reducing trans-border crimes, but they are no remedy against transnational aggressions, more so against the menace like the transnational terrorism of today.

In conclusion, let us raise psychological barriers against the fast spreading terror propaganda and join hands to defend our nations and the civilized world from the savagery of transnational terrorism.

I am grateful to the organizers for providing me the opportunity to address this august audience.

Thank you.

Question-Answer and Comments

Akshya Joshi

Thank you very much. One of the issues that is discussed in today's seminar is the in consecutiveness of the security and crimes, terrorism, infiltration. I think Brigadier Sharma said very well. To solve the trans-border problems you need to have trans-border paradigms. If you look at South Asia, one of the key questions that come up is the question of regarding the security mechanism. What are the security mechanisms in South Asia? The second glaring thing in our region is intra-regional trade within the region, a very important issue.

The conference of Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) held in New Delhi brought some things about trans-border terrorisms. First thing is that we already have very robust mechanism in BIMSTEC which is the joint organization for counter terrorism and transnational terrorisms. If you see the subgroups, there are six sub-groups and four are already in existence and recently two are being set up. The one is counter radicalization and other is countering human trafficking and the illegal migration. Financing for combating terrorism is done by Thailand. The intelligence sharing center is decided to set up in Sri Lanka. The conclusion of the conference was that the cyber organization of all the seven counties will work on a joint forum for cyber security. The one issue discussed there was how cyber space can be harnessed for national security.

Question

Thank you sir. I am also confused about the definition about democracy and definition about terrorism. Especially in our country we are

experiencing the democracy; by the people, for the people and of the people as said by Abraham Lincoln. But here by is replaced by “buy”, for is replaced by “far”. I am raising the question of Jharkhand’s Maoist in this regard. So many personnel were murdered there. Likewise in Nepal Maoists came from bullet to ballot, jungle to palace now leading the government. What will be the next definition of terrorism?

Gaurav SJB Rana Regarding the question on terrorism in Kashmir and the controversies raised by the militaries alleged high-handed actions or the use of excessive force is a phenomenon regularly covered by the Indian media. Coming from Nepal I’m not totally cognizant with the intricate issues involved there. However, in generic terms government forces, as democratic entities must adhere to the rules of law while applying force. It is essential to keep the Army away from political controversies which irregular warfare inevitably drags them into. In my experience of the decade long Maoist insurgency in Nepal, realization of the importance of retaining and maintaining the moral high ground in such complex conflicts, to affect long term strategic advantages was pointedly brought out by General Collin Powell, who came to visit Nepal during the start of the conflict, with good effect. The government is an organization that retains a monopoly over the legal use of force. Nepal’s answer to the problems arising from the utilization of such force was to apply the principle of minimum force and graduated response bolstered by explicit clear cut rules of engagement tailored to suit the prevailing operational conditions.

Regarding the Brigadier’s view on terrorism, in

essence there should be no doubt that terrorism is the weapon of the weak. It may be looked upon as a politico-military strategy where the indiscriminate use of violence is directed at inciting political hubris and miscalculations.

Ladies and Gentlemen, the word terrorism was first popularized during the French Revolution. Ironically terrorism in its original context seems to be closely associated with the ideals of virtue and democracy whereas; the culture of violence was perpetuated by the progenitor of the theory of 'propaganda by deed' Carlos Piscine, an Italian republican extremist. He believed and propagated the idea that violence was a necessary act to draw attention and generate publicity for a cause in order to inform, educate and ultimately rally the masses behind the revolution. Subsequently, contemporary terrorists have cited the principle of 'propaganda by deed' to justify the wanton targeting of civilians in order to assure them publicity, through shock and horror produced by wholesale bloodshed.

Currently terrorism is associated with a type of covert or surrogate warfare employed by weaker states against more powerful rivals without risk of retribution. Killing of innocent and harmless civilians cannot be condoned in any form. In the end an integrated approach, visible national resolve and an unwavering political will are the cornerstones of success.

Terrorism is a strategy of weakness adopted by those who lack real power. They usually don't have the strength to defeat an army or occupy a country. The strength of terrorist's lies in being able to manage to dominate by staging a

terrifying spectacle of violence that captures the imagination and makes us feel we are sliding into chaos. Consequently, states react with a show of security by applying immense displays of force. At times this very overreaction may pose a greater threat, provoking involuntary escalation and confrontation.

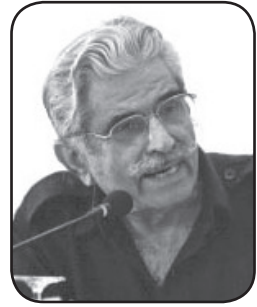
For some, terrorists are like a fly that tries to destroy a china shop. The fly is so weak that it cannot even budge a single teacup. So it finds a bull, gets inside its ear and starts buzzing. The bull goes wild with fear and anger and destroys the china shop. Terrorists will try to provoke the government into making blunders. In the end success and failure depends on how you react like the bull in the china shop or like a spider that weaves an intricate web and ensnares the fly. The choice is yours.

Dealing with terrorism and terrorists is not an easy matter. It requires extreme patience, dedication and determination. Furthermore, executing the right strategy requires the right structure, organizations and protocols with an indomitable will to do whatever is necessary-morally and ethically-in this conflict.

Differences between states over the nature and scope of the current terrorist threat and the most appropriate responses to combat it reflect subjective characterizations based on national biases and experiences. Arriving at a consensus on how to deal with terrorism on paper is insufficient and something which has already been achieved by the South Asian Association for Regional Cooperation (SAARC), in its Regional Convention on the Suppression of Terrorism years ahead. What is necessary now is to be able to translate this consensus into deeds and action?

Day 2
12th April 2017, Thursday

Technical Session – IV
Demography Changes and threat
on National Security



Major General Ashok Kumar Mehta (Retd.)

Good morning ladies and gentleman. It is a great honor to chair this session. I must congratulate to Shri Shyam Parande and his team for getting together in such a wonderful great congregation of minds, hearts and thoughts. I am really going to enjoy the session because as a chairman nobody can show me the cheat. But I can show it to everyone. So I will take the privilege of it.

You should know two more things about me that you may not know. First the great Rishikesh Shah, who was the youngest foreign minister of Nepal, used to refer to me as the son-in-law of Nepal. Yesterday, we heard about this *roti-beti* relation, I also got married in Nepal but with Indian girl in Bindabasini Temple in Pokhara. I also happened to be perhaps the only person to have been recognized by the president of India with an award in the series of distinguished “Ati Vishishta Seva Medal” for promoting India Nepal relationship. One has to be a little immodest sometimes, but I thought nobody before me and I suspect nobody after me will get that award. That was an incident because they discovered later that this was not criteria for an award. It has to be something to do with India. Anyway once done is done forever.

Now I am, as a soldier, speaking in a straight forward manner. Yesterday in the context of India Nepal relationship, it sounds as if everything is okay. Unique and special relation exists as far as I know

between Nepal and India in the period when the king Tribhuvan was with Jawaharlal Nehru and I was out on my first walk in Nepal in 1959 (2016 BS) at that time you needed a visa. Even as a military officer, you required a visa permit to enter Nepal. You had to prior mention on the visas which are the places you are visiting. On the same way, I was walking towards Trisuli for Barpak, on the way there was a village. At night we met a soldier from Purano Gurkha, from the team of Rana Sahab. This gentleman spent the night with me. He used to be deployed in Royal Palace with the King Tribhuvan. He told us the lovely story about how at night when Nehru and Tribhuvan closed together. He said that he had only one task. In four hours, he took 24 bottles soda inside. So I asked if they were only having soda. He told me, "No sir, they were having the Rashtriya Jhol". So I would suggest the organizer of this conference that in order to improve India Nepal relation, it requires more soda and ice.

You see no relationship whether it is husband and wife or other close friends, they are not free from problems. I think we should be honest to ourselves because I heard yesterday about problems being there. Therefore, let's acknowledge those coming to this conference. I think we must say what the problems are because somebody talked about blockade between India and Nepal. There had been altogether four blockades, not a single one. But the most serious was the last one.

In the year 2015 and 2016, I happened to travel to Nepal, not Kathmandu. In fact there are lots of places outside of it that stands significant for India Nepal relationship. Lot of people has written about Nepal mainly going to Kathmandu. So I have travelled across Nepal and I think we have problems. We should recognize that problems at first. Among the problems, many are related to political problems. Therefore we have to address them. Somebody talked about the trust deficit. Trust deficit is also there.

Nepal commits its autonomy, its sovereignty, its sovereign place not to allow for anyone to do anything. Similarly, I think Nepal also has to understand the security concerns of our both the nations. Those concerns must be suitably recognized. I think I will come to the main

topic that there are tremendous changes taking place in Nepal. I heard that 1500 youths go out of Nepal every day. So there is a journey that is taking place. That's why until we recognize the problem; we can't come to the fair solution.

I have been asked to chair this session on 'Demography Changes and Threat on National Security'. I haven't been quite able to understand the topic. I think the chair doesn't have to understand the topic. The panelists have to understand it rather. I think what the organizers have in mind is the problem of conversion and of what I call the spill over. Some of you might have read my book on Nepal. I want to quote a line from that book "Nepal is in a position to exercise powerful influence over India." It was written in the scenario of 1919. This is the operative part. If it was disaffected, the anarchy would spill over. Most of us would remember that during the 10 years of civil war and insurgency in Nepal, thousands of Nepalese came across the Indian side. Anytime, there are 5-7 million Nepali in India. When the earthquake happened, during that period also a lot of people arrived in India. So the natural flow of terrain results in this spill over. The spillover can create problems for national security as well. Therefore, the issue of conversion in 1993 when I just retired, I spent full 15 days on the India Nepal border from Nepalgunj to Krishna Nagar. I was researching the emergence of Madarsa. Certain Muslim sections of the border sides are being supported by Saudi Arabia. There was a lot of changing at that time on the border. That again is the part of what the other panelists I believe would cover.

Thank you.



Dr. Ram Thapaliya

Thank you very much Mr. Chairman. I will now attempt to address the perplexing state of affairs as was previously set out.

Over the years, the Nepal-India relations have been shaped by close social, cultural, economic and geographical ties. These factors have tended to lead towards an unconditional relationship between the two defined by trust, mutual appreciation and positive neighborly relations. Further necessary stabilization has been achieved through targeted economic development and regional cooperation facilitated by the governments and citizens of both Nepal and India.

The prosperity of Nepal is linked closely to that of its neighbor's. Thus domestic political stability, sovereign security, territorial integrity and national unity, as well as sustainable economic and social developments are key to the objectives of foreign policy of Nepal.

With this in mind, I am confident in my belief that the country of Nepal will never be a base from which conspiracies against India will be formed by international actors, nor should there be tolerance for any separatist, anti-China activities in the region. Both I, and many fellow respected Nepali citizens, have faith and conviction in our government, security and political forces in this regard.

Nepal looks to India as a valuable role model; drawing on the latter's efficient and effective crisis management when considering its own post-disaster reconstruction and peace processes. India has keenly shared its experience and lessons learned on topics such as democracy, post-conflict, peace-building, recovery and resilience. Support has already been provided by India at various government

and non-government levels and through different diplomatic channels; extended efforts by both governments will promote peaceful transition, conflict resolution, democratic practices and sustainable development. Peace consolidation will help to mitigate violent repercussions, democratic ideals and a free media will foster critical thought processes. A commitment to harmonization and stabilization is of clear, mutual benefit to both. Reflecting on previous achievements gained through policy dialogue and strategic planning will allow Nepal and India to jointly implement more long-term policies and programs for ongoing progression.

We know that the concept of 'security' has been gradually shifting away from a traditional nationalistic and military focus towards a more human-centric approach. The consequences of ongoing global geopolitical crises are a clear indication that Nepal must develop a clear vision and effective, meaningful missions to protect both state and citizens. In the coming years, Nepal should aim towards efficient resource management, whilst respecting its strong diverse ethnic heritage with the aim of maintaining religious harmony.

In reality, there is now a significant movement of people traveling across the border with relative ease - a combined result of globalization processes, labor acts and policies, advances in transportation and, unfortunately, the unstable political situation at present. With this in mind, we must prepare ourselves for the impact of globalization on security and a shifting of the demographic landscape.

Furthermore, the sensitive issues being faced in India - such as money laundering, counterfeit currency, fake citizenship, terrorism and illicit drug use - could have negative effect on our region. Tackling these issues cannot be sidelined. Another priority for both countries must be to reduce religious tensions.

We stand firm that the best form of growth is organic and internal, and that regional security is best obtained through coordinated efforts of nations and states that share boundaries. Neighborly states should coalesce to develop coherent security, energy and foreign policies that encourage stability and prosperity. Citizens of both India and Nepal will feel more confident in their systems of governance if resources are properly managed and utilized, the justice system is open and transparent, and the rule of law is implemented fairly and objectively. Ensuring there is a clear commitment to reducing the detrimental impact of power play will add to this.

Key issues needing to be addressed include the proper use of water resources directly related to international laws and treaties, our current trade deficit with India, territorial disputes, human trafficking and the significant demographic change in the Terai region.

Security-related strategies should focus on extensive information collection and analyzing the indicators linked to damaging bilateral relations – particularly those raised by some nationalist hardliners. We should explore the messages that are perpetuating anti-India slogans at the grassroots level and increasing their predominance in traditional democratic channels related to emerging security systems.

Furthermore, we must urgently re-think traditional concepts of non-military support such as foreign aid and development funding, whilst critically considering how we work with different institutional layers like INGOs, CSOs, and universities and so on.

There is also some psychosocial segregation between citizens of both our nations which may be lessened through continued representation of Madhesi communities at the national level through electoral politics.

Additionally, building on past lessons learned from significant threats posed by individuals with counterfeit citizenship documents should encourage us to tighten our security measures and ensure careful analysis of identification at border points.

Nepal has great potential for economic development - something that has been expressed by leaders in China and India on countless occasions. Globally, Nepal's geological features are recognized as its true assets. Unfortunately, such treasures can incite conflict and encourage individualistic interests to take precedence over national needs. Thus, it is essential we enter discussions aware of the potential vested interests of some political actors and groups.

A large portion of the Nepali population still survives on an income lower than the poverty line. This creates a source of conflict between different groups within the country, for example, some nationalist ideologies seek to blame instances of deprivation on links with India and liberal economy ambitions. Again, such beliefs pose security threats and can encourage international support for insurgent groups who promote their agenda using anti-Indian propaganda since the 2015 constitution declaration.

As Nepal is uniquely composed of different cultural, religious, linguistic and ethnic groups spread across mountainous, hilly and Terai regions, an escalation of extremism and significant alteration of demography could lead to a dangerous socio-religious crisis. Therefore, due attention must be paid to protecting the rights of indigenous groups and to raising the living standards of Dalit communities. We must communicate how proud we are of our multi-cultural, multi-linguistic and multi-religious panorama and ensure equitable policies and equal opportunities at all sectors of our diverse society. Nepal also needs to focus on the challenges related to investment, climate change and trade barriers.

In the case of migrant workers, it is important to remember that there may be a variety of religions, languages and cultures within each represented group. Furthermore, Nepalese citizens leaving the region in search of labor may feel disconnected from their own culture and values – impacting their behavior and increasing the likelihood of misconduct and immorality.

The Foreign Employment Act (FEA) of 1985 introduced two critical provisions. The first identified specific destinations to which Nepalese workers could migrate for work and the second opened up the private sector to facilitate foreign employment. Subsequent to this, in 2007, the FEA allowed the Government of Nepal to take decisions over formal agreements and contracts with international countries and employers related to emigrating Nepali labors. Additionally, the 2007 Act made provisions to ensure that recruiting agencies conducted themselves efficiently and effectively.

Under the Interim Constitutions of 2007 and 2015, Nepal became a 'secular' state – the constitutional change coming into full effect on September 20, 2015. Unfortunately, since restoring democracy in 1990, some 'extremist' visions have affected our society with the aim of finding a 'new order'. In democratic societies, where individuals have the right to practice their religion, and discrimination on this basis is discouraged by authorities, it is a commonplace for individuals to coalesce as groups with shared values, cultures and practices. This is especially effective as a tool for managing extreme events. Though such practice is a recognized human coping strategy, in extreme circumstances, this can allow for exploitation of individuals' vulnerabilities. Therefore, it is important to be aware that there are instances of forced, or coerced, religious conversion enacted for

financial greed, ideological purposes or personal power forming that can lead to social unrest. The challenges of this are already posing a threat to global security systems and will continue doing so over the coming decades.

To manage the aforementioned emerging crises in Nepal and India, leaders must have sound understanding of the crisis decision-making processes to prevent crisis escalation. Now I will explore the critical role each country's leaders should assume and the vision they should espouse clearly and firmly during this transitional period.

According to "Essence of Decision-Making and Contending Theories of International Relations", there are six main characteristics for a decision-making structure in a crisis situation. There must be a decision-taker who is firm but flexible, with the strong interpersonal skills to manage a team with different opinions and priorities. These decision-makers can be directly involved in the core management, or a member of a group or agency with an interest in the crisis. Additionally, they may have some collective responsibility or authority over crisis management events related to demography change.

Three models to inform the decision-making process are identified in the 'Essence of Decision-Making' theory – the Rational, Organizational and Bureaucratic Politics models. The Rational has a specifically identified and trained decision-making unit with the authority and resources to take decisions independently, the Bureaucratic depends mostly on the hierarchical system in place, and the Organizational takes a satellite approach, assigning different organizational structures their own responsibilities for specific decisions to be taken. Each model influences how information and interests are communicated to the final decision-maker and are important for defining the procedures and guiding the decision-making process.

Security issue decisions can be taken in a formal, or informal, setting - either on a need -basis, or according to fixed deadlines. In both scenarios, prior consent from members involved can facilitate and ease the process.

These are my personal perspective on the ongoing demographic change, national security threats and characteristics of effective crisis-decision making. Crucially, it is critical that decision-makers and their advisors comprehend the complexity of the demographic

issues causing security crises presently and recognize the economic impact of any decisions made. Ultimately, there must be clear policy and objectives defined and, where possible, a visionary leader with authority, command and control will inspire the process and implementation.

Any political decisions should be carried out by the bilateral partnership's objectives; however, it is also important to communicate with other decision makers in coalition responses for coherent crisis management. There can be a centralized or decentralized control system – arguably there can also be a central decision implemented in a decentralized arrangement. Essentially, there must be a clear chain of command and established procedure for collecting, analyzing and sharing information.

Crisis decision makers are most efficient when they have theoretical and practical understanding of crisis scenarios. Effective decisions in a crisis-situation are made when the decision-makers have a tangible understanding of the consequences and outcomes of their action and the possible impacts of their decisions. Identifying these will define how leaders manage their threats, view their enemies and react to their potential responses. Entry and exit strategies are key to aid decision-makers at all chains of command to recognize different ways to de-escalate crises and protect positions and interests.

The Nepal-India bilateral security has been shifting due to the changing nature of demography and its impact. Rolling media and an ever-present online presence means that crises are occurring in real time on the world stage. There are countless actors participating in different crisis situations and issues like ethnicity, criminal gangs, extremism, terrorism, etc. Post-disaster civil disturbances are causing difficulties in outcomes and difficult to identify, and manage complex situations.

It is clear that different types of crises require different management strategies, structures need to be flexible and responsive in such situations. The interests and roles of intelligence and security forces have to be understood and factored into decision-making. Poor acknowledgement, vision-sharing and non-participatory approaches have negatively affected some crisis decisions made in the 21st century related to, but not limited to, bilateral political, economic and social scenarios.

We may look back in history at how the Vajpayee leadership style was influenced by both national and international political and economic environments, and the way in which this visionary foreign policy leader used international events to further domestic, national and foreign policy objectives for India. Using this as an example of best practice from India provides rationale for India's strong policy development regarding the defining, protecting and promoting its national identity. Even though India has many ethnic, linguistic, religious, social and economic pressures that make a single national identity difficult internally, the idea has been projected effectively on the international stage. In fact, the domestic political, social and economic environment in India shapes Indian foreign policy arguably more than any other countries around the world and it is this environment that shapes Indian leaders. So, unless we focus on domestic and bilateral issues, leaders will have no license or credibility to protect both our country's reputations in the region as we can see that this forms the essentials of national identity.

Cross-border challenges on complex socio-political crises, severe socio culture-economic shocks, issues of mass migration, epidemics, terrorism, environmental concerns, natural disasters and technological phenomena all impact security and compromise the relations between India and Nepal. Currently both local and state resources are insufficient to protect the public from these rising threats.

Information and communication technologies are important tools that can effectively support national authorities during civil emergencies and crisis intelligence agencies can work together to combat terrorism on a regional scale. The sharing of intelligence and collaborative working on joint investigations can improve the crisis management processes. Best practice comes from having highly-trained, locally-based, passionately-committed investigators, analysts, linguists, SWOT experts, and other experts from across the law enforcement and intelligence communities from both countries working together as a single responsive unit.

The collection of intelligence, within the reality of limited assets, must incorporate the art of prioritizing requirements and allocating the appropriate resources. Intelligence is the product that supports a variety of 'consumers' – typically policy-makers and decision-takers. Therefore, intelligence efforts must focus on supporting the identified

interests of these stakeholders, the priorities of which are established by the national leadership. Effective decision-making comes from intelligence that has been collected with an understanding and analysis of capabilities and practices, especially in the pre-crisis phase. The process does not end once the national priorities are set, as the system must identify changing conditions and be flexible in its response to these.

Since the end of the Cold War, the complexity of the global environment and the international security landscape, together with the rise in transnational threats from non-state actors, have dictated a greater need for broad and, potentially diversified, intelligence gathering. This, in turn, has required comprehension and assessment of a wider range of indicators across India and Nepal's geographic borders to help develop robust intelligence to support the needs of policy-makers.

The intelligence community must identify, collect, analyze and communicate information that will alert policy makers to environmental changes which could serve as threat indicators and crisis precursors. For example, a regional alteration in political power might necessitate a shift in intelligence collection priorities. For India, such threats are coming from internal and external sources, and increasingly from non-state actors (e.g. terrorist groups, ethnic or religious groups). South Asia is an example of a region whose political stability is threatened both internally by the actions of the drug traffickers, separatist movements, terrorists, and by poverty, and externally by border disputes with its neighbors.

Alongside environmental changes, economic indicators can provide intelligence communities with early pre-crisis warnings. Changes in economic conditions, or continued poor economic performance, can lead to internal, external, and humanitarian crises; without appropriate financial resources, crisis response is less effective. In such situations, security and military conditions step in to provide short notice indicators which can dramatically alter intelligence gathering priorities. The use of force typically precedes changes in operational readiness, relocation of military assets, personnel and rhetoric; and the speed of change is likely to serve as an indicator of a state, or other significant actor's, intentional course of action.

Another broad set of potential crisis indicators in Nepal are humanitarian concerns. These can include natural and man-made

phenomena such as droughts, earthquakes, resource access, repressive governmental policies, civil strife, population displacement and consequences of military conflicts, amongst others.

Intelligence services face the fundamental problem of serving, and responding to, policy-maker priorities. For example, if the latter does not perceive a region to be of significance, intelligence may not be gathered that could have served as clear indicator of an impending crisis.

Dialogue and feedback between policy-makers and the intelligence community is key between both countries. The dissemination and communication of the intelligence gathering process will ultimately influence the extent to which indicators are appropriately weighted and paid attention to.

The phase of signal detection, preparation, prevention, containment and damage control, as well as learning and reflection initiatives, provide law enforcement with another tool to help prevent terrorism and other related criminal activity by establishing a local capacity for gathering, documenting, processing, analyzing, and sharing information.

The intelligence community must respond quickly, efficiently and effectively, and sources need to become near 'real time' through superior connectivity. The following are all vital in 'surging' intelligence capabilities: crisis mapping and sourcing, visualization, analysis of on-going crisis data whilst also looking to flexible human intelligence sources, and the willingness to potentially devolve intelligence gathering outside the traditional sources. Additionally, being able to identify active counter-intelligence deception attempts will be essential.

Enhanced effectiveness of the intelligence community in crisis management could also come from participation in 'real life' scenarios and contingency planning (a.k.a. 'war gaming') to improve early intelligence indicators and overall assessment of the political, economic and security impacts. This would identify information gaps and help to focus and prioritize data collection, so intelligence can be proactive not reactive.

All of the aforementioned are crucial for the prevention and successful management of crisis situations. As stated by Taylor and Ralston, the single source of institutional memory in a crisis can very

often be the intelligence community and foreign policy bureaucracy. As a crisis unfolds, demands on the intelligence services often shift from understanding of capabilities and intentions at an offensive/defensive level to an assessment of the impact of actions undertaken. Therefore, stronger political intelligence and access to economic intelligence are required.

Using the Mumbai terror attacks as a case study, we can observe terrorism-related risks linked to domestic and international relations and interests. As a result of the attack there is now a greater sense of vulnerability across the general population and within military command units internationally. As protecting domestic security depends on cooperation between intelligence agencies and military forces across borders, Nepal requires flexible intelligence proficiency that is both proactive and reactive. Such intelligence will need to leverage many information sources on a global and interagency basis in a timely, unbiased way.

Failures or shortcomings in intelligence are rarely due to a lack of information. Shortfalls, instead, usually come from incorrect analysis, oversight of essential data points or through a misunderstanding of the situational implications. Now, due to the multiplicity of actors in the field, we must 'connect the dots' and recognize that 'insignificant' events around the world can lead to significant disasters such as the Madrid and London bombings, World Trade 9/11 and the Mumbai terror attack.

We must ask serious questions on why intelligence has failed to anticipate international crises such as the North Korean attack on South Korea (June 1950), the Indo-Chinese War (1962), the Arab-Israeli Wars, the Argentine Falkland Invasion (1982), and the Gulf Wars against Iraq (1991 and 2003). What situations and practices does an organization potentially ignore that may lead to a crisis? How do an organization's systems and policies contribute to potential crisis situations? Has organizational leadership created an effective crises-reaction plan? What metrics will be used to evaluate the performance of a business recovery strategy? Has the organization developed a memory process to prevent future crises?

One of the most important philosophical and organizational changes required by the intelligence community is information sharing and collaboration at domestic, regional and international levels. In India alone, regional distinctions between National

Technical Research Organization (NTRO), Research and Analysis Wing and Intelligence Bureau (IB) etc. are networking with other intelligence agencies due to the globalization of threats. Matters of security and source protection must be resolved and proprietary and competition reduced to enable thoughtful and timely interagency information exchange. This must extend across borders to facilitate gathering of intelligence and shared analyses which identify potential security threats to benefit the nations at risk. Decision making cannot be effective when intelligence has been sourced separately as part of a joint crisis campaign. This becomes especially obstructive when, for classification purposes, bureaucratic reasoning, and cultural bias or otherwise, information analysis and decision-making is not shared.

Compared to the Cold War Era, it is now more difficult to focus on one party's interests and to have limited objectives. In contemporary crises, there are many different interests and objectives which must be considered in strategies. This means intelligence efforts are complexities in terms of preparing for potential outcomes. For instance, refugees, internally displaced person (IDPs) and illegal migrant issues might create additional systematic pressures as multiple PINs compete for the limited resources available.

The conflicts of India and Nepal encompass a wide variety of motivating factors including radical political ideologies, ethnic inequality, poverty, superstitious and religious extremism and crimes. The proliferation of weapons of mass destruction and the use of efficient, but hazardous, energy resources - such as uranium - can create challenges. Other contributing factors include overpopulation, migration and the rise of mid-size powers and alliances that challenge the democratic order. In response, the role of leaders needs to expand greatly in the areas of conflict/crisis mitigation and management. Leaders' functions need to evolve to include restoring and maintaining political and economy stability and other forms of nation building.

Nepal's political leaders were engaged in fighting for freedom from 1950-1990 with the quest to attain human rights, a multiparty democracy, an independent judicial system, and the supremacy of legislature. In post-conflict years, however, the role of the leaders has shifted to conflict mitigation and management, including restoring civil society and other forms of nation building. In those crucial days the government relied on the military, police and intelligence to maintain law and order, established political stability, and minimized

death and destruction in the country. While the leaders have been successful in establishing peace and stability, it is vital to understand the role of all the security forces, including the Nepal Army, the Nepal Police and the Armed Police Force before, during and after the revolution.

It is very important to analyze situations on a case-by-case basis as; sometimes conditions are not suitable for interventions. For example, conflicts arising from inter-group clashes over political power need to be managed differently to those relating to religious extremism and terrorism, and all should be viewed objectively. Vitality, we must recognize that we have individual ethics and will carry personal interests and opinions on the fundamental nature of any conflict faced. The manner in which the involved parties face the different standpoints on these issues and their interaction, discussion, management and resolution processes over such concerns will be influential to the societal impact and outcome.

Nepalese political parties, in the context of leadership, have been in a state of flux, but the leadership style and the citizen's reactions to this have not. It is important to discuss some important rules for peace and social harmony. The role of the leader is to define what the future of a federalist democratic Nepal looks like, how people can be aligned with that vision, and how can they be inspired to make it happen despite obstacles.

At this point, it is important to reconsider the figure of Vajpayee because his decisions have, and continue to, affect so people's lives in India, South Asia and around world. In Vajpayee's own words, he cannot be separated from the party itself in terms of vision, policies and national objectives. In fact, in an interview in 2002, he firmly stated "I represent my party and there is no question of liking me and not my party". During the interview, he clearly expressed his vision for the development of India as a whole country, as well as his ambition for India to be recognized and respected globally. Vajpayee's vision was a combination of both personal and party ideology, which cannot be easily separated due to his central role in the founding and development of the party. Moreover, Vajpayee has been successful at identifying and using domestic and international events to promote his agendas to make his vision the reality for a unified, strong, respected India.

Using new global engagement and stature as foundation, Vajpayee opened the Indian economy to foreign investment. He also strengthened image of the BJP as a nationalist party, so they were better positioned for state and national elections. Vajpayee has been successful as an opportunistic nationalist with a clear national identity plan for his country and a foreign policy agenda designed to promote and gain acceptance of this identity on the global scale. This has led to the design of an Indian foreign policy approach that ensures the country is actively engaged and a decision-maker in global affairs which, consequently, promotes and protects the national identity and territorial integrity.

Other successful historical leaders have taken similar approaches. Elizabeth I, though born a leader, used her foreign policy experiences, to truly develop herself into a statesperson who was hugely respected by, and had the loyalty of, her subjects.

Mao became a leader whilst trying to define his vision and find an identity for China. He was viewed as successful in many ways because he altered the global perspective of China at a time when it was under attack from foreign entities who wanted to control the business, religion and ideology of the country.

Woodrow Wilson's leadership was recognized due to his good organizational skills and ideas, however, at least initially, he was less effective at coalition-building and communicating his ideas. Once Wilson was able to convey his visions and ideas for the new type of world order that would bring a more peaceful existence clearly, he was strongly supported by other leaders and countries.

Churchill used the opportunity of World War II to prove his leadership skills as he fought to protect his country's national interests. Like all European figureheads, Churchill required a strong foreign policy vision due to Europe's history of flux related to alliances and power relations.

Gorbachev is an unusual example as he became recognized as an international leader due to decisive inaction which leads to the fall of communism globally. His case proves that either action, or inaction, can be effective as long as the decision is firmly taken and has clear objectives.

Gandhi's reputation as a spiritual, political and non-violent leader led a successful national struggle for the independence for India and B.P. Koirala's reconciliation style is a model for the world on national consensus.

Though these are general observations about how leaders gain the experience and reputation to become more effective in their role, we see from each example that engagement in foreign policy and international relations can provide a platform to demonstrate and develop individual leadership capabilities. Projecting these capabilities on the global stage can help to convince national level constituents of the values and skills you possess as a leader. In fact, many leaders require recognition at an international level in order to convince their own nation of their strength and capabilities.

To conclude, in Nepal it is important to develop a foreign policy strategy focused both on promoting and protecting national and bilateral interests. This strategy should consider wide ranging factors - for example Nepal's fluctuating demographic and ethnic landscape needs recognition for informed, effective strategies to be implemented. A strategy which is clearly communicated with well-defined outcomes provides a leader with targeted focus for planning national and international coalition structures. It also enables them to mobilize constituents and make the most beneficial changes for both countries. Though it is possible to make changes without a strategy, it is almost impossible to create sustainable change in the long term using this approach.

As discussed previously, without a foreign policy strategy, it can be difficult for an individual to demonstrate their leadership with purpose and gain credibility for guiding their country on a national and global scale. With a strategy in place, a leader is better able to communicate coherently with others and collaborate effectively with international, and domestic, figures to problem-solve and manage crises. By creating and updating a forum to connect, collaborate, solve challenges and share knowledge within a community we can improve our approach to the security challenges that might disturb the socio-economic fabric in the coming years. In doing so, we will ensure long-term, sustainable change for the betterment of the whole.

Thank you.



Dr. Nihar Ranjan Nayak

Thank you, Chair. Good morning to all of you. I would like to thank the organizer for this opportunity to put forward my opinion in such an august gathering.

In the previous session, we identified many challenges. So my paper is basically on how to mitigate those challenges and how to make more robust to our bilateral and institutional arrangement to mitigate those challenges. That's why my topic is basically "Is Nepal-India military cooperation prepares to mitigate the demographic changes?"

In that context if we see the India-Nepal relation, the modern India-Nepal relation, broadly, if I categorize, stands on five pillars. First one is the geography, common history and culture, people to people contract, formal diplomatic relations and the most important is the military cooperation, which is not discussed in details in this program. Among the five pillars, it is observed that the military cooperation has been the most stable, matured and less averse to diplomatic skirmishes in the last 70 years of our diplomatic relation.

In this regard, I would like to the focus little bit on security provider. I mean there is a narrative in Indian subcontinent that India is a net security provider in the sub-continent. But I will just reverse that argument how Nepal has emerged as the net security provider to India. It is a small country. But if we look at the Nepal's security in

comparison to that of India, it is enormous. How? Bilaterally, Nepal has committed not to allow its soil to be misused by external element.

There is a robust security mechanism starting from the foreign ministers level to border police level. Another part is that there are 32 to 40 thousands Gurkha personnel who have been serving in the Indian Army. They all are committed to sacrifice their life for India and they have been doing since the last centuries. They are ready to sacrifice at any point of time for India. Another part of this arrangements is 90 thousands retired Gurkha personnel. Another 50 thousand are serving in the paramilitary forces. They are the greatest assets of the India and also to the India-Nepal relations. They have been continuing their sympathy towards India. If any external forces try to do anything against India they keep on sharing the information.

Another part which has been often neglected, basically the contribution of civilian Nepalese, those who are coming as a part time laborer to India. They have immensely contributed to the economy and development of India. Though which is not mentioned anywhere in India-Nepal relation.

The last point I will mention is that Nepal is committed towards fighting against global terrorism which India has been facing for a long time. So these are the major contributions of Nepal in terms of net security provider to India.

Earlier in this program, Shri Sunil Ambekar and other scholars mentioned that there should be cooperation to mitigate those challenges including terrorism. There is also need of combined operation against terrorism particularly at the regional and global level.

Here question arises that are the security agencies in Nepal prepared for such kind of operations? We have to analyze their level of preparedness of the Nepali Army, Nepal Armed Police Force and Nepal Police as well as Nepal's intelligence. Basically, my paper focuses on the Nepali Army (NA). In 2004, the then Chief of Army Staff of the NA, General Rana, brought out a doctrine. In that doctrine the

NA identified around 5/6 major challenges before Nepal. Basically transnational terrorism, ethnic conflict, separatist movement, natural calamity, environmental degradation and building infrastructure in Nepal particularly in case of disaster which Nepal army has been doing. If we see all these 5/6 challenges, we would find that India also faces similar challenges and that has serious implications to India's national security.

However, interestingly, if you see our present arrangement with Nepal that might not be sufficient to withstand these challenges. The Nepali Army has been facing couple of challenges. First, it does not have sufficient arms and ammunitions for training and combat purposes. India has been major supplier of arms and ammunitions to Nepal. Interestingly, India has stopped supplying those weapons since 2005. During the conflict period, the North America (NA) got some amount of weapons from European countries to fight against Maoist insurgents. Although India has resumed supplying weapons to the NA since 2013, that supply is very little and non-lethal in nature. According to the present Army Chief's statement, 40% of the arms are not updated. Along with it, there is no budget for skill development. That's why there is a strong view emerging inside the NA that it should take support from China. These kinds of views are strongly coming up and India should seriously take notice of that. What I am trying to point out here is that when Chinese defense minister visited recently, he increased the 10% of total defense support to Nepal. In 2009 it was only 3 million US dollar.

At the same time China is trying to basically build constituencies in the Nepali Army by having the joint training and exercises with the NA which is first going to happen in Nepal. In joint training camp, the ratio is 4:1 for Nepalese army and Chinese army respectively. The China defense minister has assured to extend all possible support to improve Army to Army relations. In this regard, has assured to extend both technical and financial support to build the military hospital. At the same time China has also assured the Nepal Police Armed to build a training center. Why is it happening? Why does the China focus on Nepal Army?

First, there is a trend that is developed 2006 onwards especially in post-monarchy period. The China has been frequently sending high level delegations to Nepal. In absence of monarchy, it was looking for a trusted political partner. It also wanted Nepal to continue its 'one China policy'. In post monarchy period, China was also worried about political instability and its impact in the Tibetan region. In that situation, China focused on diversifying its relations with Nepal from state-to-state level to institutional level and further to the people-to-people level. These are the Chinese engagements going at this moment. Therefore, we must seriously think about improving our trust level with the NA and resume all those supplies as soon as possible. If that is neglected, India might lose its strategic space in the Himalayan region. If possible, India might undertake some large scale projects or joint ventures with the Nepali Army. India might also consider increase more seats for the NA personnel, particularly for the training purposes in IMA and other institutions. India could also organize meetings annually between retired Army chiefs and other senior army officials of both the countries.

Thank you.



Brigadier General Dr. Umesh Kumar Bhattarai (Retd.)

As we are aware that terrorism is encouraged by international power world and funded by under-world. The weak are radicalized by extremists and used against the hegemonic powers. We must understand that all the extremists are radicalized but not all the radicals are extremists. This is the statement given by Vice National Security Adviser of India Mr. Arvind Gupta in one of the sessions in IDSA.

Hegemony is a phenomenon used by powerful nations through proxy measures. The weaker states generally suffer if they cannot manage powerful neighbors. Geopolitics seldom favors stronger neighbor.

Geo-politics is the study of the political and strategic relevance of geography in the pursuit of national and international power. We all know about it. But we seldom misunderstand. And we say that it is a science rather it is a discipline. We have to assess it from various forces on a given territory in a specific space. Science deals with knowledge and to understand geopolitics-knowledge is not only sufficient. Of course, geopolitics is a branch of knowledge that requires special expertise to understand it. If geopolitics is a discipline, we need to have a training that makes us willing to follow certain rules. If we break the rules we have to bear the punishment. Perhaps we have misunderstood geopolitics that is why we are paying the cost.

South Asia is the home land for more than one-fifth population of the world. Due to various reasons, it is highly volatile from the conflict escalation point of view. In order to understand the importance of geopolitics of Nepal, we need to understand geographical context of the Indian subcontinent as a whole. It is a self-contained region that includes India, Sri Lanka, Maldives, Pakistan, Bangladesh, Nepal and Bhutan. We may call the sub-continent “self-contained” because it is a region that is isolated on all sides by difficult terrain or by ocean. In geopolitical terms it is— an island as mentioned by George Friedman in his article ‘The Himalayan Times’.

With this prospect, I just want to mention some important points like Nepal’s population is 27 million whereas India’s population is 1.32 billion. Look at the differences how small we are and how big India is. It is in convergence to understand the geopolitics. Population control is important to promote our national interest. Because being a small country, if one percent of Indian population comes to Nepal, it would be the havoc. If the hundred percent of Nepal’s people goes to India, India can absorb it.

Let’s consider another issue of Gurkha recruitment and foreign employment from Nepali prospective. It is not best of our interest because we want to have industrial base to make country’s economy stronger rather than selling the muscle power outside. Weak industrial base forces plight of young generation opting new jobs in international market. That is what currently happening. It is eroding Nepal’s nationhood that has started from 1815 since the mid of Anglo-Nepal War 1814-16 which British used as a tool to weaken Nepal.

Trade deficit and India’s wish to keep Nepal as its market for booming production is perhaps most critical to balance Nepal’s trade. The last economic embargo compounded by political wrangling became counterproductive resulted to encouraged ‘anti-India feeling in Nepal.

The case of Indo-Nepal relations is compounded by following contradictions of the regional as well as global powers or assumptions. Westerns hegemony has been spread for long in Tibet, in our hill area and the Terai. We have to see those things from the different angles.

China is successful through proxy involvement in North Korea to dominate western powers where Nepal could also be used by India on the similar line. This is a hypothesis. Nepal, due to its fragility, is likely to be used by westerners to expand their religion, culture and language to polarize its eastern culture as well as Hinduism. Because from this point of view we are not only plagued off, north India is also going to suffer.

Nepal promulgated its new constitution in 2015. With reservation, India raised some points in the UN Human Right Council in Geneva in September 2015. Firstly, Nepal is not inclusive. Secondly, the Human Rights/Truth and Reconciliation Commission, Commission for Disappeared persons are not effectively functioning. Thirdly, there are cases of money laundering. And lastly, the weak woman empowerment and child rights cases of Nepal.

In the same forum in Geneva in September 2016, few other reservations were added like human rights linked with political instability that was because of dysfunction of transitional justice mechanism in Nepal. I have a question on this—like; is it just a case of Nepal only or the whole South Asia is suffering from such a problem?

The bilateral threat in the days to come has been alarmed as cyber and technology terrorism, weapons of mass destruction and proliferation; as Nepal is surrounded by three nuclear powers India, China and Pakistan—and even Russia in far distance-space and counter space intelligence, transnational organized crimes—open border disturbing our normal activities discrediting both of us are the common concerns. We have failed to manage border carefully, crime in economic and natural resources—including water and its lawful sharing by both the countries and human security as well.

Nepal's security as a small state is alarming. We always advocate UN's points that are the freedom from fair and freedom from wants. Has Nepal really safe environment being buffer to two Asian giants? We need further empirical examinations on these issues

Thank you.



Shri Hemant Kumar Jha

Namaste to all of you.

I have done my masters in Conflict Management so that I have very deeper understanding about security or defense. However, in front of the genuine expert in the field from my own country Nepal I feel it to be very challenging topic. You talked about Rishikesh Shah about whom I had read a preface on a book on which it was written, “the sovereign countries who always struggle for their stand for independence and protection of sovereignty”. I still feel the way it has been written.

When we talk about the demography from the geo-political point of view, it is very hard to understand it. However, when we see it through the perspective of geo-culture, it becomes much clearer. Most of the third world countries like India, Nepal, Bangladesh, Pakistan etc. say that geo-politics is the most important for them. But in the context of SAARC country, I can feel that geo-culture is most important and I believe that in order to understand the demographic changes and its threat, it is most significant. Geo-culture and sovereignty are really the important aspects.

Another point I would like to raise is that the subject matter related to human security has not been discussed yet. In such seminar, discussion must be done under such topic as well.

From the perspective of demography or security, whoever comes to Nepal to attend any program, they blame Nepal. Whatever emerging threats are inside Nepal, in my opinion, they have the core value and roots in India. I feel that way. The actor may be different like NGOs or INGOs or other agencies, however, these all are run by some Indian states.

Talking about the issue of conversion, this subject is highly threatening than other threats in case of Nepal. Particularly in Madhes, it is done through Dalit community. I will reveal how Dalits are being converted. Conversion is not getting its way to enter Madhes through Madhes issue because there are already Madhesi parties established there. That's why conversion is done catching the sentiments and culture of those people. The Bible is translated into local languages like Awadhi. The persons from local community are appointed to translate.

Other issue is that, I am observing the threats of Nepal from two dimensions. The first is from the dispute in constitution. This is leading the political parties towards disappointment. After the Maoist insurgency, during the peace process, some groups emerged in Madhes; Jay Krishna Goit, Jwala Singh etc. They are even talking about separate nationality. They say that they are not going to have dialogue with state rather they are going to have dialogue with UN.

The second issue is regarding CK Raut. He is coming as the emerging force. They are till today doing their movements in non-violent way. Baburam Bhattarai, when he was in Samvad Samiti, tried to bring him to the dialogue. Still he is in a way or other running his movement in the Terai.

As we know that in the relationship between Nepal and Bharat, Madhes plays a very important role. After the Maoist insurgency, the psychology of Madhes towards Bharat has greatly changed. In the 10 years insurgency period, our relations were blocked. This blockade in relation and in culture affected the psychology of the people from Madhes to a great extent. This is very micro level issue. There is a small community of Muslims in Madhes and they are constantly developing the numbers of Madarsas. Likewise the number of churches is increasing very fast. On the same way, the Tibetan refugees, living in Nepal, are another threat to our country. Tibetans are also being converted to other religions. They are, according to the provision in the Constitution, going to claim for the citizenship after 10 years.

The most important issue being raised between our countries is the issue of trust deficit. We say that we are twin brothers. If we are twin brothers, how should be the relation between twins? Then my question to India is what is your strategy to your twin brother?

As a conclusion, I want to say that the relation we have is age old and historic, spiritual and connected by geology. Ours is a multidimensional relationship. So it should be properly maintained. As a son of sovereign country, I feel proud to be a Nepali.

Thank you.



Dr. Rajeev Nayan

Thank you. I want to thank the Antar-Rashtriya Sahayog Parishad -Bharat and the Neeti Anusandhan Pratishthan, Nepal for giving me this opportunity to speak.

I want to go straight to the topic i.e., Demographic Changes and Security. In human history, patterns of population change. It is natural and it creates no disturbance to people. Sometimes it even leads to changes in civilization and culture. But when a section of population is displaced, another section of population will be grafted there. It becomes cohesive. In the beginning, this cohesion is contractual. That is very interesting part. Cohesive contract is resisted but sometimes the contract is not cohesive even though it is generally welcomed. What is our concern? Our concern is not so positive or non-cohesive or natural movement of population from one part of country or one part of world to another.

Our problems are different. Our problems are visible in Kashmir, particularly in Pakistan Occupied Kashmir (PoK). Or what we are witnessing in our part of Kashmir and different parts of Nepal and India is our problem as General Mehta pointed out the concern.

When conversion changes the demography, the demography of a country within the country, it is not by internally displaced people. A population is changed in its outlook, in its philosophy, in its orientation and in its vision and that is really challenging. I discuss how it has impact on security in course of time.

Now I just talk about general implication of population movement anywhere inside or outside the country. When the population is displaced, the traditional literature on security would tell you “the violence and social instability accompany this displacement.” There is evidence of such displacement and the violence because of the resistance from the local population with the ideology of the son of soil kind of movement. Son of soil kind of movement is again internally accompanied by formation of armed groups, proliferation of arms groups. So this affects the security and the stability of country or region.

In addition, if you also read the regional security literature, you will see the increase in the crime rate. That is different independent criminal groups as the panelists discussed nexus and network of the criminals in the session yesterday. Sometimes this network is run by many groups directly with the cause or principle of the core group. You will find that there is one core group that has got interest in procuring technology from outside. But it is joined by criminal network, drug organizations, money launderers, and many others. So in combination what you will find is there will be a group promoting its social interest, religious interest, its general local interest or whatever interest the core group has. But it is joined by others. This local group has nothing to do directly with the interest that group is having. They start in combination and it becomes lethal combination. So these are some of the concerns. Again arms, smaller weapons are proliferated through the network and that affects the security of the country.

General violence and all these come into security implications generally noted by the literature, writing and the report. Now I come to the Indian experience. In border region, Pakistan has occupied Kashmir and demography has changed. The political ideology of Pakistan has been imposed on the people and these people will be voting for the cause of Pakistan. A trend of this kind leads to the security challenges for India. Second is Kashmiri Pandits have been displaced from Kashmir, their original homeland. Issues of these sorts have been already discussed by General Mehta and other speakers with the academic and professional background in armed forces. The

Kashmiri Pandits disappeared and information was blocked. Lack of information leads to different types of complications. This kind of complication was observed when the Honorable Prime Minister Shri Narendra Modi announced demonetization in 2016. The entire process of demonetization was based on the report of security agencies. The report was that fake currencies were floating in the country and outside. Therefore, these are the security implications of population and demographic changes or the population displacement.

Our security agencies must work seriously. We must have common understanding. Security problems are affecting both of us. If we don't learn to work with problem together we face problem. Second is that we have to train the security agencies properly and intelligence flow must happen.

The last point I want to say that we must replace the traditional laws with new laws and crack down the organizations which are promoting religious conversion. Do not believe in the point that India is the problem. Secularism or communisms are not the debate. It is far more serious. Therefore, we have to look into it.

Thank you.

Question-Answer and Comments

Mahesh B. Karki I am Mahesh Bikram Karki. All the topics so far discussed today are to enhance and strengthen the relation between two nations. That is a fact. The points raised here today such as problems and loopholes that have been rectified and identified was not the first time. Such tasks have been done for several times in different formal and informal seminars. But such issues identified are not taken seriously and implemented. Why? I will give you some examples. The border demarcation is not new problem. We have maps and pillars there. Why are not remarking it? If we had demarcated in right time, the problem would have gone. Similarly there are several measures that can be taken to strengthen the border management. The technology is there. The effort is there. However, it is not being implemented. Finally, we blame each other for any incident taken place in one another's countries. Why?

Rajesh Kharat I wonder to know what sorts of demographic changes and challenges are here? What kind of demographic changes you are discussing? As Shri Nihar said, to mitigate the challenges military is the solution. So how could we use military to cope with these challenges? I have another query for Hemanta Jha about Arunanchal Pradesh. As far as I am concerned the Sindu or Monpasare are not following the Dalai Lama.

Comment From the perspective of Nepal the way I was thinking about the great movement of the people that everyday almost 1500 Nepali youths migrate to the Middle East and other parts of the world. These people who are getting abroad see the development taken place in those countries. Then they look at Nepal, where there is very slow pace of development. This is leading to frustration. This also impacts on how people perceive Indo-Nepal relationship. Why is there so slow pace of

development in Nepal? So we must focus on open border, railways and other infrastructure and so on.

Hemant K. Jha The incident of Arunachal Pradesh happened and I experienced it firsthand. So I want to ensure you about it. Do not judge Kathmandu from here (India). So if you come to Nepal you can observe.

Nihar R. Nayak Prof. Kharat asked how we can use military to deal with the challenges. Military is not supposed to have direct relationship. Military can be used when all the rest of the agencies get failed. But Nepal is a small country in term of agencies and its capabilities; Nepal army is hugely deployed in infrastructure buildings. India, on the same way, has a disaster management and rapid action forces. Nepal army should be prepared for any kind of eventualities in future. The Nepali army is not like India and Chinese Army. It is already engaged in many civilian activities like preservation of forest, environment protection and so on. Therefore, NA's infrastructure and structure is different from what we see in India and China.

Rajeev Nayan First question was about the pattern of change. I think we discussed it briefly. I clearly mentioned all the things. What is the religion in the regions of India and Nepal border? It is Islamic population. This is very clear.

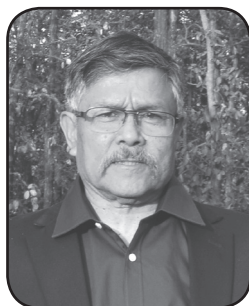
On the same way development donors are coming to the border side. Many churches are raising money for their purpose of conversion. We have Indian experience. Such money was given for either reason. See the face of all these NGOs who are working in the name of development and what they are doing and how they are using church money? Which are the organizations from European countries? Even in Nepal they are very active. I know many people who are active in Nepal, I can give you names too if you require.

Umesh K. Bhattarai Specially regarding the issue of blaming to each other is also mentioned by Major General Mahesh Bikram Karki. If you remember my statement the way India opposed us in Geneva Conference to the human rights, those points are applicable to all the countries in South Asia. That is not only Nepal. That was my main reason. It was not my blame. It happened so in Geneva Conference and I said my country's point to make it clear.

Ashok K. Mehta Thank you all. I would like to emphasize on the military relation which is also thoroughly discussed by Nihar Ranjan Nayak. Those relations have been tasted and tried. Those relations are the bull work for the Indo-Nepal relation. They have been tasted with blood. No nationality come and shed his blood for the protection of other countries' territory as the Gurkhas are doing. So no bigger proof is required.

Yet, may I tell you that there were still doubts in the past. There were certain people who tried to destroy the relationship on the both sides. I remember in 1974, there was a movement that stopped recruitment of Nepali Gurkhas. Then from the recruitment went to 60:40 ratio, 60 from Nepal and 40 from India. But I am happy to tell you that I was part of that delegation. There is blood relation not only between Nepal and India, but such relation is there between two armies. When the earthquake happened, it was the Indian army to work for the relief. Finally, when the weapon supply was stopped, after King Gyanendra carried out mid-night coup in 2005, the Indian government stopped the supplies of the military weapons. There was a massive fight between the Indian army and the ministry of the external affairs. Later on, that dispute settled. I think this relation should be nourished very carefully. So I thank the panel for the excellent papers and audience for the participation. I also want to thank the organizers for letting me to chair this session. Thank you.

Technical Session V
Cyber Crimes and Communications



Major General Prakash Bahadur Basnyat (Retd.)

Distinguished personalities, the Antar-Rashtriya Sahayog Parishad-Bharat, the Neeti Anusandhan Pratishthan, Nepal, ladies and gentleman.

My topic is cyber crime communication. Before, starting, I would like to share my experience while I was Military Attaché, to the USA from 1993 to 1996 as well as working for Canada and the UN office at New York, too.

If you look at the map of Canada, it has got two neighbors mainly the United States in South and the Soviet Union (now Russia) in North. What I observed in Canada is that it has four thousand plus miles of borders with both the countries. Its population concentration is 200 miles in South along the border with the USA. Beyond that in the North there is the Tundra, sub-arctic region, and the Arctic region then the border with the Soviet Union.

My point is that if Canada and the United States of America with 5000 miles border could live in peace and harmony with good border management and crossings, why Nepal and India cannot?

Cybercrime and communication have been matter of hot debate. The Wiki Leaks, the Panama Papers shocked the whole world by publishing names of many prominent international leaders/businessmen etc. for whitening their black money. Whether it is

good or bad are the relative things determined by the orientation and perspective of the people as well as the leak of secrets.

Let me elaborate historical background about cyber. The Soviet invasion into Afghanistan put United States of America's President Ronald Reagan into shock and worry. The Soviet invasion of Afghanistan made President Reagan realize something to be done. And he launched the Strategic Defense Initiative Program. I guess that he spent 5 trillion US dollar in his two terms for this purpose. This initiative was to have surveillance and tracking of information. This made a great advancement in telecommunication digital technology. In the 1990s cyber was used mainly for the purpose of official networking, banking, etc. Computer was not widely used in developing countries.

When I came to Nepal in 1996 as a Brigadier General, I happened to come across mobile cell phone, computers and laptops. This revolutionary development brought more signs of civilizations, modernization and now it has been an instrument to be used daily where you won't see anyone without a mobile phone that has slowly replaced the traditional method of data keeping. Now in this subject we have very good scholars and learners with me so they will provide you details of information in this aspect.

Thank you.



Shri Brahmanand Thakur

Thank you Mr. Chairman. First I would like to thank everyone here for giving me this opportunity.

This is the millennial generation where Internet/Wi-Fi have become one of our primary needs. We can do without food for a while but internet connectivity has become absolute necessity. So let's begin from this point.



This is the age of Internet. It is the border less age in term of access of information, no matter where you are, if you are connected with Internet, you have everything on your fingertips, on your mobile. I don't know how many of you have heard the country named Estonia. It gives E-residencies. These are basically permission by the government of Estonia. For individuals, no matter where they are from, to have electronic identity and operate business out of Estonia without the actual need of being physically present there. They have to have banking system of physical address but services are provided

just to do that. National boundaries, therefore, are transcendent. The traditional security mechanism is transcendent. You can go and conduct business without showing your passport or going through immigration.

The communication mechanisms have been changed. We no longer want to make a phone call as we have Whatsapp and Viber or even Facebook Messenger for video calls.

It also transcends the traditional financial mechanisms. Because of the power of Internet, now you can use your credit cards or debit cards wherever you are in the world so that you can conduct the business. Physical transfer of funds is going to be extinct in few years; the prime example is the recent event of cashless economy in India itself. It has also changed the traditional notion of skilled and non-skilled human resource. My grandmother, who is originally from India, doesn't know how to read and write though she gives us call via Facebook messenger or video call. She can recognize the symbol on her mobile phone. She looks at my picture on messenger and gives a call. My two years old niece can call her back using the same skills. She just sees the picture and says *Nani Ma* and clicks and gives a call.

Therefore, this age of Internet has transcended various traditional approaches of way of life. We begin to search for Wi-Fi signal e.g., when I landed at the Indira Gandhi International Airport in Delhi, I started searching for the Wi-Fi signals. We manage to find some Wi-Fi connections. It is something like Terminal Adaptor (TA) here and in guest house as well. But it has very complicated process to get connected. Even if you are connected, you cannot use Whatsapp, Viber and Messenger. Nothing works. I cannot have access to any apps here. I cannot have access to my bank account. I cannot do any work apart from what I am supposed to do here. Why is that so? There must be a reason. I do not understand why everything is blocked. It is done so to prevent unauthorized access and transfer of data or information. If you have recently heard the news about information leaks by Wiki Leaks that the Central Intelligence Agency (CIA) has been using Samsung Smart TV to spy on people. It could be even Samsung smart phones for that matter. Even it could be I-phone. I don't know how government ministries and defense mechanisms work. We are allowed to use our mobile phones where there are lots of apps. All these apps seem to have access to the mikes, cameras, our photos, everything. So how are we going to tackle that? That is a big question. The simple

idea is that if you cannot monitor we cannot control. The applications that we use such as Whatsapp, Viber, Messenger, etc. use encryptions and it cannot be monitored by traditional surveillance mechanisms. In most of the places these applications are blocked because of this reason.

Concerning about the legal aspects, is it ethical or legal to monitor private conversation? That is another aspect of cyber security. The freedom of expression is also individual's right to privacy. That is my security, my security of what I have on my email and on my Facebook. Now if you travel to the USA, they may ask you for your social media passwords and they can open it. That is another point of concern. At the same time when it comes to preventing major crimes and terror should we approach from the same aspect of privacy or should it be different? That's a bigger question which I can't answer but these are issues.

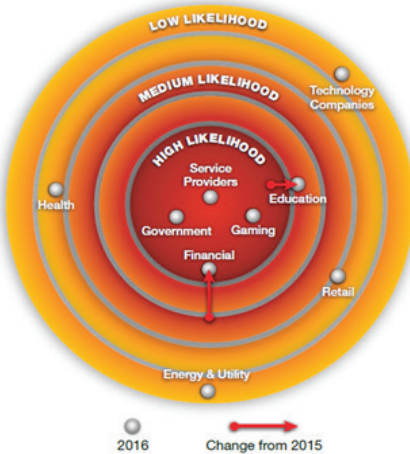
I will just go through two aspects that briefly describe cybercrime cases in Nepal. Most of them are handled by the district court in Kathmandu city. We can see that most of them are related to harassment. Their photos are used on Facebook. That is the main cybercrime that is going on in Nepal at the moment. If you look at the police control division, most of the complaints are about crimes on social networking sites. Apart from these, there are a few cases of very dangerous trends.

Cyber criminals are targeting banks as well. In one case Net Banking access was used to hack into the banking system of a leading private sector bank to increase the account balance of one individual account. The hackers withdrew this increased amount the next day. The Bank found out about this two days after the hacking was done, that too due to a system outage. The amount involved was small and the culprits (Bangladeshi nationals) brought to justice but such hacks tell us that our Banking software may not be 100% secure.

Here we are talking about different aspects of cyber crimes. It may even be the way of financing the terrorist activities. You can find everything on Facebook. We are also able to find this ATM hacking group on Facebook. There can be found actual videos which say what to do to hack somebody's ATM account on YouTube.



Global Cyber Attack Ring of Fire



Source: RadWare Global Application & Network Security Report 2016-17

This is the global cyber-attack ring of fire. RadWare is Israeli companies that come up with this report. At the center of the ring of fire there are government institutions, financial institutions, service providers and gaming. This is because of west gaming that is very popular. So these are the most targeted institutions as far as cybercrime goes.

Just this Friday some hackers set up emergency alarms in Dallas city. 156 emergency sirens alarms went up at 11:40 p.m., at once jolting all the citizens of Dallas. There was no known reason for this. We are talking about such systems in SAARC's smart cities in the future. Those cities may be prone to such attacks.

I will add few more points. One is that in terms of Nepalese security agencies, they rely on service providers to connect their different branches and different equipment. This is shared infrastructures that is also accessible to public and are prone to physical or cyber-attack. All these optic fiber cables going overhead have caught fire and the links were down at many of these security agencies as well. The security agencies need a dedicated Information Technology (IT) infrastructure. Their computer engineers are not cybercrime experts.

As new Power Plants in Nepal are being built to export electricity to India and come into operation very soon, attack of computer virus like Stuxnet Worm could disrupt electricity supply to India. This could not only be done by enemy countries or but also by ideologically charged Nepali Hacktivists who oppose sale of power to India. We also need to be cautious about similar worms targeting transnational railway networks when they are built.

Thank you.



Shri Akshya Joshi

Thank you very much. It is really a great honor to be amongst you all.

What I proposed to do is just to build on what Mr. Thakur has said. He has given a good overview about cybercrimes. What I proposed to do is just briefly deal with the cyberspace and the national security and its impact. I just have one request that if anybody finds worth quoting please don't quote the author. Just quote the material.

Cyberspace has actually been very critical national security. All of us here, the strategy makers need to think on how we should make sense of speed and extent of change while devising our national security strategies. Now this issue has been dealt with great details in our office. We talked about how global geo-politics is changing. Many of these changes are facilitated by acceleration and relentless march of technology. Information revolution is essentially changing the nature of politics and the methods of exercising power as well. You would all notice that knowledge based aspects like technological ideas, software development, intellectual property, and now they are becoming the new source of contestation. One important point is that the psychological and ideological dimensions influence outcomes. They are gaining currencies. In short the point I am making is that the aspirations of nation, state that could traditionally influence political, economic and military power and the information dimension has a great role to play.

The second point I want to make is that technology gives voice to those who are otherwise not heard. So this obviously will change the behavioral patterns of society. I think all of you know that the behavioral patterns of society. The ISIS has a distinctive and effective media strategy called Jihad 3.0. that makes use of Islamic symbols and rhetoric to make Jihadism attractive to youths. It is something like pop Jihadism. The Al Qaida has also created Jihad Cloud and it is using new media for requirement radicalization of young minds and reaching out to a larger audience.

The hierarchical structures and traditional modules of influence are being challenged. Governments are coming under pressure to take action based on trending patterns in social media. So whether leaders or newspaper channels take clues form social media to set the stories. So the narratives are being set by trending patterns, in addition to all others. It doesn't mean that everything else is redundant. But here you have to take account.

This does not mean that all this is negative. There are positive impacts too. You would recall that the hash tag brings back our girls on twitter. It forces international leaders to take notice of girls who are kidnapped by Bokoharam in Nigeria. Our honorable Prime Minister uses cyberspace very effectively to communicate. Our External Affair Minister uses it to reach out the people in standard zones. Social media is also effectively used in Chennai flood relief and the evacuation mission. Another fact is that revolution in military affair and processions of weapons guided by integrated commander controls.

Everything is absolutely transparent now. Surveillance reconnaissance, focused logistic and intelligence's intelligent. So I mean across the border, everything is impacted by information and communication technology. The related field that is now gaining ground is the development of lethal autonomous weapon system. They can search for the targets, assess defensive capabilities and choose the best option to attack.

Even more, cyber security is now becoming left learning because of artificial intelligence. The cognitive algorithms constantly learn and adapt to new sets of malware and attack. Behaviors are also likely to be affected in this cyber security domain.

This also raises a lot of ethical and legal issues. For example whether autonomous platform can replace human and what would be the impact on high level decisions. Even machines and artificial intelligence take the decisions. If intelligent machine violate international laws, what would be the impact?

Another very important point I would like to raise is the question of the impact of technology of the jobs of people working in the national security community. We know the Trump and Brexit phenomena. Job opportunities declined as everything got automated. Technology has impacts on jobs and on the world's economic forum. One of the conclusions they came was 65% of children who are starting primary school today will end up doing jobs that do not exist today. So I mean future training needs are impacted.

One important form of the security perspective is the dark net or deep wave. This is the invisible domain in the Internet where such engines cannot be reached. So this is being exploited from various activities including drugs and you know everything is available in the darkness. Transaction in the dark net also settled in crypto currency. I think national security agencies have to learn to adapt the new methods to deal with the challenges posed by the development and at the same time government have to exploit ICTs for development. Getting this balance is very important. Second is the issue of coordination. Public private partnership having cyber security products are very, very important.

Thank you.



Shri Abhinav Dahal

Thank you chairperson. I really feel honor to be here.

As Mr. Thakur has shared before, computers, including mobile devices and Internet have become integral parts of our lives now a day. It is quite difficult to pass even a single day without using them, be it for taking photos or for online banking or for ordering goods online or sending an important email. And when there is use, people have the tendency to misuse them as well. It is this unlawful use of computers and Internet we call cybercrime.

Unauthorized access to other's computer or internet resources such as email or stored information is called hacking. It is a cybercrime. Using someone else's identity online, termed as identity theft is also a cybercrime. There are more types of cybercrimes than one can count using fingers in both hands.

If you up scale cybercrime to threaten, for instance, destroy online banking infrastructures so that people cannot withdraw their money or take control of nuclear facilities or deny communication by taking control of satellites, for severe disruption and wide spread fear, it is called cyber terrorism.

Cybercrime and cyber terrorism are very real in today's context. They are very likely to happen if not today, tomorrow; if not tomorrow then day after tomorrow; if not this month, next month. In cyber space there is no such thing as absolute security. A system no matter how protected it is today will be compromised someday. There is always someone smarter than you in cyber space.

There are several examples of cybercrime both in Nepal and in India. Banking sectors in both the countries have been targeted with millions of people losing their debit card details (<https://www.mirror.co.uk/money/5-million-people-cancelled-credit-11597313>). Thousands of websites have been hacked; millions of data have been lost. In March 2017, in Nepal, ATM card fraud racket was nabbed. It was found that more than 11 million rupees had been withdrawn.

Last October in India, around 3.2 million debit cards of various banks were compromised through what has been described as “the first major successful attack on a crucial infrastructure in India” (<https://www.bankinfosecurity.com/32-million-indian-debit-cards-at-risk-a-9471>). Many high profile government websites in both countries have been hacked. Few days’ back Indian hackers leaked data of 1.7 million users of Snap chat app.

This proves that there are vulnerabilities both sides. For India it is extremely important that these vulnerabilities are identified and appropriate measures are taken to mitigate any chances of them ever being exploited, especially when India is moving forward with the vision of digital India. For Nepal, it is equally important that we identify our vulnerabilities since we will also be shifting to digital infrastructure in the near future. A person from Kathmandu can withdraw money from ATMs in Delhi and a person from Delhi can withdraw money from ATMs in Kathmandu. So we do share financial infrastructures. But the same infrastructures built to help people from both countries can be exploited. Kathmandu may have a secure system but the ones in Delhi may not be very secure or vice versa. One system should not provide a gateway for misusing another system.

By now we have to realize that the next terror attack may not come by crossing geographical borders. The next war may not be fought at Ladakh or at Nalapani. After land, sea, air and space, warfare has entered a fifth domain: cyberspace.

In old days, wars were fought traditionally, either from land, sea, air or space with guns and ammunitions, missiles were fired but now an individual or an individual can wage war with just the use of a computer, sipping a cup of coffee in his/her bedroom.

Cyber warfare is the art and science of fighting without actually fighting, defeating an opponent without spilling their blood. Luckily, Nepal and India do not have that enmity. There are only few cases of trans-border cybercrimes where individuals of both countries are involved but these are not backed by either state.

Recently, there was news that the US presidential election was rigged by Russia, favoring Donald Trump. Similar, news came up with the Uttar Pradesh legislative assembly election conducted from February to March that the electronic voting machines were hacked favoring Bharatiya Janata Party (BJP). None of the claims can be proven at the moment but imagine for a moment if it were true. Imagine the level of control that cyberspace gives.

It is interesting to note that Nepal and India both started using the Internet from almost the same time for public domain. After 22 years there are significant visible differences. Nepal ranks at 94th place in Cyber Security Index whereas India ranks at 23th. (Source: https://www.itu.int/dms_pub/itu-d/opb/str/D-STR-GCI.01-2017-PDF-E.pdf). So, we have a lot that we can learn from the Indian side. India has better IT infrastructure and has been experimenting with new technologies that few years down the line we will implement as well. And given the closeness that we have in our relationship, it seems redundant that we go through the same difficulties that the Indian side has already gone through. Some level of knowledge sharing has to be there, with interested individuals or organizations and not just at government level so that our infrastructure won't be used against you and vice versa.

Cyber security is a proactive process, something one has to prepare in advance. If we are reactive, then significant, irreversible damage may already have happened. So, it makes sense to have a hand that can be used to help you, no matter how small it is than to have a hand that can be used to slap you.

Thank you.



Shri Sharad Singh Negi

As I am a forester and an environmentalist, I would like to take this opportunity to highlight some issues, some environmental security related issues which we are facing in this region, not only by India and Nepal but by the entire Himalayan nations. We are just beginning to revise the importance of the issue concerning the environmental security. We talk a lot about various other forms of security but this is the time we should also talk about environmental security. The Himalayan region is very important for the lives of people living there. There are two important roles which the Himalayan region could play.

First of all, it has a moderating impact of the climate that the Himalayas not being good for cold wind coming to south Asia through the Central Asia. They also play very important role in bringing about the rainfall. The monsoon which occurs in this region is essentially because of the Himalayas.

Of course the forest, the pastures and the vegetation in this region help us in preventing a lot of natural disasters, preventing floods and other disasters. So it is the time we should think about across border and think about security concerns of the Himalayas.

Especially after the Paris accord, talking about the climate change, both our countries need certain commitments. Regarding climate change issues especially the countries need to be monitored.

We are monitoring in India of few glaciers. The air pollution, on the same way, coming out from our agricultural fields and burning of the agricultural waste and from the vehicles is creating environmental threat. Air pollution has no boundaries so that it can affect wide area. The increasing temperature due to pollution is beginning to melt the glaciers in Nepal as well as in Indian region.

Another issue is the human animal conflict. I was, a few months ago, in the border of Nepal and west Bengal. There were some cases where elephants from India crossed over to Nepal. The local forest officials in Nepal had erected fences. There was electric current over the fence so that the elephants could not cross the border so that they came back to Indian Territory causing lots of havoc in the fields of farmers in the village. We had also other situations where elephants from West Bengal went to Bangladesh. So we sent our team to get them back. So these are the situations day to day people are facing. Therefore, we are beginning to work together on this very issue. I also want to raise this issue amongst this august gathering. Let's also bring such issue when talking about security related issues. Let's also begin to talk about environmental security which is intensely affecting the lives of people in border regions.

Thank you.



Shri Meghraj Pokhrel

Thank you, Mr. Chair. I am thankful to organizing team from both the countries for giving me this opportunity to express my views on behalf of Nepali lawyers representing Nepal.

I think today we are not talking about shared emotions neither is we talking about religious matters. We are not even talking about socio-cultural aspects. Rather we are talking about cyberspace and the crimes taking place in the virtual world. It is not the physical crime that happens to men or women while crossing the border rather it takes place in the virtual world where a person sitting in Kathmandu or New Delhi can cause a lot of damage. They can bring disaster just sitting in the dark room using targets and images, mobiles and so on.

In this aspect I, as a lawyer, would like to highlight that this is really a difficult task to print such crimes under the shape of law. It is really a difficult task because when we talk about law, we must adopt objective ground or the ground that can be addressed objectively. We are talking about cybercrime so it is really difficult to confine within the borders. That's why it is really the challenging task to deal with. In order to address this issue, Nepal introduced one cyber act 'Electronic Transaction Act 2008'.

The act includes extra territorial jurisdiction. We have general provision under this law. The act of hacking, deleting data, stealing e-documents, software piracy, poisoning information, involving

criminal sanctions are the basic features that are covered by this act. These are the predicate crimes we all know.

Since internet defies geographical boundaries national laws are not always enough to control cybercrimes. To my understanding, in fact the Internet exists its own sovereign nation. So, on the basis of this approach we have to develop any kind of legal instruments that helps our bilateral and multilateral issues.

Regarding the issue of right to privacy, my previous colleague highlighted, there is one case in Supreme Court of India with respect to the power to government and the privacy of people or privacy right. One recent case settled by the Supreme Court of Nepal is the use of frequency tracking from the details of messages and telephones. Such tracking is prohibited until and unless the appropriate work gives prior approval. The privacy is respected there. So we are awaiting the decision of the Supreme Court of India.

In respect to Indo-Nepal cyber space, a gentleman from India was suggesting me that they have tremendously developed the IT sector in India and are sharing information to other countries. In Nepal information service is very frequent. So we need to have bilateral arrangement supporting Nepal and at the same time we need to develop modernized law in order to take full advantage of technology improvements. That is happening in India.

There are two aspects that we need to address bilaterally. One is terrorist recruitment used in techno-space. So we might be aware of the fact that staying in Kathmandu, some ISIS may destroy Kathmandu, Kolkata, New Delhi or other places. In our bilateral concern, we need to think of that aspect as well. The second is the vulnerability of security related to the IT infrastructure coming to power plants, destroying power plants. Electronic plants, infrastructure system, computer system of government and major multilateral companies could be the targets of cybercriminals. The challenge is to develop the adequate safety mechanisms to overcome such potential threats.

Therefore, if we come together and address a few legal instruments, we can definitely face such problems and come to the rule of law. In conclusion I would like to suggest this august gathering that let's develop bilateral IT law. The second is, as my colleague Prakash Bahadur KC yesterday referred, the situation that the people committing crime in Nepal and convicted by the court system of law, they hide there in India, and vice versa. People convicted by the court of India come to Nepal and hide. So we need to definitely address this situation, some arrangements there. Now I would conclude with the statement of Hindu philosophy, "Matsya Nyaya", that means if we don't make strong laws to control crimes, the society and countries would dissemble to devil's workshop where bigger one always suppress the smaller one finally leading towards the state of fish-hood rather than logical law.

Thank you.

Question-Answer and Comments

- Dinesh** My name is Dinesh and I am a police officer. The paper presented here are really very creative. But I wish somebody could have highlighted the process of investigating cybercrimes. It is a very critical task in fact. For example, we have problems with blackberry and the authorities in Singapore and in America would refuse to share the data as they have their own laws. Fortunately, it has not been operating anymore. We are talking about the cyberspace. Here challenges are massive but more complicated is the investigation part of it. Few years back, we had an American company called Baaji.com. Anonymous things used to be in it. For this, the CEO who was resident of US was not responsible for that. I was looking for some sort of solution for this sort of investigating pattern and the protocol between the two countries. It needs to be organized in much more massive ways and should coordinate with other countries that are already into it.
- Haribansh Jha** My question is to Brahmanand Thakur. It is that we had a survey and the survey reports that only one percent of people from the Terai region use Internet, whereas in the national level it is 24%. So what is the main reason behind people of the Terai not using internet? Is it because they deny using it?
- Brahmanand Thakur** Well I would not prefer to preview the individual motif. But with the flow of cellular phones in Nepal, most of the internet users are via cell phones, not broadband fix internet. You will be surprised that the people in my village in Madhes, who are migrant workers or laborers; incidentally they are fifty percent of the 1500 people who go abroad every day from Nepal. They come back with Ncell SIM and activate Facebook. They are the most active people on Facebook and right now when there seems to be same sort of polarization in Nepalese society with regard to Madhes issue. People of Madhes are very active on social Media; Facebook, twitter.

One reason why, as you said that there are less Internet users is because of the overall development of the Terai belt. The infrastructure has not been built to provide Broadband internet access in most of these places. In my village also, there is no cell phone tower of the government owned mobile telecom company, Nepal Telecom. They cite security reasons of being too close to the border. This might be the one reason for there is less connectivity in the Madhes region.

Ranjit Rae

It has been a fascinating session. I have two questions. I was wondering if the wars of future will be very different from the wars that we know from the past and the present.

The second question is when I traveled to the border areas between India and Nepal, on the Indian side; I heard a lot of complaints. The people said that we don't allow communication towers to come up within a certain distance from the border. Most of the Indians residing in districts close to the border are using Nepali SIM cards. So I don't know if somebody can enlighten me in this issue.

Question

We are talking about cyber space which is even used for war and committing crimes. But there are large numbers of areas both in Nepal and in India. My concern is that why can't two countries through this forum recommend to their respective governments for connectivity of the towers. Whenever I used to be in Dharchula side, I would use Nepali side connection to talk to my own people. So I think there is a mindset problem here. Here we are talking about cyber space which is used for cybercrimes. My question is that why the cyber space are not been allowed to large number of people on either side of the border?

Question

My question is to Shri Sharad Singh Negi regarding the environmental climate change. I think, due to global warming, temperature in Nepal and India is increasing with the rate of 0.2 centigrade per year.

It has melted the glacier of the Himalayas. For example, Khumbu glacier has a faster movement since last ten years. The snow of Mount Everest is melting and the covered stones are naked now. Some of the scholars say that industries from Tibetan China area and India are emitting a lot of smoke. That's why the temperature is increasing. So what can be done to cope with it?

Akshya Joshi

The investigation of cybercrime is mentioned. So one of the problems in cyber world when you deal with cybercrimes' attributions, how do you attribute to? I would like to show you that a lot of initiatives have been taken. I will mention a few to you. The CBI deals with cybercrime as you already know. Here are also contact points with INTERPOL. The INTERPOL has got a very good network. They are very shabby on cybercrime issues.

National cybercrime center will be coming up in the ministry of home affairs. The national critical information protection center is being set up again. I think most important point that the public private partnership module for training of professionals has taken route. There is a public private partnership which is coordinated in our office. You will be happy to know that the data security council of India, a private institution, is training law enforcement officers on cyber skills. The Government of India has a policy to train 500,000 cyber security professionals in the next five years. So I mean these are some steps being taken.

Ambassador Rae's question is very valid about future war. We can observe how the military doctrines are changing. That gives an indication how countries are thinking about future wars. For example, the US national security strategy of 2015 is explicit on the matters of responding to a cyber-attack by other men. I mean this is a question of law as well. If your power grids are hit, how do

you react to a war of this magnitude? You are not physically dropping a bomb but the effect is almost of the same intensity. So if the effect is the same, how can you respond? So militaries are already thinking about it. But I think in future wars; one is a cyber-domain. Methods of wars based on information communication technologies are the concerns of the revolution in military affairs such as dropping of bombs with greater accuracy guided by the information processing with computers. The intelligent computers are doing data analysis of back end. Everything is better connected with the system of systems. That is the effect I mean the whole acronym effect explained. It is bringing many different surveillance commands, control everything together. Information technology is enabling all this sort of technique. So I think that is how future wars are changing.

Prakash Bdr. Basnyat

Thank you! Now let me conclude it. Hi-tech has increased efficiency as well as overlapped boundaries between India and Nepal and exposed to cyber crimes. Danger lies in the misuse of cyber experts working for so-called criminals and terrorists. Why I am saying so? When I was in Near East South Asian Countries Seminar {NESA} training in the USA in 2005, I asked the experts about definition of terrorism. They were dumbstruck as terrorists for some are freedom fighters while for others they are terrorists. So you do not have formula to handle them. This is a jigsaw puzzle and so far nobody is able to resolve. Anyway, India and Nepal, as we know, we are living together since ancient time; now we need to have some kind of policies, laws or team working so that we could safeguard our people well. So I want to conclude this presentation here and I would like to thank the Antar-Rashtriya Sahayog Parishad and the Neeti Anusandhan Pratishthan, Nepal for giving me this opportunity to share ideas in this forum. Thank you.

Technical Session – VI
Welfare of Indo-Nepal Citizens-
A bilateral Concern
(Problems and Solutions)



Ambassador Shashank

I welcome you all to this penultimate session, last technical session were our extremely well attended conference. I am sure now after discussing all kinds of crimes and criminalities, we have come to the most important i.e., welfare concerns of citizens of both the countries India and Nepal. We have started it earlier giving some extra time to some of the participants who might like to share their thoughts with us. So I am referring specifically to Shri Bhagat Singh Khusiyariji, who would like to join us during the session.

Firstly I would like to request Shri Madhu Raman Acharyaji, the former foreign secretary, the Government of Nepal, to start his presentation.

Thank you.



Ambassador Madhu Raman Acharya

Thank you, Chair, Shri Shashankji and distinguished participants. It looks like our fate is destined together. We are coming together all the time regardless of the fact that we were at the same time the counterpart long ago and again we are together. We have discussed different points on our bilateral relations like security matters. We have discussed border issues, cyber security and we have also discussed demographic and security related issues on our relation.

Now it comes down to how it matters to people? I mean to say that the ordinary common people on both sides. We say that we have excellent relations. We have age old ties. But the taste of good relation matters is reflected on the way we treat to each other or what benefit they get from the exemplary good bilateral relations. So it comes down to the benefit or the welfare of the citizens of both the countries and how the people enjoy it out of our excellent relations.

So I will begin quoting distinguished ambassador Ranjit Rae who once said, that “our people to people relations are stronger than our government to government relations”. That is also true in the sense that our governments can make mistakes while the people don’t. If governments make mistakes, the people will correct because the strong basis, the foundation of our relation lies on the people to people contact. Therefore, how we enhance people to people relation depends on how we distribute the fruit of our best bilateral relations to our people on both sides. That seems to be the main subject because

we used to talk a lot of things about our connectivity, old ties along with ethnic composition and *roti-beti* relation. Sometimes I feel that the *roti-beti* relation is a bit undermining our relation like *Chhoti-Moti* relation. Our relation is bigger than that. Our relations are civilization and anchored by our origins, culture and togetherness. We are destined together by so many things such as by nature, geography, culture, economy and everything that are guiding us together. This, in a sense, sometime talking about *roti-beti* relation on the two sides of border; it is reducing the importance of our relation. This is my personal opinion.

Here I must say that somehow the citizen's welfare is among the most neglected issue though it is the most important. Instead of being the most significant aspect of our bilateral relation, sometimes we talk about big things letting go the little things unattended and ignored. I believe it is not intentional, but we are obsessed with so many other big things, security, politics and others.

Now I want to start addressing this problem identifying some of the challenges in these areas. First of all, the absence of the reliable data is one. We don't have reliable data as to how many Nepalese are in India and vice versa. If you look at the official statistics, the discrepancy between the censuses is huge and so not reliable. For example, the 2011 census of India says 571,000 Nepalese are in India whereas Nepal's 2011 census says 720,000 Nepalese are living in India. So there is a discrepancy of more than two hundred thousand people even not considering the unofficial estimates which I heard from General Mehta who mentioned that 5-7 million Nepalese are in India. This doesn't include obviously Nepalese-Indians who are living here. We have a separate plight for their identity just as we have to address the plight of Madhesis in Nepal in the political and other discourses.

Similarly I was given a book by General Thapa about Gurkha Identity which also reflects the kind of bond the two countries have and one used to respect another in the country of each other. So here, the main challenge is the census data comes in ten years. It is based on the just single time data in ten years. What would have been real time data about number of people living in each other's country? We don't have system because of our open border. Free movement of people is

allowed in our age old relation and through our frameworks. So what can be done in this regard? Do we need that kind of information? Today we just discussed technology and that reminded me that India is the brain for IT in the world. So I believe that India can give a solution in such issues including cybercrime and others. We know many apps and Internet related programs come from the West and I think there is even Indian mind behind. Looking at the question of border management if we can find some mechanisms to have record of people moving across the border, without undermining the traditional freedoms enjoyed by the people, here also some IT related solutions can be applied. I am not speaking for the strict border restriction, but some kind of data management should be there. Before that two governments at least should reconcile their figures as the data are not clear. For example here also on Indian embassy's website, it is mentioned that 600,000 Indians are in Nepal. Again unofficial figures or statistics are very higher. So this need to be reconciled so that it would enable the good judgment of our relation as good judgment should be on objective manner. That's why objective judgment can be possible only when we know how many people are on either side. This might be the one challenge of our border management and it is also a part of IT solution.

Second is the human face of our relation. Somebody asked me in the morning that if we are talking about security, why not to talk about human security. I think we have ignored the human side and the consequences that we have created. It was mentioned yesterday that in Kanchanpur incident a Nepali citizen was killed by shooting. It remains to be investigated. Here this brings up the questions that unresolved border and processes of handling disputes is weak. It brings the security problems. So that it must be addressed as it involves the humanitarian plight. People have their canals, fields and so on. They move there and make construction. There are certain principles that we have agreed bilaterally that the construction on either side should be made through prior consultation. If there is any dispute, it should be resolved through local and diplomatic mechanisms. Shooting comes as the last result. So we are undermining the humanitarian plight in this case. So this needs to be changed. Here the role of the

local consultative mechanism needs to be broader and active.

This also brings us the questions of compensation to the victims. There may be other side of investigation and those who are responsible need to be brought into the law. But sometimes in our bilateral issues, the people are forgotten. In Koshi incident, for example, the embankment of Koshi was broken in 2008. So many people were displaced in India and in Nepal as well. So it created a lot of big problems creating big humanitarian plight and suffering. Similar issues also might arise when we have bigger projects in execution such as the Pancheshwar and the Koshi High Dam. These projects are there but we don't want to end up in a situation where the people's plights are neglected. It also becomes the matter of political opposition and the issue of compensation. So this must be addressed. The social cost, social human side of the projects must be addressed in these projects beforehand so that it doesn't become a bilateral issue just for the interest of either side.

Nepal and India have such a good relation. The sentiments of the both sides got invoked and we, in case of problems and dangers, support each other. During the earthquake, it was mentioned Operation Maitri where India helped a lot. Without India's help, it wouldn't have been possible to address the big humanitarian crisis that we faced just after the earthquake. We from Nepal side are thankful for that. However, just few months after that, there was a blockade on the Indo-Nepal border and Nepal and India were unable to solve for five long months. It actually increased the humanitarian crisis. There was shortage of medicine, shortage of fuel. People were unable to do their business. In fact, the blockade hit our economy to the worst and growth rate remained the lowest ever. Let's talk about Birjung, one of the most important economic hubs in the Madhes, it was hardly hit. If we are sensitive to our humanitarian plights, this should not have happened. This should be looked after and we should come to the point that such kind of incidents won't be repeated in future just for our mutual interests.

The third point I want to talk is that we have the arrangement for national treatment. In our 1950's treaty has the provision for the equal treatment of the people of both countries as in terms of movement,

buying property and doing business and others. Therefore, that matter has been enjoyed as a privilege. But this also brings the question of unfair competition. So our eminent persons group who are working on this issue should not take this as something to derail the process. Actually, whatever benefits the people on two sides are getting are better for both countries. This is not something to be curtailed. Later in the treaty, it was mentioned that the Nepal side can take same measure to prevent unfair competition. That can be somehow built in treaty itself.

Again I mentioned the Eminent Persons' Group (EPG) process has certain drawbacks on its own. So it cannot complete without the exercise like this coming into in term of such issues. These national treatment clauses with regard to legal application would be the legal position of each other citizen. There are other issues of like, as I mentioned earlier, the treatment the people receive in each other's country. I have gathered some points just for the reference. It may not be exhaustive list. What are reported types of cases for example Nepalese faces in India? First of all, they are asked for the document of identification. Our treaties allow people to move each other's country freely without carrying any identification. But in case of employment or work, conditions, they need to produce certain identification. That creates the problem because people don't carry identification documents all the time. Sometimes they are asked for character verification. Police character is good for security. So it is required. But that is very difficult to achieve. So imposing such difficult condition is not good. Sometime, they face discrimination in term of wage rate even for hazardous work.

Furthermore, there is also the problem of remittance. While sending the remit, they also face some problems. As the system of banking is not efficient, informal channels are still working there.

Another important issue I must raise is that India and Nepal have not resolved the problem created by demonetization yet. Several months have gone. Almost the matter is forgotten. India and Nepal haven't agreed on the matter of the currencies that Nepalese are holding. Indian currency in Nepal is easily convertible. Many Nepali people do business in India and in border side. People in Nepal have

Indian currencies that they legally earned. What will happen to that? If we forget this kind of things, how can we say that we are serious about the human plight? This has to do with day to day informal and small businesses. People are still talking on this matter. But this has been long and still not resolved. Those who are smart managed to send their money across the border and exchanged them. I know a friend of mine who questioned me that he had 20000. He asked for my help if I could send that money to the embassy where my brother-in-law is an ambassador. Rather I suggested him that he should give it to somebody near the border so that they would change it. Then he did it actually. This is how our things work. Therefore, we need to find solutions on the issues like this.

There is, on the same way, an issue of human trafficking that we discussed yesterday. Now here comes, I think the ambassador and other mentioned yesterday, the role of bordering states. After Honorable Prime Minister Shri Narendra Modi visited Nepal, SSB put the big photo of Prime Minister Modi shaking hands with Prime Minister Sushil Koirala and they were trying to be nice with the people crossing the border. For so many days it felt as if it was really nice to see how people are treated by security customs, immigration officials and others. This kind of things can change a lot. This makes people feel comfortable. On the same way, I think public point is also important.

The role of state government is equally important as their little bit favorable treatment would make the sentiments of respective country feel good. We have lots of organizations; Nepali organization here and Indian organizations in Nepal. In this regard, I must say that the Indian welfare organizations including for the Gurkhas and other are doing better as Nepal government is also supporting them. But sometimes our welfare organizations in India are more politically oriented rather than welfare oriented. So we should encourage and focus them to do the welfare of the citizens.

Finally, we don't have consulates in many places like in Deharadoun, Mumbai and others. So, sometimes this needs to be looked from that angle that if India has consulate in Birjung then why can't we have consulate in Mumbai? When President Pranab

Mukherjee visited Nepal, he said he wished Nepal to be the part of India's growth story and Nepal to take benefit of India's big economic growth. So how can we do that? Without distribution the India's economic growth or without being integrated into that process, we cannot really take benefit from this relation. So it is proved that India is growing nearly at 7% growth rate for more than a decade. It is certain that there is no automatic spillover. If there were automatic spillovers, Nepal would have been growing at that rate already. So we have to make proactive engagement. We have to make some efforts, for integration and for establishing backward and forward linkages entering into India's supply chain. We are told at the beginning that Nepal is a yam in-between two giant stones or boulders. So we have to penetrate these boulders economically. That is how the benefit from India can be taken and Nepal can be the part of India's growth story. Because our destiny, our future as south Asian are interlinked so we cannot be a leader in economic separation. Therefore, we need to work together on getting better economic integration.

Now I would like to end up with just one point. Talking about the diplomacy and security, we are more state-centric. Then how can we engage welfare organizations, civil societies and think tanks in citizen's welfare only by being state-centric? So we should focus on that as well. Even concerning about public diplomacy, India has very extensive public diplomacy programs, cultural relations etc. They bring so many cultural troupes here and there where we are trying to copy it. So it should be focused on citizen-centered or citizen diplomacy. Because in this area we have not even achieved what we really deserve yet. The fruit of our relation should go to our people.

Now I would like to conclude with a few points. I would like to just acknowledge Shri Bhagat Singh Khusiyariji who is working on EPG. I am glad that this seminar and EPG as they were to some extent disconnected has got a bridge to connect as Khusiyariji is here. So I believe that he will have some of the issues from here in the EPG process.

Thank you very much.



Shri Ramesh Kumar Bhandari

Thank you! Respected chair and other distinguished guests. I don't take much time. Our former secretary Shri Madhu Raman Acharya explained very deeply about India Nepal relation. I just venture to some points, very short points, may be five-six points.

First of all, no doubt, we have cordial relationship between Nepal and India in the people's level. I am doubtful if there is cordial relationship in political level or bureaucratic level. I can say about it. But it is sure that in people level there is very excellent relation. That's why through such forums we need to put pressure to both sides either Nepal or India, to regain good position at political level.

Second point we have already discussed was the issue of migration. We also talked about demographic changes. Migration issue is one of the important issues between Nepal and India. I say migration is a dynamic issue. It can't contribute to the development and prosperity for both the nations. Third point is that our relation is based on love and suspicion. We do love each other and still there is always suspicion. Why? We request for the distinguished personalities, why? It must be clear.

Next point, we agree on the relation between elder brother and younger brother. We have our own dignity and sovereignty. There is also a wall between houses of brothers. There is also barrier, psychological barrier. Sometimes we feel that Indian side undermines

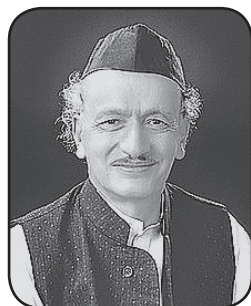
our policies. I request not to do so because we don't allow using our soil against the neighbors. We want to give assurance for that. Sometimes the questions are raised regarding ISIS. It is rumored saying they penetrate to the Terai region. That is our concern. We try to have our strict vigilance and that is in top priority. We can't seek the help of Indian side.

Finally I would like to propose my own proposal because I, as intelligent personnel, would like to propose two intelligence alliances between Nepal and India. Previous speaker mentioned their opinions that everything we could solve with intelligence coordination and intelligence sharing. We can reduce and minimize the misunderstandings with the help of intelligence organizations. Even we can convince our bureaucracies and political leaders via them. One thing that our previous speakers mentioned about discrepancy in the data, the actual data are different from official data of the respected country. According to World Bank (2009), it is reported that there are 867,000 Nepalese in India. But this data is not accurate as I said before.

We are also talking about the welfare of citizens both in Nepal and in India. Some of the problems we have heard that Nepali workers are working here. They have some problems. I want to request the Indian side to facilitate them as far as possible. As we know that they don't have any kind of insurance. In case if they got into any injuries and problems, there is not any sort of insurance. On the same way, the other problem is that they can't open bank accounts and can't secure their money. If they go to Nepal, they face many problems on the way. Some of them are being looted due to lack of security. These are very serious problems that I mentioned here. That's why I request the Indian side to revisit this issue.

Finally, I want to emphasize again that it would be better if we form two intelligence alliances at central and local levels. We can make this kind of mechanisms to reduce and eliminate all kinds of misunderstandings between our intimate and close relationship of brotherhood.

Thank you so much.



Honorable Shri Bhagat Singh Khusiyari

Initially, I would like to thank the Antar-Rashtriya Sahayog Parishad-Bharat and the Neeti Anusandhan Pratishthan, Nepal.

As I belong to Nepal's boarder and due to my long stay there, I have such an intimate relations with the people of Nepal that it is very hard to reckon the differences. Sometimes, when I talk with the people from Darchula or Baitadi, they in a joking manner say that "Sardar, annex us too with you". We can understand from this that how much affection we have between us. This might be because of the fact that there are sufficient amenities on Indian side and there are leased facilities on Nepal side. The road has reached up to Darchula though with much more difficulties. Let's not talk about Bajhura. The country, the territory where I live, there on Indian side, it has progressed and has every facility.

Talking about telephone, even in this time of 21st century i.e., in 2017, sometimes it is very hard to get mobile phones or telephones. So the people must go across the border only to get the telephone service. So the people of Darchula keep two SIMs. It was my government who, for the first time, erected the towers on our area. But still some people argue that towers shouldn't be set up and information should not be exchanged. But Khusiyari Sahab is worried that there is not even a tower. Therefore, if we see all these things from the perspective of a friend, we know that what will happen.

Whatever you people discussed yesterday was very technical. On that topic, our leaders and Shumsher Rana can speak. Our people from Border Security Force (BSF) can also put forward their views.

I won't speak much on that. Coincidentally, I came here and I got my topic according to my preference: Welfare of Indo-Nepal Citizens: A Bilateral Concern. This is a coincidence of coincidences.

As far as I am concerned, we are doing very important task. What I listened to in yesterday's session from you made me really enlightened. I, in fact, felt wonderful. You expressed your opinions in three manners; frankly, fearlessly and friendly. I believe that Deepakji's endeavor to consolidate all these in order to carry out things is, indeed better than any research works ever. You are doing big a lot as well as good. However, it is a kind of unofficial program. We are not only here to discuss or for deception and to resolve the prevailing problems. The way unofficially we have gathered here not only simply as academicians, our motto behind this gathering is to further boost up and strengthen the Nepal-Bharat relation.

I, sometimes, hear from some people that there are huge differences in emotions or we should not make it simply emotional. I think emotion is not the matter. I believe that we should be emotional but we shouldn't be utopian. We people are not utopian. Discussing the imaginary things which is not possible or which doesn't have any things to do with society is not good at all. But without emotions we should not live. It is the emotion that brings us together. But those emotions are shattered and separated. So we should bridge it.

From the very first day, I was thinking that we should never think ourselves as small brother and big brother not even as elder and younger brother. Rather we should think ourselves as twin brothers.

Once I was in Nepal and our General Sahab was also with me on that meeting. There I said that the day when the flow of Ganga or Yamuna spouted from the Himalayas, the same day Karnali, Kali or Koshi had also gushed simultaneously. These all rivers are flowing together and flowing towards the Ganga Sagar. What I am saying is that finally our relation, apart from the academics or field problems which are the different sectors and these must be studied, you people should opine on that, is internal relation which is deeply connected via geography, culture and so on. This relation must be further strengthened. Therefore, I speak this time and again. I put forward this view in every meeting. I speak this in India and in Nepal as well.

In 2014, a huge political dispensation was changed in India. The Prime Minister of one country said that Yoga must be increased and

popularized. Immediately, 171 countries from all around the globe supported the idea and said the idea to be very genuine. I heard that those people have started to do yoga more than the people do here. This means that Nepal and India have the great portion of contribution for the welfare of the whole universe. We regard this as the common property of our two countries. Whatever the shared assets we have, the yoga is the one. I think all these are deeply rooted with one another.

Now, we have some very diminutive problems and let me tell the reasons behind them. Sometimes, as we know that, media is free and powerful, I can confidently express myself that in-between Nepal and Hindustan, there needs to be defense border. Once, somebody was suggesting me that there should be fencing. Then what I replied is that if there is fencing, what is the point in holding defending? There should be either fencing or defending. These two things could not go together. If defense forces are there then why do we need fence there? Fencing is simply for defending. Our relation with Pakistan is different and we understand reason behind fencing there. But with Nepal, just putting a stone in-between works enough sufficient. Sometimes people complain that "Sahab, Dashgaja is being shifted here and there." Then I use to say that it is just the Dashgaja that is being shifted, not other. It is not a great matter. Why do you spread rumor over nonsense things? In addition, our landscape is not like that of Tibet and India which I saw while observing there which is also called as no man's land. Even in such no man's land, the people move here and there sometimes.

We have gathered here for the internal friendship of Bharat and Nepal. We people understand that, suppose a man is misbehaved for no crime and if somebody is killed, it is all right that there may be strike because we are in democracy and we know that this all happen in a democracy. It must indeed happen. There is no any problem for this. But it is the media and we make it a great issue. It does not in fact solve the problem. These all things should be cleared up from the very bottom. If we profoundly think on this matter from both sides, the problems come to be resolved.

I am very thankful to the Nepal Police that they use to cooperate in very good manner. If a man is caught and if in fact he is not supposed to be guilty, or if they have very insignificant mistakes, I speak with the Nepal Police for their release. I don't speak for wrong deeds. I always say that if evidence is correct you execute it. If so I don't give any pressure.

Despite the fact that we have such a spectacular relation, again media magnifies even petty and insignificant issues. Due to the media today, Hindustan, Nepal, America and even Britain or whichever the country it is, if any tiny incident takes place anywhere, a heavy rumor is created. Media projects the same thing time and again.

Now I would like to say how one seemingly tiny and insignificant thing irritates the people of one country or other. When our people of India were helping the people of Nepal, the Indian media were reporting as though Nepali people were not doing anything but Indians did everything. It is our perception. It depends on which angle you see. Therefore, we need to minimize this trend and think about how to solve the problem in order to get better relations. We all intellectual people here if we work and move towards this direction together, I don't think that the relation we have, sometimes the people perceive it as being worsened, will be further strengthened.

Now let me turn towards EPG. In Nepal, the first conference of the EPG was conducted. We were thinking that the confidentiality of the EPG must not be out. It must be secret. Then when it is concluded and after the report being submitted to the respective governments, we say that we gave the recommendation. But what exactly happens is the level of curiosity of media increases. I questioned media that what you know about 1950 Treaty? The people of media don't know about 1950 Treaty. However, they make great scream and rumor saying 1950...50...50.. We know that renowned people are in the EPG. All the delegates from Nepal are renowned persons. What I propose you is that you people also give your valuable advice over this matter. We four persons from each country had meeting. We can understand everything only when we inquire about customers, traders and others. Nothing happens from rumors and screams. Therefore, I want to appeal you that you from both sides should also work on this direction.

Media always projects misinterpretations. The intellectuals of Hindustan have to fear from media all the time. All the time they say Indian origin Nepali-Madhesi. What does it mean? Was Buddha Indian origin Nepali? What does it mean by Sita Indian origin Nepali? Bhagat Singh Khusiyari initially moved from Ayodhya to Nepal and finally Nepal to the Himalayas. Then am I Nepali origin Indian?

In addition to this, I would like to request my government and the government of Nepal too that if our cultural troops, I am not talking

about army troops, keep on moving from one country to other, this would be the most wonderful thing. Once I was in Delhi. The children of Nepal invited me. Six people from chartered accountants were there. They said that there are 6000 students getting chartered accountant training in India. Then what does it mean? If 6000 students are doing Chartered Accountant (CA), how many students might be studying in other streams? This is absolutely a natural process. It is natural that the people of Nepal started to come to India centuries ago and they still come. If not India, where do they go? If Indian people don't go to Nepal, where do they go? Thus this is a natural process where we must even work further to strengthen our social and cultural ties. You people talked about technical aspect, yesterday. There was a very good discussion. I was thinking that I should simply keep myself listening to rather than speaking.

Therefore, our request is that through the medium of this forum, concrete message must come. I believe that insignificant and meaningless issues won't be given much priority. Our people to people relation is very much beautiful.

Today, what I would like to say is that rail must go up to the Himalayas. My government has commenced the construction of four railway tracks. In addition to it, I want to say that Kathmandu must be connected by railway and I will work for that until and I live. You people whether agree or disagree, this is my demand. I have also dreamed that Kathmandu-Pokhara rail track should also be built. Still, there is no rail in Nepal. It is not the matter of shame for Nepal. Rather it is the matter of shame for me and for India. We claim that Pashupatinath is ours, Muktinath is ours. Then how could they be ours when we don't build rail tracks there? The whole world is connected with railways, though still we are not able to take railways up to Nepal. Even in this matter if media are asked, they respond that India is interfering. Therefore, I want to assert that we should speak good things so as to develop the good atmosphere in the society.

I noticed that when EPG's meeting was being conducted, not even a single line was printed and discussed in Nepali media. However, if it is my meeting, they start to print before a week about the EPG.

We want to work for the welfare of Nepal. We don't have anything to give and take with Madhes or Pahad of Nepal. Once, a person asked "Sahab, without India, nothing happens here." What? I replied. He was in fact a media person. He said "Sahab, when we utter the name

of some Indian officer or authority person, then only something happens.” It means that these people have the confidence which a leader doesn’t. I believe that you like intellectuals, government personnel, professors, generals, brigadiers or IGs of police have that confidence and I think you can do this visionary human service for your country. I do believe that if we perform this task, no matter it may be landlocked country, but its potentiality is no less than that of Switzerland. It is better than Switzerland. When we work for welfare of Nepal along with strengthening our cultural ties, all the problems whether it is fence or defense, will be resolved. I believe that once there is stability in Nepal, this problem and the relation between Nepal and India will naturally be solved. Slowly and steadily, the stability is coming. I only pray, Pashupatinathji please give stability to Nepal so that our relations will be better further. In spite of being two countries, two sovereign countries, we have long been one people. Many times Nepali people invaded the Indian Territory and won Kumaon and others, many times Kumaon people attacked Nepal. This used to be happening. Nonetheless this won’t happen onward as we don’t have any kingdoms now.

For this, I am very much grateful to the Antar-Rashtriya Sahayog Parishad of India and its Shashankji and Deepakji from Nepal and his Neeti Anusandhan Pratishthan, Nepal. I want to welcome you all in my state. If any weaknesses are here, I want to apologize.

Thank you.

Question-Answer and Comments

Kalyan K. Timsina First of all, I would like to thank the Antar-Rashtriya Sahayog Parishad and the Neeti Anusandhan Pratishthan, Nepal for inviting me to this seminar. I feel very proud to attend this seminar.

I would like to request Mr. Chairman to allow me to speak in Hindi because I love Hindi and Hindi is similar to Nepali as both of the languages are written in Devanagari.

Language is such a thing that brings two human beings and communities closer. For instance, when Honorable Prime Minister Shri Narendra Modi went to Nepal, he spoke in Nepali for five minutes in the House. All the people who were in House were clapping. They were probably thinking that their own man is speaking. So, language is such an entity that brings each other closer. Similarly, when Shri Bhagat Singh Khusiyari, Member of Parliament goes to Nepal, he also speaks in Nepali. Therefore, I prefer to speak in Hindi here.

I have some points here, which can even be taken as suggestions for the government of India and Nepal.

Initially, we say that the relationship that exists between Nepal and India is believed to be very peculiar and quite ancient. Some people also call this relation as the relation of *roti-beti*. But I want to ask you all that what I mean by this special relation. We assume that the relation in government or official levels is worsened; however, this relation on people's level is still quite well. Almost twelve years ago, the relation in government level was also quite amazing.

We are saying that an anti-Indian sentiment has been developing among the youths of Nepal. Again we are claiming that on the people's level the relation is still intimate and good. These two ideas are contradictory. So, we need to understand that today's Nepal is not like the Nepal which was 10 or

15 years ago. The tendency of the young generation has changed. That's why, if we think the way we used to think before, I don't think that this relation would get better. In this way, the traditional perceptions on our relation that we are holding must, to some extent, be changed. You questioned the things related to the Treaty of 1950. The Treaty in 1950 might have been good; however, time has changed. In this regard also it should be changed. Otherwise, cordial relation that we are expecting wouldn't be possible.

The next point, though it may be very petty and seem insignificant, it may develop misunderstanding among the people of Nepal. Primarily, the people who use land routes in border, in order to come and go, face many problems. But the people who use airways might not be aware of it. And here I want to add that the border point of Banbasa in our border has lots of difficulties as it runs on a certain time frame. I myself appealed to Shri Bhagat Singh Khusiyari to extend this time frame. Later on, it extended to some extent. Yet that problem has not been resolved. Still people, while coming and going, feel tortured. How can it be solved?

Furthermore, while talking about special relation between Nepal and Bharat, I have very tiny issues here. For instance, if we go to Agra to visit the tourist sites, what has been written there is that the people who belong to SAARC should pay 500 rupees and 10 rupees for the people belonging to India. I had once been there myself. Whatever I am revealing is out of my own experience. I inquired there and I was told "Sir, if you go silently, then nothing happens. In case if you are inquired, certainly tensions would arise." Then I decided to pay 500 rupees rather get into any tensions. What I mean to say is, if we have very cordial relation, if Nepal and Bharat have a very peculiar relation, why should we pay equally as the other SAARC nations like Pakistan, Afghanistan and others?

How does it make any differences in having special relations? Why does the government not take this issue seriously? This problem exists in Nepal too. If the Indian people go to Bouddha, they have to pay 50 rupees. This issue may seem insignificant, though being an issue related to feelings, emotions or sentiments, it makes a difference.

On the same way, another point I would like to raise is about railway ticket. In railway ticket, there was the provision of discount for all the elderly people from Nepal before. Now that has been cut. However, elderly people of India still get that discount. Why is it cut? Yet, you say that our relation is like that of brothers or twin brothers. Why don't you re-think on this issue again?

The next issue, on the same way, is about hospitals. My concern is about a private hospital, which is the Medanta Hospital in Delhi. If you go there you have to fill the form. If you mention on the form that you are from Nepal, you will be charged extra 20%. If you say that you are an Indian, no extra charges should be paid. Why doesn't the government pay attention on this issue?

Now let me raise an issue regarding immigration. When we come to India by plane, we can go to any immigration check points. However when we return, separate immigration check point is being established especially for Nepali citizens. This makes me feel proud. When it is possible while returning, why not while coming? Nowadays, there are four points for Nepal. They are in Bangalore, Mumbai, Kolkata and Delhi. But there is only one point in Nepal and obviously they use English there. Therefore, there is no problem regarding language. However, here are different states in India. If you start a consular office in each one especially for Nepalese, no matter how many problems are there, they will be resolved.

Finally, I want to talk about blockade. I call this a so-called blockade. In that so-called blockade, I

think India also did not lose less than that of Nepal. Why did this happen? By this blockade neither China nor Pakistan lost. Rather loss was ours. Then why do such incidents repeat time and again as such incidents deteriorate the relationship of two countries? This issue also should be revisited.

Ranjit Rae

I would like to respond to some of the issues. That is why it is not allowed in border. Because people constantly come and go in border. And no passport is checked. So they come and go through no man's land and bring goods costing around 10,000 or 20,000 rupees and it is very complicated to control. Why this problem comes is due to the open border.

Secondly, you talked about fertilizer. See, in border areas, those things are smuggled. Fertilizer in India is subsidized whereas in Nepal it is not. Thus smuggling of fertilizer happens from Nepal side. Our SSB check this. You said that it is not a great matter if somebody takes a sack of fertilizer by bicycle. Once I had been to the border areas and I was told that unscrupulous businessmen employ people for fertilizer smuggling. The same person goes to Raxaul or other border post several times a day on his bicycle and carries a sack of fertilizer each time. This is a problem of the misuse of the open-border.

Another concern Kalyanji raised was separate immigration check point at Delhi airport for Nepali citizens. Once, a Nepali friend complained to me "See, you are doing this to single out Nepali people. This is absolutely wrong. Why do you do this?" Let me tell you. Basically the reason is that the government of Nepal requested us to do this saying that most of the Nepali people are being smuggled to the Middle East or Dubai from Indian airports. We have an open border. So whoever comes to India through the open border can fly out through Delhi airport. So we were asked to control it by the Government of Nepal. That's

why we established this special channel. It is not for any other reason. It is on the request of the Government of Nepal that we have done this.

I would also like to tell you about some of the complaints that Indians make about the border. Our people go to Nepal with their own vehicles with permits but they have to pay on per-day basis. Again they complain that at each check point in Nepal they are stopped and charged even though they already have permit.

Similarly, one other issue I would like to raise here. One mysterious law is there in Nepal. If Indian citizens take their vehicle without permission, that vehicle will be confiscated. Once it is confiscated, there is no provision to pay penalty and get back such vehicles. We tried to convince the Government of Nepal to change such laws. These are the problems.

Finally, the Indian people who are doing business in Nepal also face lots of problems. So what we suggested that such issues must also be put under discussion in government level dialogues so as to get solution. But what I am trying to say is that it is two ways. It is not one way. People on border on both sides have problems and those problems need to be resolved.

Comment

I would like to highlight an issue. There are lots of Nepali migrant labors who come and lots of them lose their lives. There is no security for them. And they come to a place in Deharadoon called Gurkha Sudharsabha. Then next of kin come there. So, this is a very serious issue. On the same way, lots of them are working in Garhwal. Many of them have lost their lives in 2013 flood in Uttarakhand.

The next issue is specifically for Khusiyari Sahab. We need to sort out our identity issue and you can do it. I would like to give you a book. Hope you will read it.

Question

Is Indian currency not a legal in Nepal? If yes, are all the currencies illegal or just 500 and 1000?

Ranjit Rae

I forgot this point about demonetization before. Indian currency is not legal tender in Nepal. Had it been legal tender, there would be no problem. If it was legal you would need to go to bank and deposit. The bank after that will send it to the Reserve Bank of India (RBI). Then there would be no problem. In Bhutan, Indian currency is legal tender so there is no any problem. Thus in Nepal, whoever is holding Indian currency is violating the law. Legally, there is no way that you can hold it, because it is a foreign currency. That is why there is a problem. Hopefully, these problems will be resolved soon.

Mrs. Shakti Gurung I just want to say one thing. I like and think it is important. Because I am so glad that this seminar is taken place in Uttarakhand. And especially for us in Uttarakhand we are talking about identity here. Let's just talk about as this seminar is focused on welfare issue. So we are taking about nearly 12 to 15 lakh workers were settled down in India. And I am talking about the identity if Indian workers here in Deharadoon and all across Uttarakhand. So I think the fact is that needs to be tabled. I hope, in some ways, you do find that it is also important issue to be addressed. I mean open borders also mean that it is porous in every way. There after we face discrimination that way. Thus, I want these issues to table and put on the thing that you need to talk about it in future. Our three centers are there in Deharadoon. They moved out only as far back in 1975. This means that a lot of Gurkhas are here. They served and attributed a lot for nation building that needs to be also put on the table. Thank you so much.

Comment

An issue was raised just before about hospital and discriminatory charge system from Nepalese and Indians. So first of all I would like to reveal the fact that there is a huge association named Indian Medical Association in India where both

Nepali and Indian citizens should pay the same charge. It means that the doctor doesn't make any discrepancies among the patients of these two countries.

In addition to it, if you are a life member of this institution, you can get ten percent of discount in every hospital having affiliation to Indian Medical Association. This discount is for both Indians and Nepalese.

Therefore, I must tell you that there are no differences and discriminations everywhere. There are so many general sectors where citizens from both lands are equally treated. That's why I thought that this fact is necessary to reveal here.

Haribansha Jha

Namaskar! The respected Chair, Shri Bhagat Singh Khusiyari and other friends.

Today we are discussing certain issues like how a citizen of a particular country can be benefited from the prosperity of the other country. Recently one of our friends said that how we could penetrate through two giant boulders so as to take the benefit of their economic growth and prosperity. Actually the system already operates. So I don't want to elaborate this.

Today, I want to reveal two case studies here which are related to my own life experience. I was born in Janakpur from where if we move 10 km towards south, we become Indian and if 10 km towards north, then Pahadi. However I was born in middle part, Janakpur. That's why we are given the tag of Madhesis.

Talking about my childhood, I was actually from a simple middle class family. My father has two businesses there. He was primarily a farmer. In addition, he had possessed a chimney of brick factory. So, in my childhood, what I observed was that the labors used to come from the south. South means to say different parts of India here like Bihar, Madhubani, Darbhanga, etc. The laborers

used to come for plantation of paddy. As the paddy turned ready to ripe, they used to again come for harvesting. That was the system. This was the system until 1970s. At that time Nepal was among the top five countries to produce and export rice. The bumper production of rice was there actually. Another interesting thing was that the Indian ladies used to feel proud to marry in Nepal because if they married there, the popular belief was that they could get rice to eat. So that was the scenario at those days. Bihar was comparatively behind us.

Once I was going to Vanaras for higher studies. The cash system was not there. That's why we used to carry the sack of rice with us. It was once on the way towards border in south, in Bhattamode. A custom official at that time used to welcome. I observed whoever went with a sack of rice on their head. The custom official stopped them. Additionally custom officials were demanding various things with them. It was very hard to move across the border at that time even just to do labor.

Still we can see such scenarios. There were only custom officials before. But now SSBs are also there. They create so many problems. Along with this, the Armed Police Force also creates the obstacles. This is why nowadays we are suffering from these three forces; one from the SSB and others from the custom officials and the police. For that reason, after some days of Ambassador Ranjit Rae's arrival in Nepal, I met him. Probably he remembers it. I just told him one thing to do so that all the Nepalese would be benefitted. So what I told him was about the Treaty of 1950. We signed the Treaty of 1950 though it did not clearly define what sort of goods in what amount we could take from India to Nepal and vice versa. It is not defined at all. That's why now it is totally based upon the discretion of custom officials at the border. They have such a power that they can stop us even if we take very minor goods cost around 100 rupees. It may be even the sack

of rice. They have such a discretion that they can make us leave anything that we carry across the border. Therefore, I requested the Ambassador to have effort to define it. We know that we can take goods cost about 25,000/30,000 from air ways. But why can't we take such amount goods and material via land route? Khusiyariji, you can also have your role to do something on it. It must be defined and made us clear whether we can take goods and material cost up to 5,000/10,000 freely through border. This is not a great matter to change. I had already told the respected Ambassador to change the law or customs in time. As far as I remember, Dr. Ram Sharan Mahat was Minister for Finance at that time. Ambassador Rae assured me that he was going to put this matter with the Minister of Finance. But I don't know what happened to this issue till now. But this is a very significant issue as we have to move daily here and there across the border from both sides. So we have to face various obstacles there.

I would like to present an example here. I had been almost seven years old. It was the story of Saptari District of Nepal. At that time there was scarcity of fertilizer. So a farmer went towards border and brought a sack of fertilizer on his bicycle. As he was returning home with the sack of fertilizer, he was shot dead. This is a true story. What crime actually had he committed? Was getting a sack of fertilizer from India an offence for capital punishment? This story was actually of Rajbiraj though this sort of incidents takes place time and again everywhere in the border. Therefore, I would like to request to rethink on this matter.

The second issue I want to talk is about demonetization. When the demonetization policy was launched on November 8, I was also here in India. I had some research works going on in Delhi. I had some Indian currencies at home in Nepal and I still have. So how can I exchange that

money? Even though Indian currency is not legal tender in Nepal, it is the most popular currency. Any nation outside India, if the Indian currency is most popular, it is no doubt in Nepal. From Madhes to every nook and corner of Pahad, it is accepted. We know the exchange time after demonetization was until December so we could do it up to March. With the genuine reason, the Indian Reserve Bank can exchange it. Now December has gone. The Reserve Bank of India is denying us to exchange it. The Reserve Bank says that this facility is only for the NRI out India. So we as foreigners are not entitled there. We still have Indian currency with us because we need it in case of emergency. We cannot find such great amount of Indian rupees in Nepal so we keep such amount of Indian rupees for medical and other emergency purposes. We frequently need to go to India to friends and relatives. So we need it. We were keeping it for purely practical reasons. Now March has also gone; however, no any arrangement in-between Nepal and India has done yet. At first we heard that up to 25000 it could be exchanged. Later on it was heard that up to 4500 could be exchanged. Though, nothing had happened yet.

Finally I want to summarize. We have a very wonderful relation. Some petty problems come and go. We can resolve such problems through negotiation. However it has been almost 70 years, no changes occurred in our (1950) treaty. Thus I request you to rethink on this matter.

Comment

Deepak K. Adhikari In his context, my initial suggestion is for the Government of Nepal. When education was necessary in Nepal, sufficient numbers of teachers were hired from India to Tribhuvan University and its other campuses. Several times, late Girija Prasad Koiralaji and Atal Bihari Vajpayiji had meeting and discussed this issue of teachers who had spent their entire lives in Nepal. Yet they had not got citizenship. They did not even get proper retirement scheme. So what do their children do in the days to come? Regarding this fact, Atal Bihariji had requested Girijaji several times. Girija Prasad Koiralaji promised that he would do whatever he said. However, it didn't happen so. This finally led to the situation where both of them stopped to have dialogue. I have this experience. So, if we see this through the lens of humanity, it is a huge injustice. It is alright that new skilled people were produced there so that they engaged them. However, the time when those teachers from India were necessary, those were invited and those who sacrificed all their lives there, they need to be retired with some package. It would be okay even if they are provided some package on monthly basis. Now their children need to be given citizenship. This has to be done from the side of the Government of Nepal.

Secondly I want to talk about bank account that was also talked by honorable Ambassador. If any Indian citizens reside in Nepal, they will be registered in Indian Embassy. So they need to go with document at banks which they desire. Then if two known persons recommend them, they can open the bank account in any bank they desired.

This sort of facility must be given not to that Indian-Nepali speaker but to those Nepali who resides in India.

Furthermore, one of the panic issues is the Banbasa border of Mahendranagar. I observed and saw it. I even fought with the people from that customs. I had dialogue with them, too. Therefore, if India desires to earn more charity, you need to resolve all the problems of Banbasa border in the Far-Western Region because, in order to change the perception in Nepal, the customs office of the Far Western Region plays main role. Yet from the wagon to customs there are their joint ventures. That's why, if they are facilitated well, it would be much better. So these two issues must be resolved. Just before, Haribansh Jhaji spoke about fertilizer. In Mahendranagar, this sort of business is done even by deputing the other people. They use motorcycle through the route of Chadani Dodhara and they become able person to purchase a motorcycle cost about one lakh eighty-five thousands. It is only due to that black business. I am not telling a fictional story. I myself had observed all day long. It even doesn't take a month to earn that much money. So as these are the practical things, we need to think it practically and resolve them.

Valedictory Session



Shri Shyam Parande

I would like to welcome you all in this concluding session. Since yesterday morning until now, whatever issues were discussed were quite thought provoking, unbiased and friendly which have made this seminar so wonderful. Very genuine ideas and suggestions came from the both sides. We discussed about trust deficit. The point made here that both the governments will have work together on reducing the trust deficit and build required trust. However in order to minimize trust deficit, a huge role must be played by the social organizations. More than that, social institutions and organizations must play even more important role to bridge the yawning gap. We all have realized that the points made during the seminar and issues discussed will help up to decide on roles and responsibility on both side so that both sides benefit. ARSP would like to engage on its part to create an ambiance in Bharat so that this dialogue moves ahead while we are expecting similar effort and action from Nepal. I am quite confident that the Neeti Anusandhan Pratishthan, Nepal can be the medium to connect with government of Nepal. NeNAP has done the due diligence for advocacy, which will be the way forward from here.

Furthermore, in a way or other, these two days remained fruitful with trust building among the participants from both countries. Security of both the countries is very well intertwined and any lapse on one of the partner can be loss to both the countries.

We are going to conduct three more seminars as well. However three seminars have been completed so far. Now we need to present the benefit we got from these three.

Lack of communication or less communication can be harmful and I emphasize here that all the participants need to take note of this and keep up the communication. The mutual understanding that we have earned through this dialogue cannot be lost in course of time. So, better the communication, better the trust.

Now, if you have any suggestions regarding this two-day seminar, we have got some minutes at our disposal and we can feel free to utilize them. So don't raise the questions, only suggestions please. I see some youth here and it would be nice if the suggestions come from new generation, please express your views.

Thank you.



Ambassador Ranjit Rae

I want to welcome you all in this session. We have a very distinguished panel with us. We have Shri Dattatreyaji from Rashtriya Swayamsewak Sangh, former foreign secretary Ambassador Shashank, General Gaurav Shumsher Jung Bahadur Rana, Shri Kishor Kumar Lamaji the former Inspector General (IG) of Armed Police Force (APF) of Nepal, and Shri Bhagat Singh Khusiyariji, honorable Member of Parliament and former Chief Minister of Uttarakhand is also with us.

So now I want to begin the session requesting the speaker to limit their speech in no more than 10 minutes because we have to finish this session within an hour. So I request Shri Kishor Kumar Lama to begin his speech.

Thank you.



Shri Kishor Kumar Lama

Honorable former chief minister Shri Bhagat Singh Khusiyari, the chairperson of this valedictory session and former chief of Nepal army and Nepal Police, distinguished members of the panel.

First of all, I would like to, on behalf of all the delegates of Nepal, express our heartfelt gratitude and thanks to Neeti Anusandhan Pratishtan, Nepal and Antar-Rashtriya Sahayog Parishad-Bharat for organizing this workshops in Uttarakhand in this Forest Research Institute. Besides that, the subjects being covered in this seminar are relevant and thus carries very significant and prominent importance for both the countries or the authorities for formulating security policies and strategies. It is indeed a positive step ahead which can become a legacy in the history of Indo-Nepal relation for consolidating our existing cordial relation, paving path towards better future focusing upon core based reality.

Regarding the subject matter relating to security issue is complex challenge of threat confronted by modern world. The globalization as we see now has increased crime in multifarious magnitude on both the side. For example the wellbeing of people and at the same time even the criminals are taking advantage of this development of scientific technology, the cybercrime in IT world nexus. This session was an eye-opening for the law enforcement authorities as well as for policy maker of the both countries to develop effective measures on

Complex Security related objectives. Regarding about conversion, which is taking place in Nepal is becoming extensive problem. The people related in conversion are exploiting poor, illiterate people and also lacking medical services. Although they seem successful but in reality they have not been able to win the hearts and minds.

Anyway, to be frank in reality I would like to mention one incident which was very real, a real incident illustration. Initially, in the last earthquake, what happened was, it was on the second one, there were people on church and they were praying. Those were all Nepalese who were converted. What happened was some of the people who said, it's not me who witnessed, that they were inside the church at the moment when the ground started shaking, those people who ran away from there and they were just saying "Narayan, Narayan....." Although, they were Christians, they uttered such words.

Although it is a really challenging situation right now about the conversion here, I think inside their heart that is still there which is not changed. I think it is only on the head they have been hit, but not the heart. Therefore these three issues are to taken in to consideration to protect our Nepalese brothers being exploited besides, another point, it is just a suggestion. You have already told that there is a lot of Nepalese people not only Nepalese even Indians also, we worship Hindu God and goddess and Buddha both as the same time. So if we can make a Joint Pilgrimage Program, by organizing Buddha circuit and Chardham.

Finally, my last point is, I do have a firm belief that these two days seminar have been very fruitful and relevant with comprehensive security issues. May Lord Pashupatinath and Buddha bless us all and save India and Nepal.

Thank you so much.



Ambassador Shashank

Thank you very much Mr. Chairman. I just wanted to mention that I completely agree with what Kishor Kumar Lamaji has said. We have a brighter future and we have to work on that whatever can be done from the side of each other. Strong points and some regional frameworks were talked such as BIMSTEC. If we can use them, along the border we can take some advantage. Some local consultations or the higher level consultations can be taken from those organizations so that in case of difficulties they can be resolved.

Above all there is a suggestion that if there could be very high level visits such as the visits of the Prime Minister to some of these areas near the border that would help very much. Thank you very much.

Thank you.



Sukirtimaya Rashtradeep General Gaurav SJB Rana (Retd.)

The chair Ambassador Ranjit Rae, Shri Dattatreya Hosabale, Ambassador Shashank, Ladies and Gentlemen. First of all allow me to express my heartfelt gratitude to the Antar-Rashtriya Sahayog Parishad-Bharat and the Neeti Anusandhan Pratishthan, Nepal for jointly organizing this very useful seminar, on a spectrum of current security issues, of enormous interest and concern to both our countries.

I feel that after these very frank and detailed exchanges of views on some decidedly sensitive issues, in a cordial Track II environment, a solid platform has been created to further bilateral relations through dialogue, to iron out the creases that have emerged in our relations with the passage of time.

Nepal is a nation of simple, proud and freedom loving people. From the poor farmer etching a meager living in the mountains, to the framers of national strategy and policies holding extremely limited national power, the one and only key issue, as an individual or a nation has been one of survival.

Over the course of our history our greatest friends in need and deed, regardless of the form of government in place, has always been from the south. During the days of imperialism and colonialism it was the British and in contemporary times, on our march along the path of democracy, it has been India. Ladies and gentlemen, let me

remind you that democracy, pluralism and a multi-party system, is a choice the Nepalese people have willingly made. The assistance we have received from India in charting our course into the modern world and democratic polity cannot be overlooked or belittled at any cost.

We live in a modern world, in a strategic environment where the survival and future of nations are determined by three schools of thought, Realist, Idealist and the Neo-Realist, being a combination of realism and idealism. A cursory glance of global politics reveals a majority of nations viewing the world in an anarchic framework, where the pursuit of interests of the nation is primary. It just goes to show that this school of thought has prevailed over time and still prevails in international relations.

Survival as a sovereign, independent and free nation by resolutely preserving our national identity, determines the mindset of all Nepalese people. I don't see anything wrong in that. Over the years Nepal has been the most syncretism culture in the world where two major religions and numerous cultures have fused seamlessly over time. We have overcome seemingly insurmountable problems along the course of our history and are bang in the middle of another one. We are also fortunate to have a very good neighbor with strong common historical and cultural ties. We are genuinely concerned with our wellbeing and have pulled us out of a tight spot, several times. For that I can assure you all Nepalese are most grateful to our most genuine and trustworthy friend, India.

In the course of our discussions, we have also realized and accepted the fact that there are certain issues that are hampering the development of cordial relations between our two nations. I would rather prefer to use the singular form by saying an issue. In reply to the question of issue, I would simply state the issue of holding a world record in concluding a transition phase in which all decisions — political, social and economic — have been resolved by consensus. This consensus was reached among the most disparate group of political organizations and political leaders spanning the whole

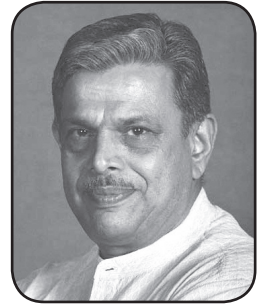
political spectrum ranging from the most conservative left, through the center, to the most fervent right.

How does one bring it to the right track? It's very simple, establish political stability. How does one do that? Pursue confidence-building measures via continuous engagement and consistent dialogue among the political parties. Follow these measures simultaneously or subsequently by conducting a series of elections. This will bring politics out of the drawing rooms of a few, into the presence of the mass. It will also unquestionably separate the water from the milk. Logically, what follows is accountability of the duly elected parties and leaders towards the people and the nation. A government that is accountable to the people alleviates trust deficits whether internal or external and establishes a workable framework, enabling effective engagement and cooperation at all levels and in all dimensions.

This may sound idealistic to you all but I can assure you that after having soldiered for 42 years and having had to understand politics at the end of my innings, which was not only very painful personally but also most challenging in keeping the organization out of politics, it is not idealism that I am professing but my intuition, sharpened by years of selfless service that I'm humbly submitting, to this august gathering. At the end of the day *Rajneeti* as the name implies is the king of all policies. What we have discussed here are issues, which require political sanctions, therefore, political stability is an imperative. This will only come by effectively concluding the never-ending transition phase that Nepal is mired in.

To conclude, once again on behalf of the Nepalese delegates and myself I would like to extend our deepest gratitude and thanks to all the organizers and participants for providing us this wonderful opportunity. May Lord Pashupatinath bless us all.

Thank you.



Shri Dattatreya Hosabale

Namaskar! The respected chair of this concluding session former Ambassador Shri Ranjit Rae, General Gaurav SJB Ranaji (Retd.), Ambassador Shashankji, honorable former Chief Minister of Uttarakhand, Shri Bhagat Singh Khusiyariji, and all the participants.

This conference has been really enriching and enlightening experience to participate in this very important international seminar, one in the series of six seminars that have been planned by the organizers. This is the third as it has been told yesterday in the inaugural session.

As I observed and listened to all the proceedings of the seminar since its beginning, I think the two facts are significant. The first is Bharat Nepal relations. Repeatedly it was mentioned like Indo-Nepal relations, because the language being used was English. This may be avoided and calling this Bharat-Nepal relations sounds appropriate. If Nepal can be called Nepal in English, I do not see anything wrong to call Bharat in English. So Bharat Nepal relations as we all know is age old, very ancient and most relevant for many cultural and civilizational, historic and other reasons.

Nepal-Bharat relations are very important as that relation is like the relation of twin brothers. Both the nations are sovereign states with common cultural civilization source. This cannot be denied. In these two countries' great epics of the *Ramayana* and the *Mahabharat*

are read and respected, both the nations look at these as common cultural and civilizational heritage of both the nations.

Madhu Ramanji had mentioned that our relation is far deeper than that of *roti-beti* relation. Organizing such seminars is essential for better understanding such factors and spread this message across. Bharat-Nepal relation has to be viewed and understood in all its dimensions like security, socio-cultural, socio-political or others.

Of course, it is true that there are problems in the relations presently which is a hard reality, no one denies. We can't live and in a make believe world of only emotions and sentimentality. All is not rosy and sweet as Major General Sahab was telling yesterday. We have discussed all these things thread bare. There have been problems. Our past experiences are also there. Trust deficit may be there as well. There may be a kind of suspicion on both sides. There may be some apprehension on both sides. But they are not beyond the solutions because these are created by humans. Swami Vivekananda said that the man is the problem and man is the solution. Though I am using 'men' this includes 'women' also. The problem may be that of state to state relation because of commerce and of socio-political or economic situations. But at people-to-people level, we have been experiencing that there is lot of positivity. So I don't want to highlight that issue.

The common people of both the countries have common pilgrimage, people from Nepal come to the Kedarnath or the river Ganga, and people from Bharat go to the Pashupatinath without which the pilgrimage is not supposed to be complete or fulfilled. The Muktinath is worshipped as Abilekshwor (Avalokiteshwar) and Sanatan people worship it as Lord Vishnu. Due to all these, our relations have sustained the time and remain very wonderful. I do believe it through my heart.

The issue related to free border was raised time & again. I want to reveal the story of Hindustan which until 1947 was a united country but is now broken into three different nations; Bharat, Pakistan and Bangladesh. There is no free border between these countries. While Bharat and Nepal enjoy that freedom.

I have some confusion regarding demographic change. There is a religious demographic change of late that has caused the problem. The flow of Nepalese and Indians in one another's country doesn't create any problem. The real problem is already being raised by Kishorji. You see in Pakistan and Bangladesh people don't want to change their cultural and civilization roots that separates the relation. But this is not so in Nepal-Bharat relation, this is the reason why we have still free border. So free border needs to be there and needs to be always there for thousands of years ahead. This issue is already clarified by Bhagatda.

Now our concern is regarding what sort of relation should Nepal and Bharat must have. Should it be like the Pakistan and Bangladesh having different religion? We have to understand this fact very clearly. Our relation is broad on this cultural, religious and spiritual legacy and social affinity. So if we are prisoners of our own world, logics and our own misconceptions, we will reach nowhere. In last session it is said that we have recognized the issues of definite welfare concerns of the citizens on both the sides.

There are some issues that need to be discussed more, diplomatic, trade relation, security and others. We have discussed them at length in different sessions. So these things have to be sorted out at the earliest on the basis of mutual trust and faith. It is possible just as Shashankji has referred in the inaugural session that only thing is the core that has to be taken care of between both the nations. The former Chief Minister mentioned that we shall not allow third party to play in between us. It was almost echoed when Brigadier General Rajbir Sharmaji referred to 'dragon' in the room in place of 'elephant'. So these are the realities I don't want to speak in a diplomatic polished language as Major General Ashok Mehta said that he is a soldier and he speaks truth straight away. That gave me a kind of confidence and I also want to speak in a clear cut manner.

On the matter of security concerns, Ranjit Raeji and others have put forward their views saying that there should be joint operation. So for the security reason of it neighboring countries, India is always

ready to do anything and it has already got some experiences in Myanmar and in Bhutan, if there is need that such military operations are to be repeated in the interest of the security of the people. So this issue regarding security must be seriously taken.

I was inquiring with former Ambassador if the sharing of satellite picture is the issue for both the countries. Indian Prime Minister has shown his concerns about the issue on SAARC countries' satellite and almost all the countries agreed. I believe these issues also come to the limelight.

Recently General Sahab said that these two countries shared the knowledge, spirituality and things touching to the heart of everyone. So our civilization and its glory must be spread.

One suggestion I want to make is that in such seminars women should also be given the opportunity for participation as panelists. Inclusion of women makes the discussions participatory and contributes to the security concerns from their perspectives as well. A woman has the potentiality to be the Defense Minister of our country. Finally I want to say that Nepal-Bharat relation is a relation of twin brothers. It is like a family in fact. This relation is as such that is beyond the explanation, it is unique, like

गगनं गगनाकारं सागरः सागरोपमाम् ।

भारतनेपाल संबन्ध भारतनेपाल संबन्ध एव च ॥

नेपाल-भारतयोर्मैत्री नेपालभारतवत्सदा

The size of the sky is incomparable, size of the sea cannot be compared with anything else. Similarly, the relationship between Nepal and Bharat is unique and cannot be compared with the relationship between other nations.

And Nepal-Bharat relation is also one such thing, it has to be experienced which cannot be explained in words.

Thank you.



Shri Rajeev Berry

The last but not the least I was asked to present the vote of thanks.

Shri Kishor Kumar Lamaji, the former Inspector General of the Armed Police Force, Shri Bhagat Singh Khusiyari our former Chief Minister, Ambassador Shashank, more appropriate to call him our former President, General Gaurav SJB Rana, the former chief of the Nepal Army, Former Ambassador Shri Ranjit Raeji we got opportunity to welcome you. Mananiya Dattatreyaji motivated us and provided some genuine suggestions. On the same way Shri Shyam Parande, our beloved friend, philosopher and guide, guided us every time. Thank you every one from the ARSP, Deharadoon branch.

The friends, particularly from Nepal might have some difficulties in accommodation and we want to apologize for that. We have limited resources so we could not afford much. Anyway we want to express our heartfelt thanks to you.

To the friends who are from Delhi, we want to thank you with our all heart. You all worked with us. So we are much more thankful to you. I want to thank Forest Research Institute (FRI), Deharadoon and Indian Council of Forestry Research (ICFR) who provided us this platform. I want to thank friends from media in Deharadoon from making our news of seminar this Monday. Once again I want to thank you all. I would like to request you to have tea before you leave.

Thank You.

Articles and Slides



Ram Thapaliya, PhD

Demography changes and threat on National Security
A emerging CRISIS

Abstract

This article analyzes demographic changes and their threats and impacts on the topic National Security: A Emerging Crisis on Bharat-Nepal security relations. The articles discusses demographic trends and their implications for, and impacts on, bilateral security. The roles of intelligence communities in crisis management are addressed and the article argues for wider intelligence sharing to facilitate effective decision making. The article also comments upon continuing discussions and debates on regional security, protection of population, protection of institutions, territorial security and comprehensive security issues related to Bharat-Nepal relations. The article summarizes by stating that Nepal requires a dynamic leadership and comprehensive foreign policy strategy that is focused on both promoting and also protecting national and bilateral interests.

Introduction

Nepal and India have been maintaining an unconditional relationship as good neighbors and trust worthy friends. Both the countries enjoy close relations that are linked through social, cultural, economical and geographical attributes. Economic development and regional cooperation has further strengthened relations through communication and coordination of our respected governments and the people. I along with other respected citizens of Nepal, are confident that Nepal's government including security forces and political parties, will never allow Nepal's land to be used as a ground to conspire against India by any countries in the world. Similarly, in relations to China, Nepal has reiterated its commitment to a "one

China policy” and not to allow its territory to be used for any anti-China or separatist activity. However it is evident that Nepal aims to prosper with the prosperity of its neighbors. Domestic political stability, sovereign security, territorial integrity and national unity, sustainable economic and social developments are the key foreign policy objectives of Nepal.

India is helping Nepal to remain committed to the post-disaster re-construction and peace process. In addition to this, India has faced severe crises in the past and managed them both efficiently and effectively. The experience and knowledge shared by India on Democracy, Post Conflict, Peace Building, Post Disaster Recovery and Resilience society has been extremely valuable to Nepal and its people. India has been providing support in different forms and levels of government, non-government, through the second and third track of diplomacy. Progress and stability can be gained efficiently through the extended support of Govt. of India and sincere efforts from the Govt. of Nepal itself. Adequate, long term and mutually beneficial policies/programs are essential to promote a peaceful transition, conflict resolution, democratic practices and sustainable development. It is clear that both governments are committed to consolidate peace and prevent a relapse into violence. Building harmony, promoting democracy and a free media are a few of the commitments expressed by the two nations to develop stability and prosperity. Progress has been attained through policy dialogue and strategic approaches throughout our history.

Demographic trends and their implications for international security

The population of Nepal as per 2016 census was 290,33914. Population growth rate was 1.24% and net immigration rate at -1.9 migrants/1000. It is also interesting to observe that the growth rate was 3.71migrants/1000 population in 2014 (CIA world Fact book). The Central Bureau of Statistics 2013, has produced the following results.

It is important to understand that the concept of Security is gradually shifting from traditional security theories to theories of Human Security. The current status of geopolitical crises around the globe and their consequences are a clear indication that Nepal should develop a clear vision and effective missions to protect the

people in the country and the region. In addition to this, Nepal should achieve efficient resource management and maintain a diverse ethnicity and religious harmony. It is equally important to realize the impact of globalization on security and on the changing dimensions of demography. Other sensitive issues related to India may include money laundering, fake currency, fake citizenship card, territory being used as a transit point for illegal activities, terrorism and illicit drugs. Moreover Nepal and India should work on issues that tend to affect religious harmony.

The following table shows the time, population and the absent population.

Year (AD)	Total Population	Absent Population	Percentage of Population
1981	15425816	402977	2.6
1991	191499387	658290	3.4
2001	23499115	762181	3.2
*2011	26494504	1921494	7.3

Source: Kansakarr, 2003 and *CRS, 2011

The globalization process, labor acts and policies, an unstable political situation and development of new and efficient means of transportation have enabled a significant proportion of the population to travel frequently in and out of the country. Such trends tend to place additional challenges to the security system.

It is understood that the best form of growth is organic and internal. Similarly regional security is best obtained by the internal efforts of Nations and States that share boundaries. Hence it is important to develop security policies that are on par with neighbors so that stability and prosperity can be attained. The phenomena of power plays, energy policies, extremism, foreign policy and roles portrayed by strategically important nations are issues that influence both internal and regional security. The identification and proper utilization of resources, justice system, and rule of law are a few of the commitments of the two nations to their citizens to maintain their beliefs in the morality of their society and the system of governance.

Demography, migration and its impact upon sources of India Nepal conflict

The following table shows the top ten origin districts of labor migrants receiving labor permits (excluding individual applicants), 2008/09 – 2013/14.

S. N	District	2008 /09	2009 /10	2010 /11	2011 /12	2012 /13	2013 /14	Total
1	Dhanusa	10950	11942	11923	11643	18895	21446	86799
2	Mahottari	6136	25223	13687	9476	12606	15701	82829
3	Jhapa	9535	10618	11004	11778	17974	18762	79671
4	Morang	6983	9566	10399	10794	16793	17931	72466
5	Siraha	7508	9543	10290	9223	13944	17277	67755
6	Nawalparasi	5161	6461	8067	8505	12310	13059	53563
7	Saptari	4072	7286	7480	7332	11274	13533	50977
8	Sunsari	4410	5923	6620	7623	11597	12858	49031
9	Sarlihi	3478	5200	8719	5723	10335	13405	43860
10	Rupandahi	3419	4163	5428	5986	10850	11765	41611
11	Others							1,100,660
	Total							1,729,252

Source: Department of Foreign Employment, Nepal

The trend shown above explains a fact that people in certain areas have been migrating more often and are affected in terms of economic prosperity. A lack of policy, proper planning and implementation strategies has compelled individuals to look elsewhere for income.

Some of the issues that need to be addressed include the proper use of water resources in the context of international water laws and treaties, trade deficit with India, territorial disputes, human trafficking and demographic changes in the Tarai. More importantly in recent times, the significance of Madheshi communities and their representation at the national level through electoral politics can help to bridge the gap that is causing psychological segregations between two countries. But at the same time the issue of citizenship must be carefully analyzed, because there have been records in the past, where individuals have used fake identity cards created in Nepal and conducted activities unacceptable to both nations.

Ecological distribution of Labor migrants, 2008/09 – 2013/14

Ecological Region	Total labor migrants	Percentage
Mountain	97747	5.7
Hill	759573	43.9
Terai	871932	50.4

Source: Department of Foreign Employment, Nepal

Geological features are the true assets of Nepal. A number of leaders from both India and China have acknowledged and expressed their opinion regarding the potential Nepal holds in terms of economic development.

A lack of vital interests however could be observed in some political actors and amongst a few vested interest groups. This tendency, to some extent, can become a source of antagonism and an instigator of conflict rather than a source for peace - creating rather than calming communal tensions.

There are some key security-related strategies India and Nepal should focus on. These include extensive information collection and analysis of indicators damaging our ongoing bilateral relations, particularly issues that are raised by some of the hardliners such as nationalist sentiment. More importantly these slogans are playing a decisive role in attracting grassroots anti India into the traditional democratic channels of the emerging security system of Nepal. There is a urgent need to re-think traditional concepts of support that are of non-military such as foreign aid, development funding and working with different layers of INGOs, NGOs, Universities and Academic institutions.

A large portion of Nepalese people still live under the poverty line. The politics of Nepal focuses on nationalist doctoring and also internationally tie up with India on liberal economy. This adds to some sources of conflict and psychological segregation between different ideology representing groups among the country. Because so called nationalist ideologists and other political parties see that a threat to own country, a psychological segregation might be attractive to insurgents who may get international support which can lead to an escalation in security issues. Particularly, those extremists have been

using propaganda with anti-Indian sentiment since promulgation of constitution 2015.

Extremist and Demography change could lead to a dangerous socio-religious crisis situation. The Nepalese are uniquely composed of different cultural and ethnic groups, living in the mountains, hills and the Tarai. Many of those diverse societies follow their own religious practice and their own languages. Protecting the indigenous people's rights, uplifting the living standards of dalits, equality and diversity are important issues to be addressed in every sector of our society. Nepal is an economically weak country. It has challenges related to investment, climate change, and trade barriers. The country is the land of eight of the world's ten highest mountains, including the highest, Mount Everest. The country is proud of governing a multi-cultural, multi-linguistic and multi-religious panorama in addition to the birthplace of Buddha, Siddhartha Gautama.

In the table above we can see a trend of Ecological distribution of Labor migrant's representation for employment. It is important to understand that these representations might practice a different religion and culture. In such circumstances, it is possible that the migrants traveling from Nepal cannot practice their own values and culture; hence make them more vulnerable and susceptible to lose morals. In addition to this there have been many cases of complaints and casualties over a period of time which is explained below.

Incident of death, by country, 2008/09–2013/14

Country /Year	2008 /09	2009 /10	2010 /11	2011 /12	2012 /13	2013 /14	Total
Malaysia	15	105	219	237	253	292	1,121
Saudi Arabia	27	124	133	179	206	211	880
Qatar	26	114	125	130	151	193	739
UAE	13	53	37	50	47	64	264
Kuwait		3	10	22	22	39	96
Others	9	19	25	28	48	43	172

Source: Department of Foreign Employment, Nepal

Legal Provision

The Foreign Employment Act of 1985, made two critical provisions. The first was, it specified destinations to which Nepalese could migrate for work. Second was, it opened up the private sector to facilitate foreign employment.

Similarly the Foreign Employment Act of 2007 makes a provision for Government of Nepal to take decisions regarding formal agreements and contracts with foreign countries or employer institution to send laborers. In addition to this, the act has made provisions to make sure that the recruitment agencies conduct their job efficiently and effectively.

Nepal became a 'secular' state under an interim constitution of 2007 and 2015 Constitution, which came into effect on Sept 20, 2015. Since the re-restoration of democracy-1990, extremist motives have been effecting the Nepalese society for finding a 'new meaning' to life. This is most relevant in democracy, where each individual does have a right to practice their religion. It is equally important for authorities and societies to make provisions so that the religious discrimination is minimized. The values and cultures practiced by individuals and groups create an identity and serve as valuable tool in managing extreme events. People are vulnerable in such extreme circumstances and it is important that groups and individuals, for financial greed, not associate to any religion conversion.

However, there are many cases of attempting to convert someone to one's own religious faith and the issue of conversions causing conflict between behavior patterns and values that will result in social unrest. Moreover, the negative impact of religious proselytizing will change the demography and will challenge national and international security over the next 10-15 years from this emerging crisis.

Crisis Decision Making

For the emerging crises, decision makers from both countries need to have good knowledge on the crisis decision-making process, to prevent the escalation of these crises. I will explore the critical role and vision each country's leader should play, as well as some rules for formulating this vision into a simple, clear, yet powerful way during this transition period. According to "Essence of Decision-Making and

Contending Theories of International Relations” there are six main characteristics for a decision making structure for crisis management. First, the structure requirement, there has to be a decision maker who can be decisive, flexible and can manage individuals and groups with different opinions along with their interests. Decision makers can be directly involved in managing crises or they can be members of groups or the agencies that have an interest in the crisis. In addition to this, they can have some collective responsibility or authority over crisis management events of both countries on demography change.

The setting for security issues decisions making can be formal or informal. If decisions can be made on a need basis or according to fixed deadlines, prior consent from the members can facilitate and ease the decision making process.

The Essence of Decision theory describe three types of models that can be used to inform decision making for a crisis, that can influence how information and interests are communicated to the ultimate decision makers. These are the rational actor, organizational and bureaucratic politics models. The bureaucratic model depends most on hierarchy, the organization model has a satellite approach that has different parts of an organization assigned to make certain kinds of decision, and the rational model has a specially identified decision making unit or team that is trained, has authority and has resources for decision making. The decision making procedures that are used and need to be agreed to are important for helping to guide and direct how the decision are made.

The decision-makers and the advisors have to have the understanding of how complex the demography issues causing security crises are at present, which includes the economic impact of any crisis decisions. These are my personal opinions of the current ongoing demography changes and threat to national security and the characteristics of crisis decision-making. All of these characteristics help to decide how the decisions are made and determine how informed they could be.

But in additions to this, it is equally important that the decision makers are preparing for the crisis management by having a clear policy and objectives. A visionary leadership that has clear authorities

and the command and control structure will be an inspiration to implement the decisions.

The political decision should be carried out by the bilateral partnership's objectives. However it is also important to join with other decision makers for making coalition responses to crisis management that are more and more common. A command and control system for decisions can either be centralized or decentralized, but it is more important to have a clear chain of command and established a recognizable procedure for collecting, analyzing and sharing information. It is argued that the decision made could be centralized but implemented in a decentralized arrangement.

It is important to understand that the concept of crisis management can be applicable when the decision makers are aware of the consequences and outcomes. They can define how decision-makers manage their threats, look at their enemies and how the enemies could respond to moves, and then can also understand the possible impact their own decisions can have. So the crisis decision maker should have the theory as well as the practical experience for crisis management. Having the entry and exit strategies can help decision makers in all parts of chain of command to know the different ways for escalating and the deescalating crises in such a way to protect the positions and interests.

Comparing and contrasting bilateral security between Nepal and India has been changing in some important ways. This is mostly due to the fact that nature of demography and its impact is changing. These days the crises are occurring in real time because of media and Internet access everywhere. There are many actors participating in different crisis, similarly there are different reasons and causes for those crisis. Such as ethnicity, criminal groups, extremist, terrorist, civil disturbances after the natural disasters and the financial crisis.

In conclusion different types of crises have different management strategies. Like command and control, structures are more flexible and faster in crisis management. The interests and roles of the intelligence and security forces have to be understood by the decision makers. Power acknowledgement, vision sharing and participation in the decision-making process are few of the components that help in

solving the crises of the 21st century. These crises are, but not limited to bilateral political, economic and social scenario. We may look at the history how Vajpayee leadership vision and style was influenced by both the national and international political and economic environments. How the great foreign policy leader used international events to further both national objectives for India, both domestic and foreign policy. Furthermore we should take a lesson learned and best practices from India and rationale for why India has developed very strong policies for defining, protecting and promoting its national identity. Even though India has many ethnic, linguistic, religious, social and economic pressures that make it very difficult to have a single national identity internally and internationally. Possibly more than any other country around world, the domestic political, social and economic environment in India shapes Indian foreign policy, particularly in the region. It is this environment that shapes Indian leaders. So unless we focus on domestic and bilateral issues, leaders are given no license and credibility to protecting both country's reputation in the region, since this is part of national identity.

The role of Intelligence during a crisis

Cross-border challenges on complex socio-political crises, severe socio culture-economic challenges, mass migration, epidemics, environmental issues, natural and technological disasters, terrorism and its impact on security threats are rising between India and Nepal's border. To detect, deter, and disrupt terrorist threats and prevent any crisis, both local, and state resources combined are insufficient to meet the needs of the affected public.

Information, communication and technology are important tools that support the national authorities during civil emergencies. Similarly crises intelligence agencies can work together to combat terrorism on a regional scale. The sharing of intelligence and working in joint investigations can facilitate the crisis management process. Highly-trained, locally-based, passionately-committed investigators, analysts, linguists, SWAT experts, and other specialists and experts from across the law enforcement and intelligence communities from both country should be in a single team that responds together.

The collection of intelligence, within the reality of limited assets, must incorporate the art of prioritizing requirements and allocating

the appropriate resources. Intelligence is the product that supports a variety of 'consumers,' typically policy and decision makers. Therefore, intelligence efforts must be focused on supporting the identified priorities and interests of the policy/decision makers, which are established by national leadership. Intelligence that supports effective decision-making requires an understanding and analysis of both capabilities and intentions, particularly in the pre-crisis phase. The process does not end once the national priorities are set, as the system must identify changing conditions and be flexible to respond to these changes or indicators. Since the end of the Cold War, the complexity of the global environment and the international security landscape, together with the rise in transnational threats from non-state actors, have dictated a greater need for broad and, potentially diversified, intelligence gathering. This, in turn, has required a need to understand and assess a wider range of indicators across India and Nepal geographic borders, in order to be able to develop robust intelligence to support the needs of policy makers.

The intelligence community must identify, collect, analyze and communicate information that will alert the policy makers to changes in an environments setting, which serves as an indicator of threats and might act as precursors to a crisis. One such indicator, which might necessitate a shift in intelligence collection priorities, is a change in political power within a region. For India, such threats are coming from internal or external sources, and increasingly from non-state actors (e.g. terrorist groups, ethnic or religious groups). South Asia is an example of a region whose political stability is threatened both internally by the actions of the NARCO drug traffickers, the separatist, terrorists, and by poverty, and externally by border disputes with its neighbors.

Economic indicators can often provide the intelligence community with the earliest pre-crisis warnings. Changes in economic conditions, or continued poor economic performance, can lead to internal, external, and humanitarian crises. It is then security and military conditions that often provide the short notice indicators, which will dramatically change the intelligence gathering priorities. The use of force is typically preceded by changes in operational readiness, relocation of military assets and personnel and rhetoric;

and the speed of change is likely to serve as indicator of a state's (or other actor's) intention and commitment to pursuing a course of action. Another broad set of indicators of potential crisis in Nepal is humanitarian issues. This may include changes in environmental conditions (such as drought, natural disasters, and water access), repressive governments, civil strife, displaced populations and the affects of military conflicts on the civilian population.

Intelligence must respond to policy maker's requirements, and it is here that one of the fundamental problems lies. Policy makers may not perceive a region to be of significance, and due to the lack of focus placed on intelligence gathering, will miss out on or overlook important indicators of impending crises.

Dialogue and feedback between policy makers and the intelligence community is key between both countries. The dissemination and communication as a result of the intelligence gathering process will ultimately influence the extent to which indicators are appropriately weighted and paid attention to.

The phase of signal detection, preparation, prevention, and containment, damage control, learning and reflecting initiative provides law enforcement with another tool to help prevent terrorism and other related criminal activity by establishing a local capacity for gathering, documenting, and processing, analyzing, and sharing information.

The intelligence community must be able to respond and 'surge' their capabilities. Intelligence sources must become 'near real time' through superior connectivity. Crisis mapping and sourcing, visualization, analysis of data during a crisis as well as looking to flexible human intelligence sources, and the potential need to devolve intelligence gathering outside traditional sources, as well as being able to identify active attempts at deception through counter-intelligence is very important. In addition, the effectiveness of the intelligence community in crisis management would be enhanced by participation in scenario and contingency planning or 'war gaming' to improve early intelligence indicators and assessment of the political, economic and security impacts. This, for the intelligence community, would identify the information requirements and focus and prioritize collection

requirements allowing the community to act before it has to react. This is crucial for the prevention of crisis and for success management during the crisis. As indicated by Taylor and Ralston, very often it is the intelligence community and foreign policy bureaucracy that are the only source of institutional memory in a crisis. During a crisis itself, the demands on the intelligence community will very often shift from understanding of capabilities and intentions at an offensive/defensive level, to assessment of the impact of actions undertaken which requires stronger political intelligence and analysis to economic intelligence.

Some of the risks from terrorism to both domestic and international interests and relations are well understood by all the parties and has been observed in the Mumbai attack. For example, there is more of a feeling of vulnerability by the general population and military command structures in many countries after such incidents. In fact, protecting domestic security depends on cooperation between intelligence agencies and military forces from numerous countries. Nepal requires flexible, proactive as well as reactive intelligence proficiency, which leverages all sources of information, internationally and interagency on a timely basis and without psychological, cultural or policy bias.

Failures or shortcomings in intelligence are rarely due to the lack of information. Shortfalls are usually due to either incorrect analysis, lack of analysis, oversight or misunderstanding by policy makers of the implications of the situation. Now, due to the multiplicity of actors, there is a need to 'connect the dots.' 'Insignificant' events around the world lead to the significant events such as the World Trade Center bombing on 9 September 2001, Madrid and London bombing and Mumbai attack.

There are serious questions on why has intelligence failed in anticipating international crisis such as the North Korean attack against South Korea in June 1950, Indo-Chinese War of 1962, Arab-Israeli Wars, Argentinean invasion of the Falklands in 1982, First and second Gulf Wars against Iraq in 1991 and 2003. What situations and practices does the organization ignore that may lead to a crisis? How do the organization's systems and policies contribute to potential

crisis situations? Has leadership created a plan for reacting to crises? What metrics will be used to evaluate the performance of our business recovery strategy? Has the organization developed a memory to prevent future crises?

And more importantly to know why intelligence agencies were successful during the Cuban Missile Crisis, Berlin Blockade Crisis of 1948-49, and Sino-Soviet border clash of 1969?

Information sharing and collaboration, not only at the domestic level, but also regional and international level, is possibly the most important philosophical and organizational change required by the intelligence community. In India alone, regional distinctions between National Technical Research Organization (NTRO), Research and Analysis Wing and Intelligence Bureau (IB), etc is networking with other intelligence agencies due to the globalization of threats. Matters of security and source protection must be resolved to enable thoughtful and timely exchange of information between agencies. Proprietary and competitive tendencies by agencies must be reduced. This extends beyond national boundaries, to facilitating cross border gathering of intelligence and shared analysis to identify potential trends and threats. Where countries are undertaking joint campaigns in a crisis situation, decision making cannot be effective where the intelligence has been sourced separately and, due to classification, bureaucracy, cultural or psychological bias, not shared to facilitate informed analysis and decision making.

Compared to the Cold War period, it is more difficult to focus on one party's interests and to have limited objectives, nowadays many different interests and objectives have to be included and considered for crisis strategies. This means the efforts of intelligence are made more complicated and difficult when preparing for the potential outcomes. For instance, refugees, Internally Displaced People and the illegal migrants issue might create additional pressures as the native and refugee both compete for the limited resources available.

In summary, policy makers should consider indicators in the following groups to help them prioritize intelligence collection to anticipate crises:

- 1) Political and economic stability of Nepal, (at a national, sub-national or non-state actor level)
- 2) Proposed federal states and district are facing transition phase due to political, humanitarian and internal challenge. Resource allocation, infrastructure development and clear defined roles and responsibilities of authority are few challenges.
- 3) Terrorism and religious extremism have destroyed the social fabric in both countries.
- 4) The Evolving Role of leaders in Nepal: From Maintaining Law and Order to Conflict Mitigation, Crisis Management and Democratic Development.

Concluding Remarks

The sources of Bharat and Nepal's conflicts encompass a wide variety of motivating factors including radical political ideology, ethnic inequality, poverty, superstitious religious extremism and crime. The proliferation of weapons of mass destruction and the use of efficient but hazardous resources for energy, such as uranium can create challenges. Other factors that have contributed to these more traditional conflicts include overpopulation, refugee migration and the rise of mid-size powers and alliances that have begun to challenge the democratic government. In response, the role of leaders needs to expand greatly in the areas of conflict/crisis mitigation and management. The leaders' functions need to evolve to include restoring and maintaining political and economy stability and other forms of nation building.

The political leaders in Nepal were engaged in fighting for freedom during 1950-1990 AD, for the attainment of human rights, multiparty democracy, an independent judicial system, and the supremacy of the legislature. The post conflict years, on the other hand, have seen the role of the leaders shifting to conflict mitigation and management, including restoring civil society and other forms of nation building. In those crucial days the government relied on the military and police and intelligent to maintain law and order, establish political stability, and minimize death and destruction in the country. While the leaders have been successful in establishing peace and stability, it is equally

vital to understand the role of all the security forces, including Nepal Army, Nepal Police and Armed Police Force before, during and after the revolution.

The conflicts arising from inter-group clashes over political power are different from those relating to religious extremism and terrorism. So it is most important to analyze the situation as to what the leaders should do when conditions are not “ripe” for intervening in religious conflict. We all have our own beliefs for wrong or right and we may carry different interests and points of view as to the fundamental nature of any conflict that we might be facing. The differences about the issues and how the parties involved interact, surface, discuss, manage and resolve them will always be influential to the outcome of the various levels of our society.

Nepalese political parties, in the context of leadership have changed many times but the leadership style of leaders and the reaction of people and constituents to leadership styles is not changing. It is important to discuss some important rules for peace and social harmony, the role of the leader to define what the future of a federalist democratic Nepal looks like, how can people be aligned with that vision, and how can they be inspired to make it happen despite obstacles.

It is important to study Vajpayee because his decisions can affect so many people’s lives in India, South Asia and around world Vajpayee’s own words he and the party cannot be separated in terms of vision, policies and national objectives.

The quote from Vajpayee that was given in an interview with him on June 13, 2002. It shows clearly how he has vision for development of India as a country, but it also clearly shows his vision for having India be recognized and respected around world. His vision was a combination of the personal and party ideology, which cannot be easily separated since Vajpayee played such an important and central role in the founding and development of party. Moreover Vajpayee has been successful at identifying and using domestic and international events to promote his agendas and to make his vision even more the reality for a unified, strong, respected India.

Using new global engagement and stature as foundation, Vajpayee opened Indian economy to foreign investment and also strengthened image of BJP as nationalist party and now more strongly positioned for State and national elections. Vajpayee has been successful as an opportunistic nationalist with a clear vision for a national identity for his country and a foreign policy agenda designed to promote and gain acceptance for this identity in national and international arenas.

Moreover, today foreign policy approach of India has been designed to ensure active engagement and decision-making by India in global affairs and to promote and protect the national identity and territorial integrity.

Elizabeth I was a leader born and then through the experiences, including many foreign relations experiences, made herself into a leader with qualifications and who could gain loyalty of the subjects.

Mao grew into the leader trying to find own identity for China and developing own vision for how country should develop. Mao could become great leader because his ideas about China and the place of China in the world was developed at time when China was always under attack and invasion or foreign countries were trying to control business, religion and the ideology.

Woodrow Wilson was recognized as a leader due to his good organizational skills and ideas, but he was not so good at the coalition building and communicating about the good ideas with the others. Only after Wilson could show his visions and ideas for the new type of world order that would make more peaceful world and after he had the vision recognized by other leaders and countries.

Churchill had opportunity of World War II that made it necessary for him to protect his country and national interests to show and prove his leadership skills. Churchill, like anyone being a leader in the Europe, always had to have foreign policy vision due to the European history of the changing alliances and habit of going for war to change power relations.

Gorbachev was the leader who could become recognized as the international leader due to opportunity that came about. Only unlike many leaders that became known by doing some action in international arena the Gorbachev became famous because of choosing not to act that led to fall of communism eventually around world. Gorbachev was unusual example of becoming known as leader international way.

Gandhi's reputation as spiritual, political and non-violence leader led a successful national struggle for the independence for India. B P Koirala leadership on reconciliation is a model for the word on national consensus.

A main overall and valuable lesson from those leaders that were discussing is that the engaging in foreign policy and relations can in addition create the opportunities for developing and demonstrating the individual leadership capabilities. Developing the capabilities in an international leadership role and environment can convince own national level constituents of value and skills of leader also. Many leaders before they can be recognized at national level have to get recognition at international level acting on behalf of own country. These are the general observations about how leaders gain the experience and reputation for even more effective leadership role. But we also need to learn that each leader has a lesson to teach about how the foreign policy and relations involvement made them better leaders.

To conclude, in Nepal it is important to develop a foreign policy strategy that is focused on both promoting and also protecting national and bilateral interests. This strategy should consider a wide range of factors, for example in the case of Nepal also considering demographical and ethnic changes, in order for it to be as informed and effective as possible. A clear and effective strategy can give the leader extra focus for planning national and international coalition structures, and enable them to mobilize constituents and make the changes that have the most benefit for both countries. It is possible to make changes without a strategy, but it is almost impossible or very difficult to sustain that change over long period of time. Without a foreign policy strategy, it can be difficult for a leader to show their leadership capacity and gain credibility for providing the necessary direction for the country in both the national and international arenas. The leader with a strategy is more likely to communicate with other leaders and to be prepared for problem solving and for managing crises, both of which are either expected or not expected. Creating and updating a forum to connect, collaborate, solve challenges and share knowledge within a community are vitally important to manage challenges that might tend to disturb the socio-economic fabric.

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Dr. Krishna Kumar Tamang

Transnational Infiltration and Terrorism

Introduction

Transnational terrorism is distinguished from domestic terrorism by its more complex organizational structure, the involvement of multiple states, and the use of sophisticated technology. Therefore, it necessitates for international collective cooperation to conquer. Defining transnational terrorism is difficult owing to the lack of a consensus on the issue. Political interpretations of terrorist activities and ideological concerns make it hard to reach a common definition acceptable to all countries. However, some key elements of transnational terrorism are found in the literature. Using violence, targeting security forces, civilians, government officials, and having a political aim such as to create havoc to reach political and social changes are few elements of transnational terrorism. One additional condition to this definition could be that it must affect at least two states and involve non-state actors as well. Transnational terrorism is a premeditated threat or violence in attaining a political motive with fear, coercion, or intimidation of which ramifications transcend national boundaries through the nationality of the perpetrators or institutional victims, location of the incident, or mechanics of its resolution.

Islamic State in Iraq and Syria (ISIS) operatives are taking advantage of Western nations' generosity toward refugees to infiltrate Europe. The ISIS fighters use local smugglers to blend in and travel

within the ranks of a tidal wave of illegal migrants flooding into Europe, both by boat from North Africa and on land through Hungary and Austria into Germany, Belgium and Sweden. Following the Paris attacks the French government is using Daesh (Daulat al-Islamiyah f'al-Iraq wa al-Sham), the derogatory name for Islamic State in Iraq and Levant (ISIL) used by many Muslim countries.

As it appears transnational terrorist groups operate basically for three main reasons i.e. to foster and support national liberation, to achieve radical left-wing goals, and to serve the purposes of marginal religious movements. These groups commit sabotage and kidnapping, hijacking, including suicide bombings, assassination, and even cyber-attacks to fulfill their aims (Yildiz, 2015).

Terrorists in one way or other may invoke a wide range of political, philosophical, ideological, racial, ethnic, religious or other reasons to justify their actions. Border like Nepal-India is seldom for the provision of people to pass through any points to their convenience. The smuggling, encroachments and criminal activities existing are given whole border areas not covered by the security forces in either side of Nepal and India (Tamang, 2013b).

The most prominent problem due to open and uncontrolled border is the unabated movement of anti-social elements and their activities. The seemingly never ending series of crimes along the border have caused both the governments devote their resources. The unrestricted movement provides opportunities for criminal, anti-social and illegal activities like burglary, robbery, theft, murder, smuggling, pedaling narcotic drugs, trafficking girls, arms and ammunition and many more (Kansakar, 2001).

Transnational infiltration denoting territorial penetration in person alone would be not enough. Pakistan nationals using tunnel or clandestine routes to India are not limited to infiltration acts. As in the past several wars have been fought and every time Pakistan has got flattened to think of other way round instead of armament and military might. As such is the situation that Pakistan has all efforts to defeat India through economy foiling strategy with flooding of fake Indian currency notes (FICN) in India to paralyze its economic standard.

Thematical Discussion

Hijrah is a modus operandi of terrorist groups under the cover of refugee crisis. It is the Islamic doctrine of migration in a form of stealth Jihad to bring Islam considered to be a highly meritorious act. A migration invasion of a much greater magnitude is underway into Europe and the US. Approximately 104,460 asylum seekers arrived in Germany during August 2015 whereas a total of 722,370 first-time applicants filed requests for political asylum in Germany in 2016, according to the Federal Office for Migration and Refugees (BAMF). The country expects a total of around 800,000 people to seek asylum in Germany alone in the year 2017. This will transform Germany, and Europe, forever, overtaxing the welfare economies of its wealthiest nations and altering the cultural landscape beyond recognition. The entire continent of Europe is being inundated with refugees at a rate unprecedented in world history. This is not simply refugee crisis but Hijrah that ISIS had planned and thought of in advance to make people flee to neighboring countries but not to Saudi Arabia which is oil-rich country and has plenty of space.

Likewise, Bangladeshi infiltrators are said to have got into India in large number ranging around two hundred thousand. All of them cannot be terrorists, however in the crowd there would be uncertainty of them.

Illicit cross-border flows could involve networking from different countries. Those could be transnational and linking up laymen to politicians. They are also found dealing in more than one trade of smuggling drugs to arms and human trafficking, smuggling of guns to initiate or sustain combat or insurgency. Countries facing challenges of corruption and governance could have also problem of outsiders' infiltration. These could be raising threats to the country across border with anti-national activities and corruption weakening the domestic economic status (Craig, 2011).

International cooperation is a must in anti-terrorism fight since the borders are not barrier for terrorists. Thus agencies against terrorism from different countries must have compliance to be able to operate in other countries. To this end, International Security

Assistance Force (ISAF) was established by NATO in 2001 to fight in Afghanistan. This force performed several military operations. Similarly United States Navy SEALs operation led by CIA in Pakistan was launched from Afghanistan annihilating Bin Laden on May 2, 2011. Likewise another example of international cooperation is Joint Investigation Teams (JITs) built by Organization for Security and Cooperation in Europe (OSCE) in order to deal with transnational terrorism in Europe.

In 2013 two Terrorists – Abdul Karim Tunda and Yasin Bhatkal were arrested from Nepal-India border neighborhood. Since no extradition treaty is existent between Nepal and India the spirit of togetherness and common goal of fighting terrorism played the role. On July 3, 2010 Niranjana Hojai, commander-in-chief of the Black Window (BW), was arrested by the National Investigation Agency (NIA) from a place near Nepal capital Kathmandu and brought to New Delhi. He was wanted in connection with the case relating to diversion of the funds of the North Cachar Hills Autonomous Council for procurement of weapons by the militant group.

Terrorism is the unlawful use of violence or threat of violence, often motivated by religious, political, or other ideological beliefs, to instill fear and coerce governments or societies in pursuit of goals that are usually political. Non-state actors use unlawful violence to influence states or populations to achieve their goals, and state actors may use unlawful acts of violence to create effects when lawful conflict between nations does not exist (Blackmon, 2015).

Impacts

Terrorism aims at the very destruction of human rights, democracy and the rule of law has a direct impact on the enjoyment of a number of human rights, in particular the rights to life, liberty and physical integrity. The impact of terrorism is not limited to certain circumference rather wide spread and long lasting. It has no limitations, knows no boundary and neither geography nor can demographic characters debar it. Fear, uncertainty and threat take domain affecting the normal life cycle of a system, society (creed, community etc), government, and nation as a whole. It could be global

in depth, nature and multi faceted. Direct influence of the thrust or action on the object of target has definitely destructive outcomes; however on the other hand indirect affect of the same could be not less either. For example bombing in Indian city Mumbai of July 13, 2011 was quite horrific. The loss of lives incurred by no means was irreparable. Nepal, a neighbor of India too felt for strengthening her security mechanism at the borders and mainland cities lest the series of explosion reach there. The 9/11 terrorism effect was felt worldwide and thereof anti measures taken in global coordination and collaboration.

Analysis

ISIS is said to have more than 4,000 fighters set to go on action throughout the European Union. More than 1.5 million have migrated into Turkey alone, with millions more refugees in Lebanon, Jordan and outside their homes in Syria itself. Almost all of the migrants flooding into Europe are Muslims.

Classified reports reveal that Pakistani youths being drugged by secret service are made to undergo illusion. Once they are in medication effect beautiful ladies serve them with delicacies and sexual gratification in lavish pomp. No sooner they regain consciousness the youthful maidens disappear and they take it for a dream in paradise. Excursion of the paradise drives them crazy and it is Jihad to reach them there no matter what it takes to commit in the name of the nation or religion. Thus Jihad motivated youths are readied saboteur to execute any task.

Every day average 1500 hundred unemployed youths from Nepal find their way to overseas and most of them to Gulf countries. In course of their stay over there they get mingled with therein people and some have nuptial ties converting to Islam. Likely chances are there that they be enticed, persuaded and recruited by ISIS to work for them even after they are back home. The same modus operandi ISIS adopts with their sleeper cells in alien countries infiltrated to marry natives for opportune advantage in stealing information and helping their master mind somewhere else far from the residing country. Media has coverage of European teen youths including girls pour into Syria for joining ISIS which is quite alarming.

Besides all, rational causes in absence of timely address on certain issues can lead to terrorism. Aftermath the Indian Army launched operation Surgical Strike at the border in Pakistan on Sep 26, 2016 in speculation of retaliation from the hit group Indian troops needed to be cautious. In this regard Union Home Minister Rajnath Singh had ample precaution measures taken by security forces along Indo-Nepal border.

Medias all through the countries particularly of South-Asia made this event more focused that war like situational sensation was aroused. The Indian border force of SSB was made to keep vigil on suspicious points across Indo-Nepal border to contain them. The possibility of infiltration can be accounted for corruption. Similarly, insufficient perks, ineffective supervision, under staffing, and technological logistics crunch etc contribute to the substandard performance of employees manning borders not excluding apparatus of customs and immigration too. One of the noticeable points is the ineffectiveness in cross-border control. It has become a normal phenomenon of allegations of corruption to government officials at the customs and immigration. Corruption and bribery are the major economic crimes in South Asia. Corruption can influence global government policies, ruling laws, and government agencies at the cost of common interest of mass. Illicit trades make illegal logging and wildlife, drugs, arms, and services alluring employees especially of border.

For mitigation of corruption and improving in governance the requisite is that all the actors engage in process of good governance, adhere to well structured codes of conduct and their public affairs. Nepal government had reviewed its Foreign Aid Policy of 2002 in February 2008. Nepal Government has created several anti-corruption measures of legal instruments and institutional structures against corruption (Tamang, 2013a).

Yearly national events of India namely the Independence Day of 15 August and Republic Day on 26 January are of utmost concern for Indian authorities and the country people. They have tradition of inviting a foreign Head of the State or the Head of the Government to grace the ceremony amid great splendor in capital city of Delhi. The

same festive in grand manner is observed throughout the country in respective states, and the Union Territories. The whole country gets alert those days for preparedness of securing safety and security to celebrate it undisturbed. The most imminent fear is of terrorist attack.

Combating Terrorism

A state has obligation of providing security to its citizenry and to provide protection against terrorism. It is the duty of state to have its state machineries deployed while every government has a responsibility to protect its population from attack; many have used the new measures to prosecute journalists, protesters, opposition politicians, and religious or ethnic groups under the guise of counterterrorism (Watch, 2012).

Democratic principles and values are essential tools in the fight against terrorism. Any successful strategy for dealing with terrorism requires terrorists to be isolated. Consequently, the preference must be to treat terrorism as criminal acts to be handled through existing systems of law enforcement and with full respect for human rights and the rule of law. They are (1) taking effective measures to make impunity impossible either for acts of terrorism or for the abuse of human rights in counter-terrorism measures. (2) the incorporation of human rights laws in all anti-terrorism programs and policies of national governments as well as international bodies (Workshop, 2016).

Military intervention cannot be guaranteed always successful against terrorism, and insurgency as for instances to quote are the Malayan Emergency, the IRA of the Irish Civil War, and the Vietnam War. Military operations can be the last effective resort to disrupt terrorist actions, however they would be for the time being and sometime not suffice to resolve completely.

Hungary's Prime Minister, Viktor Orban, had comments that Muslim migrants must be blocked. Russia's Putin and Turkey's Erdogan were of the views that the West was to blame for creating the refugee crisis in the first place, through its fomenting of civil war against Syrian leader Bashar al-Assad. French Prime Minister Manuel Valls has his opinion of some gunmen exploiting Europe's refugee crisis to slip

in to France unnoticed. Turkish government has official authorities actively working to clamp down on refugee-smuggling. The scope of Anti-terrorism (AT) systems aims at defensive measures to reduce the vulnerability of individuals and property to terrorist acts, including limited response and containment by local military and civilian forces. AT is a more defensive program to protect against terrorism than to deter. AT focuses on risk management, planning, training, exercises, resource generation, measures of effectiveness whereas Counter Terrorism (CT) focuses on paralyzing terrorists to neutralize and deter thereby to render them incapable in using violence for threat and fear. The main purpose of CT is to destroy, isolate, and disrupt terrorist activities and their networks from executing sabotage and harms to homeland, facilities and personnel, or interests abroad. CT can be including crisis response operations to respond to imminent terrorist threats and incidents where preemption and preclusion are not successful (Blackmon, 2015). It depends differently from country to country as to which approach to apply. The fashion to adopt which strategy; the availability of finance, resources, support from home and abroad are the governing factors. Besides, foreign policy, relations of neighboring countries and own capability, military strength and other dominant paradigms are there for consideration.

So far 144 countries have passed counterterrorism laws since the attacks of September 11, 2001. Erecting of wall or fence of some kind across the border would certainly hamper free access of terrorists and other anti-social elements. Border walls in between two countries are not new phenomenon. They are normal and border walls do not mean total cut off of existing relations nor do they hinder to further ties of any sort. Border walls represent separation denoting identical existence which is international practice. They are good to both the sides as no side can blame the opposite for any unusual happenings across the other. This way friendliness remains intact and safe from accusation with no suspicion and sans speculations make relationship grow deeper and frank. Regulating border by construction of obstacles is simple and straight tangible

Apart from fencing facilities all possible modern equipments for surveillance and vigilance on the borders would be added

enforcement in security measures. Security gets priority in the face of any fields and values. No compromise at any cost for the nation and its people can ever be envisaged. Abraham Maslow's theory has established need for security which can not to be overlooked. In the light of inconvenience to countrymen due to security obstacles at the borders they are ironical but to bear.

To fight against terrorism transnational cooperation, coordination, use of advanced technology in close collaboration and harmony are the inevitable parameters. Bordering country India has incessant support for Nepal and joint government efforts are exerted at various bureaucratic to ministerial levels. Nevertheless Nepal and India have mutual consent over to control illegal activities along the border, despite lack of effective and practical approach. Illegal activities are due to the practice of corruption in the government bureaucracy, ad hoc policies, feeble rules and slackness in monitoring and evaluation. Customs on both sides of the border cannot be ruled out involving in corrupt practices (Kansakar, 2012).

Any one irrespective of nationality who bears arms for ISIS can be deprived of passports and right of entry. Canada already does this for persons convicted of serious terrorism offenses. The French President Francois Hollande had urged similar measure. Although stripping citizenship seems impractical, constitution of most of the countries have this provision for traitor and bearing arms against own country whereby it can deter ISIS fighters and terrorists.

Provisions of the United Nations

UN Security Council resolution 1373 (2001) imposes a legally binding obligation on all States to establish appropriate legislative, regulatory and institutional frameworks, including, to:

- Refrain from providing any form of support, active or passive, to entities or individuals involved in terrorist acts;
- Prevent and suppress the financing of terrorism;
- Suppress the recruitment of members of terrorist groups;
- Eliminate the supply of weapons to terrorists;

- Prevent the movement of terrorists or terrorist groups;
- Deny safe havens to those who finance, plan, support or commit terrorist acts, or provide safe havens;
- Ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice; and
- Afford each other the greatest measure of mutual legal assistance in connection with criminal matters related to terrorism.

UN Security Council resolution 1373 obliges states to suppress terrorist recruitment, and resolution 1624 (2005) calls on states to prohibit, by law, incitement to commit terrorist acts

Sharing of Info and Technologies

The US President Trump signed executive order banning seven Muslim nationals namely Iran, Iraq, Libya, Syria, Sudan, Somalia, and Yemen from entering the American soil. These countries were identified previously as sources of terror during the days of Obama administration. They are also threat to European countries as in the past events mostly the terrorists involved were from these countries.

Though long enough decided of SSARCPOL at the fifth conference of police chiefs of SAARC countries in Dhaka on May 9, 2006 it has so far not been seen materialized. Likewise co-working with agencies like Borderpol and Europol would certainly fetch fruit in connection to apprehend criminal chains and terrorists. The extent to which Interpol has its goals achieving mission National Central Bureau (NCB) Nepal appears to have still plenty of rooms in sharing information and working together for joint solutions to common challenges of global terrorism. Each and every law enforcement agency of a country given information on terrorism would be somehow instrumental in coping up the problem.

The government of Nepal has deployed Armed Police Force (APF) to look after the international border of Nepal sharing with India and China. APF has mandates of securing the border and tasked for anti-terroristic activities, however Interpol Red Corner notice and

directives do not reach APF whereas the Sashatra Seema Bal (SSB) the Indian counterpart has authorization of Passports Act inherent of arrest, seizure and more of customs afloat yet to come.

Findings

Kerala, Indian state youths were reportedly missing in June 2016, later traced possibly joined the Islamic State while working in the Gulf got converted into Islam from other religions. Abu Dujana, the chief of Lashkar e-Taiba boasted of training camps under ISIS control where children from Syria, Germany, France, and the UK get trained in Shariah law, survival training, interrogation resistance and light weapons, manufacture explosives and attack. The international police agency has information that ISIS has bases in Syria and smaller scale training camps in the EU and Balkan countries.

The then Minister for Home Affairs of Nepal in the year 2010 remained effortful in improving the law and order situation in the country by introducing special security program. With the implementation of that program, the country's security situation improved considerably. Focus of the special security program was on trans-border security, activities of the armed groups in different parts of the country and the ongoing Tibetan protests in the capital (Gurkhapatra, 2012).

The Indian government had decided to depute Jammu and Kashmir Police along SSB to plug Nepal routes used by Kashmiri militants to re-enter the valley using Indian government's new surrender policy as a cover. There were some cases found in the past few months in which former militants holed in Pakistan occupied Kashmir entering into the Valley through Nepal route (Agencies, 2012).

On several occasions Pakistani and Bangladeshi nationals were apprehended in Nepal with large amount of fake Indian currency notes (FICN).

Any criminal groups or outlaws would probably select the plain land (Terai) of Nepal for FICN operations because of the following reasons:

- Easy accessible border
- Trouble free maneuverable landscape
- Locals of friendly attitude
- Undistinguishable appearances of local people from Nepali to Indian prod criminals to commit crimes. Besides the Terai could be hideout for criminals from Bihar, Uttar Pradesh, Uttarakhand, and West Bengal.

These are the top 10 countries which suffer the most from the terrorism according to the Global Terrorism Index whereas Pakistan has dropped to number 13th and India on 16th.

1. Iraq
2. Afghanistan
3. Nigeria
4. Syria
5. Egypt
6. Yemen
7. Sudan
8. Somalia
9. Libya
10. Thailand

Source: GTI Report 2017

Basically governance is dependant up to whether it could be good or bad relying not only on the state constitution but also current problems confronting the state. The philosophers like Aristotle, Plato, Rousseau and others saw the state to promote the common good (Ilufeye, 2010).

There used to be frequent Nepal and India bilateral talks on issues of smuggling, trafficking of narcotic drugs, women and girls, arms and ammunition, border encroachment, and strengthening of border security matters. In continuation of customary annual meetings the Indo-Nepal Home Secretary Level talks were held on September 8-9, 2016 in New Delhi. The next Home Secretary Level Talks would be held in Nepal at a mutual convenient date. Border Area Develop

Program (BDAP) of India with countries in her vicinity in addition to its goals have been somehow averting youths against likelihood of getting allured to anti-social acts.

Conclusion

Europol warns up to 3,000-5,000 Europeans returning from terror training and surprise attacks could be in Europe with more civilian casualties. Terror group ISIL has set up secret training camps across Europe to prepare fighters to carry out Mumbai like Special Forces style attacks in the UK or other EU countries. Terrorism is not beyond control however it is important that the act does not go unpunished. Should the terrorist acts go unheeded that can help them believe scot-free to commit further misdemeanor for which immediate state action becomes imperative. Anti-terrorism matters in collaboration and dealing along Interpol vision and mission need fully coordinated, followed up, and periodically supervised. Cross country co-operations and coordination are the best effective tools to prevent, detect and sanction the corruption that contributes to the problem of illegal cross border flows. Administrative systems and governments need to do more for more political commitment, strong legal instruments, and effective enforcement mechanism.

National foreign and security policies ought to be compatible to newer version of societal demands for optimal practicality meeting international norms, universal practices and the United Nations standards. Corruption and poor governance are the hindrance for the development of sound economy and the progress of the country. Better the living standards of country people higher the faith for good governance.

Transnational terrorists are seen action oriented to prioritize surprise and at times ahead to outwit states. To fight against transnational terrorism inclusive efforts deem correction in lacking of cooperation among countries and law enforcement agencies.

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Sukritimaya Rashtradeep General Gaurav SJB Rana (Retd.)

Seminar on Transnational Infiltration and Terrorism

Introductory Remarks

Good Morning, ladies and gentlemen. It gives me immense pleasure to be among this wonderful group of professional academics and intellectuals and to chair this part of the seminar on Trans national infiltration and terrorism.

Deharadoon is a place that raises nostalgic memories in me. As a schoolboy, I remember trekking from The Lawrence School Sanawar on three different occasions, into this lovely valley from three different points, Mussorie, Nahan and Chakrata. Deharadoon also prompts me to recall my regiment's illustrious history, for it is in the Battle of Nalapani that my regiment "Purano Gorakh" fought the British and gained international recognition as the bravest of the brave, among the warriors of the world.

The last I was here was in 2014 as the reviewing officer for the Passing out Parade at your globally acclaimed, Indian Military Academy. This was a great honor and a clear example of the special and unique bonds of friendship that exists between our two historically, geographically, culturally, and socially linked nations.

Today's topic focused on 'Terrorism' is important and interesting as agreement on what constitutes terrorism continues to be difficult and eludes us given range of potential acts involving violence. Terrorism

is a weapon of the weak conducted by a minority of individuals who promote an extremist ideology. It is the weakest form of irregular warfare with which to alter the political landscape and it often fails to create political change.

Terrorism, or acts of violence by sub-state groups, has been separated from criminal acts on the basis of the purpose for which violence is applied, namely political change. The terrorist is fundamentally an altruist; he believes that he is serving a good cause designed to achieve a greater good for a wider constituency - whether real or imagined - which the terrorist and his organization claim to represent. The criminal by comparison supports no cause at all.

There are four types of terrorist organizations currently operating around the world, categorized mainly by their sources of motivation (a) left-wing terrorists - intertwined with the Communist movement (b) right-wing terrorists - drawing inspiration from Fascism (c) ethno-nationalists/separatists terrorists - accompanying the wave of decolonization in the immediate post WW II years (d) religious or 'sacred' terrorists - becoming more significant in the wake of Al-Qaeda.

Terrorism in the late 20th century was mostly local. Today, there has been a perceptible shift from localized terrorist groups, supported by state sponsors, to loosely organized global networks. They are backed by like-minded organizations throughout the world and in many respects have achieved de facto sovereign status by acquiring the means to conduct war. They are well financed, have a large recruitment base, are well trained, have worrisome access to Weapons of Mass Destruction and are well organized and difficult to penetrate as they have adopted networked structural modules with less hierarchical form. This allows them greater secrecy and security.

Trends in terrorism since 1968 include greater casualties, increasing sophistication, and suicide attacks. The current wave of terrorist violence uses religion as a motivator and to provide justification to kill non-combatants. Elements of globalization that permit the rapid exchange of ideas and goods can also be leveraged and exploited by terrorist groups. The technologies associated with

globalization allow terrorists to operate in a highly distributed global 'network' that shares information and allows small cells to conduct highly coordinated, lethal attacks.

Having set the stage for further discussions today we have with us 6 distinguished speakers who are going to provide you with a comprehensive picture of transnational infiltration and terrorism.

Concluding Remarks

Ladies and Gentlemen, the word terrorism was first popularized during the French Revolution. Ironically terrorism in its original context seems to be closely associated with the ideals of virtue and democracy. Whereas, the culture of violence on the other hand was perpetuated by the progenitor of the theory of 'propaganda by deed' Carlos Piscane, an Italian republican extremist. He believed and propagated the idea that violence was a necessary act to draw attention and generate publicity for a cause in order to inform, educate and ultimately rally the masses behind the revolution. Subsequently, contemporary terrorists have cited the principle of 'propaganda by deed' to justify the wanton targeting of civilians in order to assure them publicity, through shock and horror produced by wholesale bloodshed.

Currently terrorism is associated with a type of covert or surrogate warfare employed by weaker states against more powerful rivals without risk of retribution. Killing of innocent and harmless civilians cannot be condoned in any form. In the end an integrated approach, visible national resolve and an unwavering political will are the cornerstones of success.

Terrorism is a strategy of weakness adopted by those who lack real power. They usually don't have the strength to defeat an army or occupy a country. The strength of terrorists' lies in being able to manage to dominate by staging a terrifying spectacle of violence that captures the imagination and makes us feel we are sliding into chaos. Consequently, states react with a show of security by applying immense displays of force. At times this very overreaction may pose a greater threat, provoking involuntary escalation and confrontation.

For some, terrorists are like a fly that tries to destroy a china shop. The fly is so weak that it cannot even budge a single teacup. So it finds a bull, gets inside its ear and starts buzzing. The bull goes wild with fear and anger and destroys the china shop. Terrorists will try to provoke the government into making blunders. In the end success and failure depends on how you react. Like the bull in the china shop or like a spider that weaves an intricate web and ensnares the fly? The choice is yours.

Dealing with terrorism and terrorists is not an easy matter. It requires extreme patience, dedication and determination. Furthermore, executing the right strategy requires the right structure, organizations and protocols with an indomitable will to do whatever is necessary – morally and ethically – in this conflict.

Differences between states over the nature and scope of the current terrorist threat and the most appropriate responses to combat it reflect subjective characterizations based on national biases and experiences. Arriving at a consensus on how to deal with terrorism on paper is insufficient and something which has already been achieved by SAARC, in its Regional Convention on the Suppression of Terrorism years ahead. What is necessary now is to be able to translate this consensus into deeds and action.

Thank you.



Ambassador Madhu Raman Acharya

Citizens' Welfare Perspectives in Nepal-India Relations

People-to-people ties form an important link between Nepal and India. In fact, the people-to-people relations constitute the basis of a strong government-to-government relation between the two countries. "Nepal-India relations at the people-to-people level are stronger than that of the two governments," said India's Ambassador to Nepal, Ranjit Rae, in July 2016. This is a euphemism to reassure ourselves that the stronger people-to-people relations will not let the relations to derail, even if that can see ups and downs at government-to-government levels. It is the people-to-people relation that determines the overall direction of the bilateral relations, which seek to strive for the overall wellbeing and prosperity of the peoples in both countries. Thus, people-to-people relations provide strong impetus for the bilateral relations.

Traditionally, the close ties between the peoples of the two countries have been facilitated by the open border through which people have been moving back and forth freely and interacting seamlessly. The people-to-people level contacts and relations are also reinforced by the presence of people with similar religious, ethnic, linguistic and cultural backgrounds on the either side of the border. There is what has been described as the "*roti beti ka sambandh*" often cemented through family and marital links. The framework of treaties between the two countries, including the provision of the "national treatment" also fosters a strong bond between the peoples of the two countries.

Despite such extensive contacts at people-to-people level, there are several challenges and constraints undermining wellbeing and welfare of the citizens of the either country in the other. Citizens' welfare is among the most neglected aspects of the bilateral relations. It needs to be addressed by either country individually or by both collectively with the seriousness it deserves.

Absence of reliable data

The foremost challenge in the area of citizens' welfare in each other's countries is the absence of reliable statistics on the number of people living, doing business, working temporarily or travelling in each other's country for various purposes such as pilgrimage, tourism, education, medical treatment and the like.

Officially, the 2011 census of India showed there were 571,721 Nepalis in India. Nepal's census (2011) showed 720,892 Nepalis living in India. There is no reasonable explanation available to the discrepancy in official census data of the both countries gathered in the same year. Owing to absence of recoding system during the cross-border movement between the two countries, such data is to be relied upon the number of absentee population counted on either country during the census-taking. The main problem with the census data is that it is updated only in a decade and cannot provide the real time information. Unofficial estimates suggest higher numbers, from two to five million Nepalis living in India. That does not include Indian Nepali citizens living there permanently.

According to the brief of the Ministry of External Affairs (MEA), there are around 600,000 Indians living/domiciled in Nepal. This, according to the MEA brief, includes businessmen and traders who have been living in Nepal for a long time, professionals (doctors, engineers, IT personnel) and labourers (including seasonal/migratory in the construction sector). Again, the unofficial estimates are higher, especially if that is to include the number of people that have migrated from India to Nepal in recent decades. The phenomenon of migration of people from India to Nepal's Terai has been documented including in the 1983 report of the Task Force led by Dr. Harka Gurung.

The absence of data poses a risk in management of the welfare of the citizens of the either country in the other. Something needs to be done to create better database for the same. In order to have a reasonable response to the welfare of citizens in each other country, Nepal and India should start contemplating documenting the movement of people across the border. The two governments should consider mechanism that would help record the movement of people and their presence in either country. This requires some kind of regulation of the open border without compromising the traditional freedom of movement and facilities and privileges enjoyed by the people of the both sides. This should be part of the overall border management process. Until that happens, the two governments should reconcile the estimates on numbers of their citizens in each other at the least.

The “national treatment”

Traditionally, people of Nepal and India have enjoyed the freedom of movement and interaction with each other without the requirement similar to that applied in international boundaries. This relation has been formalized under the 1950 Treaty of Peace and Friendship, which allows the citizens of either country similar privileges in relation to movement, ownership of property, residence and doing business. The people of the either country are allowed “national treatment” in the other country with regard to the participation in industrial and economic development and in concessions and contracts relating to such development. The exact provision in the 1950 Treaty are as follows:

Article VI: Each Government undertakes, in token of the neighbourly friendship between India and Nepal, to give to the nationals of the other, in its territory, national treatment with regard to participation in industrial and economic development of such territory and to the grant of concessions and contracts relating to such development.

Article VII: The Governments of India and Nepal agree to grant, on a reciprocal basis, to the nationals of one country in the territories of the other the same privileges in the matter of residence, ownership

of property, participation in trade and commerce, movement and other privileges of a similar nature.

There are several challenges in the application of these provisions for “national treatment” in either country. In the first place, the disadvantage that Nepal can face under this provision has been acknowledged in the letters exchanged together with the 1950 treaty. The exchanged letters mentions that Nepal could take, for unspecified period, measures to protect its nationals from “unfair competition” that could arise on account of giving national treatment to the Indians in Nepal. Clause 3 of the exchanged letters reads.

“In regard to Article 6 of the Treaty of Peace and Friendship which provides for national treatment, the Government of India recognizes that it may be necessary for some time to come to afford the Nepalese nationals in Nepal protection from unrestricted competition. The nature and extent to this protection will be determined as and when required by mutual agreement between the two Governments”.

It goes without saying that Nepal can become overwhelmed under these provisions, given the asymmetry in the size of population and opportunities on either side. Despite such complexity, Nepal has been providing most of the privileges mentioned in the treaty to the Indians, though the availability of such privileges are not up to the level that is available to Nepalis in India.

This is an issue that requires broader discussion, including in the bilateral Eminent Persons’ Group (EGP) formed to review the entire gamut of relations, including the 1950 treaty. The EPG should explore to find a better way of institutionalizing the people-to-people relations without disturbing the traditional freedom and privileges enjoyed by the people in a way they do not become unfair and burden to either country.

People from Nepal visit India for many purposes including to finding work, to study, to seek medical treatment, for pilgrimage and for doing business. Many Nepalis are employed in India security services, household work, construction and other services and public sector. Those in the seasonal work are sometimes underpaid and face unfavourable working conditions. Others face hazardous

work conditions and poor workplace safety. Some do not carry identification, which causes problems in local amenities etc. Some employers ask for character certificate or police verification which is not easy to get. They also face problems in remitting back home the earnings they have made in India. In many occasions, the Nepali workers are subject to prejudice and discrimination. Sometimes, Nepalis face harassment and hassle in border crossings. Many Nepali women are often illegally lured into India for sexual exploitation and abuse. India is both a destination and a transit country for human trafficking, including of women, from Nepal. In some cases, Nepalis are physically abused by the owners and the employers. In extreme cases, Nepalis have faced wrath of some local communities and faced exodus from the respective areas.

Nepal's Embassy in India gets such complains and forwards them to the government of India through the Ministry of External Affairs. But the response mechanism is rather slow. The two governments should establish a mechanism for speedy resolution of such complaints. For ordinary people, the taste of good bilateral relations is reflected in the way they are treated in either country. The fair treatment to each other's citizens, including from the officials and local communities, becomes an important testimony to strong bilateral relations.

In the case of human trafficking, India and Nepal need to work out better strategy including in legal enforcement, border checks, extradition of culprits, protection of the victims and their rights wherever they may be, working out rescue operations and in providing better rehabilitation and compensation of the victims. This also requires better execution of regional and international legal instruments that are available in this regard. This issue cannot be resolved by merely adopting "criminal justice" or "organized crime" approaches. Rather, a combination of cooperation, and victim-centered human rights as well as humanitarian approaches should be applied to address the issue in its entirety. The commendable job done by the NGOs must also be acknowledged and promoted in this regard. The two countries should work together towards addressing the root causes and social dimension of the problem in the first place.

The human dimension

In a recent incident on 9 March 2017 in Kanchanpur, westernmost district of Nepal, a Nepali citizen was killed by the fire opened by India's Shashastra Seema Bal (SSB) during a local dispute regarding construction of a culvert near the bilateral border. Though the details of the incident are under investigation by the Government of India and the issue is being dealt with at diplomatic levels, it exposes the sensitivity of the open border and people-to-people interaction in the security relations of the two countries. The Kanchanpur incident is not the first of its kind. People have been killed in similar incidents of firing from the other side of the border. Another similar incident had occurred on 2 May 2010 at the border area in Nepal's Morang district, when a Nepali national was killed by the fire opened by the SSB during their chase of suspected smugglers in the Nepali territory.

In the first place, the Kanchanpur incident occurred because the bilateral border between Nepal and India remains to be scientifically delineated and demarcated based on the technical work that has been undergoing for several decades. This calls for an early resolution of the border-related disputes through scientific demarcation. There are stretches in which the bilateral border involves rivers, rivulets and canals which people of the both sides have been traditionally been using. Any construction on either side should have been done under a broader bilateral understanding and informing each other through established mechanism of local authorities on either side. The resolution of outstanding border disputes at the local level should include the automatic activation of the local coordination mechanism between the Chief District Officer (CDO) on the Nepali side and the District Magistrate (DM) in the Indian side as soon as there is a dispute in any sector of the bilateral border. Similar coordination should also be activated between India's SSB and the Armed Police Force (APF), which has been entrusted with border security on the Nepali side. The two sides should institutionalize the counterpart relations at local level, which can handle such disputes through contact and dialogue rather than having to use force. There is the need for continuous bilateral engagement, dialogue, interaction and discourse at different levels and activation of the various bilateral mechanisms that the two sides have created for such issues.

Such disputes also question the practice of investigation and taking action against those guilty of wrongdoing so that such incidents do not become common practice in the future. Most importantly, this calls for early resolution of such incidents so that they do not flare up to become serious bilateral issue. The practice of politicization of such incidents in the Nepali side and that of undermining the seriousness of the issue on the Indian side should also change for better.

The construction of embankments and roads near the bilateral border at several stretches have submerged the cultivated and residential land in the adjoining areas on either side causing a huge suffering to the people on either side, more so on the Nepali side. Better known example includes the construction of the Laxmanpur efflux bund in west Nepal, which has inundated territory in Nepal and displaced people from the area. The construction of road parallel to the border area in the Indian side at most stretches has changed the natural flow of water and inundated farmland of many farmers in the Nepali side. A better and coordinated approach to this issue could reduce sufferings faced by the people living in the border areas to a large extent. This should include bilateral consultation and prior information before start of such construction near the bilateral boundary line.

The border incident mentioned above also highlights the need to establish a mechanism for reparation and compensation for the victims of such incidents. It brings the plight of the “human dimension” of the bilateral border, as it involves men, women and children who are affected by the practices along the border on either side. For that matter, the two governments should also work out better mechanism for compensation and reparation to the people affected by big bilateral projects. For example, the collapse of Koshi embankment in 2008 caused huge floods causing heavy damage both in Nepal and India. It displaced more than 50,000 people in Nepal and uprooted up to 2 million people in India. This was a huge human security issue that could have been avoided. The collapse was caused by the poor state of repair and maintenance, supposed to have been carried out under the 1954 Koshi Agreement between Nepal and India. Here, it must be noted that two governments should work out mechanisms to treat

with displacement and compensation of the people displaced from the land areas in which such big projects are executed. For example, both the Pancheswor and Sapta Koshi High Dam projects to be executed under bilateral cooperation involve submerging of areas upstream and displacement of the local people inhabiting in the areas. Such projects have social and ecological costs which must be assessed and addressed properly before their execution.

It needs no reiteration that the five-month long “blockade” at the Indo-Nepal border after the promulgation of Nepal’s constitution in September 2015 inflicted a huge economic cost to Nepal and undermined the traditionally friendly relations between Nepal and India. It also caused immense human suffering due to interruption of fuel, medicine and other supplies, aggravating the humanitarian crisis that Nepali people were already facing after the April 2015 earthquake. India had provided massive humanitarian aid and support during the rescue and relief phase after the earthquake. It also channeled substantive reconstruction aid to Nepal. Despite such magnanimous and generous support after the earthquake, India could not come to rescue Nepal’s situation of “blockade” that caused yet another humanitarian suffering in Nepal and even undermined the favourable sentiment towards India in Nepal. If not for political and economic reasons, the two countries should work for better mechanism to avoid such situation of humanitarian crisis in the future.

Peace, democracy and development

People of Nepal and India have supported the aspirations of the people on the other side for peace, democracy and development. Nepal’s political leaders, including B. P. Koirala, then in exile in India took part in India’s independence movement in 1947. India has supported the democratic aspirations of the people of Nepal during in the democratic movements that took place in Nepal in 1950, 1990 and in 2006. India also facilitated the 12-point agreement signed between the Maoists and the five political parties in New Delhi in November 2005 and supported Nepal’s peace process towards its logical conclusion.

But such support does not come without a price attached to it. One of the corollary offshoots of India’s continuous engagement

in Nepal's peace and democracy is the its excessive indulgence in Nepal's domestic affairs, often crossing the red-lines of helping to assuming that of meddling and sometimes engaging in the alleged "micro-management" of domestic affairs in Nepal. In this regard, India's dissatisfaction to Nepal constitution adopted in September 2015 continues to haunt the bilateral relations. India has legitimate and genuine interests and concerns in Nepal's political stability that requires a constitutional order acceptable to all sections of the society including by the Madheshis living along districts at the Nepal-India border. But the issue of Nepal's constitution should not be portrayed as a problem between Nepal and India. To whatever extent the differences exist they are of internal nature and should be allowed to be resolved internally without any undue external influence. Like in the past, India can play a constructive role in helping Nepalis arrive at a mutually acceptable solution rather than imposing its choice and taking sides on the matter, which instead weakens India's capacity to play any meaningful role in this regard.

There is a continuing grievance from the Indian side of the increasing anti-India sentiments in Nepal, especially in the aftermath of the adoption of Nepal's constitution in September 2015, particularly after the "blockade" at the border. It must not be forgotten that such sentiment would not have arisen if India's policy towards Nepal had reflected the sensitivity of the Nepali people. It is no secret that India could not come forward to help resolve the situation of "blockade" for five months, which caused immense human suffering in Nepal.

In recent years, India has increased its development aid to Nepal. But the execution of big projects under the Indian economic aid is rather slow. India should review its development aid to Nepal, particularly its small projects grants to the local levels, the impact of which is diffused, and which is subject to unaccountable practices as it is not channeled through the government budgeting and financial accountability process in Nepal. It has also undermined the possibility executing bigger projects with greater visibility and impacts. For example, the amount of aid disbursed in these smaller projects could have brought better results through the construction of the much-delayed Hualki Rajmarg in the Nepal Terai.

Becoming the part of the growth story

Until the time of this writing, officials of Nepal and India are negotiating but have not agreed upon the modality of exchanging the old Indian currency notes that was in circulation in Nepal's banking system and held by Nepalis before the demonetization of 500 and 1,000 Indian currency notes in India. Nepalis suffered a lot from this. Those receiving remittances from India were the hardest hit, while businesses also got a serious blow. Nepali and Indian currencies are easily convertible. Nepal's currency exchange rate with other countries is pegged with the Indian currency. There is a huge informal trade between Nepal and India at the local level. These factors justify that Nepalis have held Indian currency for various reasons. Sudden demonetization not only made their transactions inconvenient, but it also imposed undue restrictions on their traditional transaction. On top of that, the delay in exchange of notes legally held by Nepali people and the banks until after India resolved its internal shortage of newly printed cash notes shows how Nepali people can run into disadvantage in such decisions. The two sides must ensure a smoother process for exchange of old notes from Nepal, including those in the bank and in the hands of individuals.

Economic issues between the two countries are of paramount importance in the promoting the citizen's welfare in both the countries. Nepal cannot achieve its full potential until it catches pace with India's economic growth and benefits from India's economic prowess. "India welcomes Nepal to be a part of its growth story and take advantage of the opportunities inherent in the rapid transformation of our economy", said India's President Pranab Mukharjee during his state visit to Nepal in November 2016.

It has been established that strong cultural links do not necessarily translate into tangible economic returns. Similarly, the spillover of India's massive economic growth is not automatically available to Nepal, as has been demonstrated by Nepal's low growth rate during the period in which India has entered into a massive growth trajectory. The two sides must work towards finding better synergy and towards allowing Nepal the economic space to gain from India's economic prowess.

The two governments should work together for better economic integration so that Nepal's economy can establish forward and backward linkages and better access to the supply and value chain of the Indian economy. It also requires creating better environment for attracting more foreign direct investment from India and executing major projects in hydropower and infrastructure development through bilateral cooperation. A recent wrangling on the execution of a Fast Track Road that could provide better connectivity Nepal's capital and the Terai regaining bordering India does not speak of a good model of engagement. Neither is the modality adopted for execution of big projects such as the Pancheswor Multipurpose Project and the Koshi High Dam has borne any tangible fruits so far. The two governments should find better mechanism to work together to bring more tangible benefits to their peoples through collaboration and exploitation of the existing potentials.

Both countries should also find a way to better engage their youth population. Both India and Nepal have a large percentage of youth in their populations. For that matter, both enjoy what has been called as "demographic dividend". That must be exploited to benefits of the peoples of the both countries.

Economic wellbeing of the citizens of the both countries becomes a matter of paramount importance in overall scheme of things between the two countries. The existing mechanism for bilateral trade, investment and transfer of resources including aid needs to be streamlined towards improving this overarching objective. In his latest state visit to Nepal in November 2016, India's President Pranab Mukharjee said that the destinies of the two countries were inter-linked. "We have a vital stake in each other's wellbeing and prosperity", he said. Nepal and India cannot become fully secure unless both countries are part of the same growth and development trajectory. In this sense, wellbeing and prosperity of their respective citizens becomes the most crucial element in the overall sense of security of the two countries.

The role of the state/provincial governments, consulates and community organizations in citizen's welfare

This also brings the role of the respective provinces and states and their officials in the bordering regions of either country in the

welfare of each other's citizens in their territories. Nepal shares borders with the Indian states of Uttarakhand, Uttar Pradesh, Bihar and West Bengal. There is extensive contact between the people of the two countries in the bordering regions. Though the matters related to foreign policy lies in the exclusive jurisdiction of the federal government at the centre both in India and Nepal, the role of the state governments and district authorities in India and that of the upcoming provincial governments and local officials in Nepal becomes crucial in the welfare of the citizens of either countries in their territories. A little more sensitive and favourable attitude of the state and local governments and authorities would greatly change the plight of the citizens of the other countries living, working or travelling in either country for various purposes.

Nepal used to have an office called Elaichi Kothi in Patna to look after its trade interests. The outreach of Nepali Embassy based in New Delhi and the Consulate in Kolkata cannot be made available to the services of Nepalis in various states and cities. Nepal does not have consulates in most Indian states and cities, where Nepali citizens are living, doing business.. Apart from its Embassy in Kathmandu, India has its Consulate General in the town of Birgunj. Nepal should be allowed to open its Consulate in places like Mumbai.

Yet another important factor in the welfare of the citizens in each other's countries has to do with the role of the community organizations in the welfare of the respective citizens in either country. The Indian Citizens' Association (ICA) is taking care of the interests of the Indian citizens in Nepal and has branches in Pokhara and Bhairahawa. Similarly, welfare organizations, including the Indian Ex-Servicemen Welfare Organization in Nepal (IEWON), have been engaged in case of the welfare of the family of the Indian Gurkha soldiers and retired Indian Gurkhas in Nepal together with the welfare schemes provided by the Government of India. There are bilateral friendship and cultural associations in either country There are many organizations in India supposedly working for the welfare of Nepali nationals in India. But their activities are rather focussed

on political activities instead of core welfare issues. They should be encouraged to focus on welfare of the citizens and provided with necessary support by the respective governments.

A comprehensive security approach

There is convergence of security interests between Nepal and India as threat of their security from organized crime, terrorism etc. are common. The two countries have adopted cooperative security relations, while India is providing support to modernize Nepal's security institutions. The security-to-security institutions between the two countries have good institutional contacts and networks. The military-to military relations are even stronger, reinforced by the practice of high-level visits and conferring honorary titles to the military chiefs in either country. There is even a high-level security consultation mechanism between the two countries. The two countries have adopted a policy of not allowing either country's territory against the security interests of the other.

But so far, the approach to security has been rather conventional. It should be broadened adopting a comprehensive security approach, including human and environmental security of both the countries. This will require better cooperation between the institutions other than those working in traditional security issues. Both the countries should enhance their "public diplomacy" for better informing the public on the citizen's welfare issues on either side. The engagement at the Track Two levels should also be broadened.

While mutual security is the most important dimension for strong and durable bilateral relations, it must also be noted that too much obsession on security issues should not be allowed to undermine the citizen's welfare on either country.

Citizen diplomacy

Nepal and India should reorient their focus on citizen's welfare in each other. This is about focus on people's welfare in bilateral relations. It concerns the basic needs human rights and socioeconomic

welfare of the citizens of the either country in the other. This requires pursuance of “citizen diplomacy”, which is about the protection of the interests and welfare of the citizens abroad. In other words, citizen diplomacy is pursuance of people-oriented policies in diplomacy with a view to promoting the welfare and security of the citizens abroad. A few countries have already adopted such thrust to “citizen diplomacy”. Since 2007, Nigeria, for example, has adopted “citizen diplomacy” for a proactive and responsive role towards addressing its citizen’s welfare and security abroad, allocating more resources and personnel for this purpose. In Nigeria’s case, citizen diplomacy meant that its citizens abroad would at the centre of its foreign policy and national interests and that the country’s entire diplomatic machinery would be geared to toward protecting their interests and economic welfare.

Nepal and India should enhance their citizen diplomacy in either country. This will require sensitizing the citizens present in each other’s countries and better mobilizing the institutional and diplomatic resources for their citizen’s welfare in either country. This should be part of the overall framework of bilateral relations, including in the sphere of comprehensive security approach.

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Puskar Nath Regmi

Trans-Border Crime

Preface

The new paradigm and momentum of trans-border criminal activities have become global challenge. No country of the world is spared of globalization phenomenon. The impacts of globalization and scientific technology have made easy trans-border movement, which have increased in magnitude. Global governance has failed to keep pace with economic globalization. The unprecedented openness in trade, finance, travel and communication has created economic growth and well being but simultaneously has given rise to massive opportunities for criminals to make their business prosper. The trend of interdependence between states and opening of borders which exist alongside socio-economic, cultural, legal and political inequalities and similarity both has facilitated the activities of trans-national criminal groups and geo-condition of open border between India and Nepal has further exacerbated Trans border challenges. Trans-border has diversified, gone global and reached macro-economic proportions; illicit goods are trafficked between India and Nepal and preceded to third countries. Mafia, Terrorism today are truly trans-national problem, a threat national security especially in poor and conflict ridden countries. Trans-border crime is fuelling corruption, infiltrating business and politics hindering good governance and development. And it is undermining governance by empowering

those who operate outside the law. The open border between India and Nepal has provided criminals lee-way in their nefarious cross-border activities through corruption, coercion and white collar collaborators (in the private and public) sectors lower risk to criminals and has made trans-border criminal activities sophisticated, complex and lucrative business. Thus, easy trans-border movement exacerbated trans-border crime. Improved transportation on land and in air system is also a hallmark of the current process. Easy cross border movements offer criminals sufficient space and time. This easiness also makes it possible for criminals as well as militants to shift operational bases without qualms. It also affords perpetrators the opportunity of evading arrests by law enforcement agencies by travelling to other country. There are many instances wanted criminals of both countries India and Nepal have absconded taking advantage of open border. The developing countries in South East-Asia present a peculiar dimension in security demands as a result of poverty, unemployment compelling youths to make excuses to make excuses of taking and selling drugs, and involving in other trans-border crimes. The major trans-border crimes prevailing between India and Nepal are Human trafficking, Drugs, goods, Gold, Arms smuggling, counterfeit currency, money laundering, infiltration of terrorist, Kidnapping, trafficking children for human organs. There is increasing risk of probability of Nepal being used as transit point and safe sheltering for criminals and terrorist due to easy open border as well as existing transitional state of the country. The seriousness of these problems has necessitated governments of both the countries to explore constantly innovative and effective policy responses and implement strategies to deter and control Trans border criminal activities. The presentation covers practical problems and solutions, relevant laws, trends of cross-border criminal modus operandi and its socio, eco-politico impact and prevention measures and recommendations.

Definition

“Trans-Border Crime” represent a number of illegal and notorious activities carried out by individuals and groups across national and international borders, either for financial or economic benefits and also sociopolitical cum religious considerations. It is a set of criminal acts whose perpetrators and repercussions go

beyond territorial borders. Crimes that have actual or potential effect across national borders and crimes that are intra-state but offend fundamental values of the national and international community and involves the planning and execution of illicit business ventures by groups or networks of individuals working in more than one country using systematic violence and corruption to achieve their goals.

Types of Trans-border Criminal Activities:

There are 13 types of major trans-border crimes in between India and Nepal which falls under the characteristics of its definition.

- Drug Trafficking/
- Human Trafficking
- Weapon Smuggling /
- Kidnapping/ Looting
- Terrorism
- Money Laundering
- Counterfeit Currency
- Cyber Crimes
- Extortion
- Environmental resources trafficking (Timber, Herbs, Yarchagumba, Wild life, stones, sand)
- NBC weapons
- Product counterfeiting (Duplicate Medicines and other products)
- Identity Theft
- Antiques
- Endangered species
- Migrants

Trans-border Crimes

Trans-border Crimes are challenging issue having direct impact upon security of India and Nepal. Despite efforts of joint cooperation of India and Nepal to control criminal activities in border, it is sad

to mention the degree of outcome is not satisfactory as expected due to various factors. Firstly it is open border; the networks of trans-border criminal are well organized having modern resources with stronger network as well as low risk control mechanism, instruments and certainly the corruption influenced public sector. The Trans border crime is pervasive and expanded to global periphery. The activities of trans-border criminal activities have disturbed the conducive environment of border. The open border is a tempting factor for smugglers to involve in trans-border criminal activities. The traditional approach with outdated resources and accepting gratuities attitude can never be the effective measures control this crime nexus. The intelligence sharing needs to be prioritized and exchanged in constant basis, disseminated on time. The expanded area of southern border of 1880 km. has provided innumerable loop holes for criminals. The vulnerable situation necessitates government of both countries to identify specific points in border areas to formulate innovative and constructive policies thereby implementing rules to regulate border.

Drug Trafficking

Drug trafficking is also serious trans-border crime especially raw heroin brown sugar and psychotropic substances coming from India to Nepal. There is greater quantity of white heroin smuggled to Nepal as transit point and heading towards other destination like South Asian Countries and Europe. Narcotic drug Brown Sugar and Psychotropic substances bought illegally in border of India is supplied to Nepalese addicts. This availability is one of important factor of increasing trend of drug smuggling and addiction. The transit route of white heroin emanating from golden crescent i.e. border areas of Afghanistan, Pakistan and Iran has impacted Nepal defaming its image and in concerned areas of public and private officials implicated with corruption. Likewise drugs Heroin is trafficked en route of Nepal from Golden Triangle i.e. border areas of Thailand, Burma and Laos. The brown sugar of 15 to 25 kgs is smuggled to Nepal' major cities Kathmandu, Dharan, Pokhara, Biratnagar, Birgung in a month. Drug peddlers smuggle it from Raxaul, Barabanki. The route of Mizoram is used to smuggle drugs from Burma. Drugs from Afghanistan, Pakistan are smuggled via Rajasthan and transited through Nepal.

Illicit cultivation of marijuana Terai areas are destroyed by Local administration and police.

Human Trafficking

Human Trafficking today has turned in to transnational organized crime. The women are generally sold for prostitution and children for human organs, as circus workers have become extensive due to poverty and the temptation of people involved making it lucrative business. The destinations of human trafficking are Mumbai, Delhi, Calcutta, Lucknow, Mujaffurpur, Gorakhpur. They are trafficked to Gulf countries via India. The trafficking border points are Illam-Pashupatinaga, Jhapa-Kakadbhitta, Morang – Jogbani, Sunsati-Bargenia, Parsa-Raxaul, Rupandehi-Sunauli, Kapilvastu-Krishnanagar, Dang-Koilabas and Banke-Rupedia.

Goods smuggling

The duty levied goods are smuggled through illegal points or in concealed manner. The merchandise is electronic, motor-parts, antiques, herbals, automobiles and forest products. This evasion of custom duty has directly impacted in revenue of the country. There are seizure reports by Nepal Police, Custom Armed Police around not less than 3-5 crores. We can just presume how much amount of worth the goods would have evaded beside the seized items. Environmental Resources trafficking of wild lives, skin of tiger, leopards, horn of rhinos, precious stones are smuggled.

Arms smuggling

Small Arms especially country made as well as factory made are increasing in its use by criminals and hooligans. There are many instances where groups involved in vandalism are using small arms. The criminals too are using arms to commit crime. The seizure data indicates that the small arms are available extensively in illegal markets. Beside small arms explosive are smuggled by armed groups operating in Terai region. Investigation reveals that illegal arms, ammunication and explosive are smuggled from Munger of Bihar state.

Counterfeit Currency & Product

Counterfeit currency of Indian rupees and US \$ are seized by police. The findings have directed that these counterfeit currencies are used especially by Terrorist network. The rackets involved are organized criminal gang operating from outside of Nepal. These

currencies are printed outside of Nepal. The people involved are Nepalese and foreigners. Nepal police has mobilized special unit to control and investigate this crime. There are counterfeit medicines as well as other duplicate products of different brands which are sold in the market.

Armed Groups

In some parts of Terai region in Nepal some armed groups are operating in the garb of political cover as extremism and separatist. They are involved in kidnapping for ransom, extortion and are committing heinous crime. These armed groups have easy access of crossing the borders and have net working with local criminals of border of both sides of Nepal and India. These criminal activities of the groups have threatened the security of border as well as communal harmony. There is possibility of further deterioration of the security situation if not contained or legal action taken against these groups. Their presence involved in criminality is fuelling in developing state of impunity and encouraging criminal elements in border areas. These groups can be greater criminal nuisance for both the authorities of Nepal and India. These groups are using violent and ruthless means to protect their activities.

Money Laundering

It is more likely to mean cleaning the dirty money and investing in legal enterprise. Today, its definition has been expanded, meaning "Any financial transaction which generates an asset or a value as the result of an illegal act, which may involve "tax evasion" or false accounting. It is a practice of engagement in financial transaction to conceal the identity, source or destination of illegally gained money. The process of taking any action with property any form, the proceeds of a crime disguising the fact of property is proceeds of crime or obscure the beneficial ownership of said property. The concerning aspect of the laundered money is invested in organized criminal activities, corrupting public /private officials, politicians, increasing unethical practices which breaks the backbone of the democracy. To my belief that the current demonetization in India is one of the major control measure to deactivate laundered money, property and

its financial setback causing to country's economy. The first reference of money laundering appeared during the "Watergate scandal" in USA. Therefore Money Laundering Investigation Department is recently established after the agreement with Financial Action Task Force. These departments are identifying their targets of action and jointly performing their action with Nepal police, Custom and related agencies.

Terrorist Activities

Terrorism is global menace of human civilization. Nepal has committed and is signatory of UN to combat Terrorism. The nexus of global terrorism is complex and has connection all over the world. Since the incident of 9-11 of Twin Tower in US and 26-11 incident of Mumbai has changed the paradigm of Terrorism. US hence declared War on Terror and continue till today. According to the GTI 2016 (Global Terrorism Index) India ranks 7th in total terrorist attacks and deaths. Terrorism in India is characterized by communist, Islamists and separatist groups. Communist are the most frequent perpetrators and the main cause of terrorism deaths. Police are the largest target group of communist Maoist groups in India beside private citizens and businessmen. Bihar, Jharkhand, Chhattishgarh, and Odisha are main operating ground of Maoist communist groups. The dispute with Pakistan over Jammu and Kashmir is the main source of Islamist terrorism. The two deadliest Islamist terrorist groups in 2015 in India were Lashkar-e-Toiba (LeT) and Hujbul Mujahideen, operating in Pakistan, Afghanistan and Bangladesh. Nepal's government machinery has used every possible effort in curbing any terrorist activities in Nepal or using its land. There is a special Bureau of Nepal Police mobilized to combat and control Terrorism. Armed Police Force is deterring and securing border areas of any mobility of Terrorist.

Cyber crime

There are number of cyber crime using internet by swiping credit card stealing money from the bank account belonging to others. These hacker group has IT engineer for technical support. Till now they have hacked and transferred about 3 Crore Rupees from different account of different persons from various banks by swiping ATM card in swipe

machine using Lap Top Computer to seek required information. The hackers are apprehended by Nepal Police, Valley Crime Investigation Division. Recently Nepal Police have established Cyber Crime Section in Police Headquarters and also deputed technical experts in Crime Detection Units.

Migrants

There are illegal migrants sneaking to Nepal in the garb of Indians by Kashmiris, Pakistanis, Bengalis and mongoloid features and complexion from Manipur, Assam as Nepalese Mongolian. The suspected Militants, terrorist have taken this benefit to enter Nepal. They hire houses and marry Nepalese women, and breeds children as well. Hence, in this disguise they even take citizenship and works as contact person, providing safe house for militants visiting Nepal for planning future terrorists' acts goals.

Socio-Economic-Politico Impact of Trans-border crime

Trans-border criminal activities damage the financial institutions that are critical to economic growth, reduces productivity in economic sector. This encourages crime and corruption especially in developing countries. The youth are driven towards criminality leaving schools, becoming drug peddlers and addicts. The backbone of social is fractured undermining social norms and values. There are many developing countries vulnerable and are spiraling down in to ungoverned Norco and crime ridden states. Trans-border criminals are expanding criminal activities of trafficking in drugs, humans, terrorism, arms smuggling. Cyber crime, innovative channels of e-currency, or digital funds through mobile payments technology hacked by criminal elements are hot issue which are devastating the economy of third world countries. Criminal elements contribute to the erosion of the rule of law when they harness public institutions to facilitate their illicit activities creating a culture of impunity. Trans-border criminal organizations and enterprising kleptocratic regimes through out the world pose increasing concerns for international community and have direct effect on stability of border areas of both the countries India and Nepal. Money laundering is one of the major challenging financial crimes. The phenomenal rise in money laundering and drug trafficking and other trans-border crime has generated much concern for policy markets. This has significantly

affected the economy of developing societies and creating in insecurity. Trans-border criminality discourages investment and stifles long term growth and economic development. The developing countries present peculiar dimension in security demands as a result of poverty, unemployment. Armed groups, trans-border organized criminal gangs, kidnapers, arms smugglers, other social misfits add up to tension that has characterize life in the border area districts of Nepal and India. The public trust and core democratic values are enfeebled by criminal culture. The government of both the countries needs to employ coordinated and comprehensive strategies to fight trans-border crimes. These entail developing strong law enforcement approaches in border areas enhancing effective information sharing, cooperation and also developing public-private partnership. The new leadership of Uttar-Pradesh Chief Minister Aditya Nath Yogi's initiated new policies of crime less and conducive environment in the state indeed is prominent and relevant for better future of the State and for the UP border adjoining areas of neighboring country Nepal too. The existing socio-eco environment favors probability of politicization of crime and criminalization of politics.

Effect of Trans-border crimes in National Security.

- Penetration of State Institutions, Corruption, and Threats to Governance
- Threats to the Economy, Competitiveness, and Strategic Markets.
- Crime-Terror-Insurgency Nexus
- Expansion of Drug Trafficking, Youths Addiction
- Kleptocratic Regime
- Nepal: At Risk of Being International Terrorist's and Organized Trans-border Crime Transit Point

Current Countermeasures to Control Trans-Border Crime

- Patrolling, Border Surveillance
- Joint Patrolling with Counter parts
- Joint Patrolling with other security agencies
- Search Operations- Check points, Picket and so on

- Cooperation and coordination with counterparts and other agencies
- Sharing information with counterparts and with other security agencies
- Use of Informant and Information collection
- Observing, monitoring and reporting

Efforts jointly practiced between Nepal & India (Bilateral Co-ordination-Cooperation Meeting)

- Indo-Nepal Joint commission (Joint Working Group) meeting was held 26th July 2014 after the Indian Prime Minister Narendra Modi's Nepal Visit after 17 Year's gap .
- Border District Coordination Committee meeting between Nepal and India has been held as needed.
- India and Nepal have open-border system, in the people-to-people relations amid the border residents of the countries in social, culture, economic and a variety of other fields have remained beyond compare in world account.

ICP Integrated Check Posts (under-construction.)

- Buddhanagar-4 & 5, Morang(Rani),
- Alau-1 & Sirsiya-7, Parsa (Birgunj),
- Siddhartha Municipality-1, Rupandehi (Sunauli),
- Jahespur-7 & 8, Banke (Jamunah)

Concluding Analytical Report on challenges of Crime by 23rd Regional Interpol Conference

Nepal that has already become a transit point for the smugglers of gold and animal parts is likely to turn a safe haven for the international terrorists. The weak law and order coupled with weak intelligence service and open border between Nepal and India offer a good chance for the terrorists to take shelter in Nepal. This was revealed during the three-day Asian Regional Conference of International Police Organization (INTERPOL) that concluded issuing a five-point declaration in Kathmandu. The 23rd regional conference organized by

the Nepal Police also made public the INTERPOL strategy of 2017-2020. The conference reached an agreement to collect information to tackle common crime issues such as terrorism, human trafficking, border security and cybercrime. The participants had held discussions on various burning issues like, human trafficking, organized crimes, border security issues, trans-border crimes, terrorism, and poaching, among others. The concluding ceremony was addressed by Deputy Prime Minister and Minister for Home Affairs Bimalendra Nidhi. He said that the conference remained fruitful adding that Nepal was eager to work together for combating trans-border crimes. During the conference, senior police officers from Nepal suspected that Nepal could become a haven for the terrorists and other criminals if effective mechanism is not developed. As many as 136 law enforcement officials and heads of police from various 36 Asian member-states of INTERPOL had attended the conference. The conference pledged increased cooperation among security agencies in the region. It said that Islamic State was the major threat in the region at present.

Policy and Strategically recommendations to Combat Trans-border Crime

Control policy against border crime

- **Activate and strengthen Joint working Group (JWG) and Border District Coordination Committee meetings and cooperation through electronic networking of criminal data for prompt action. Hot line communication is developed between security authorities.**
- **Enhance governance capacity, support committed reformers and strengthen the ability of public to protect people in border areas by maintaining law and order and exploitation of border criminal network.**
- **Develop a multi agencies and local leaders body for effective public service in border areas, safety, discouraging unnecessary hassles to travelers on both sides of border**
- **Initiate effective action to break-down corruptive power of trans-border criminal network and sever state crime alliances**

- **Strengthen public – private partnership** in the fight against crime and corruption.
- **Break the economic power of trans-border criminal nexus** and protect regulated market and financial system from TBC penetration, abuse and threat.
- **Control trans-border criminal networks posing threat to national security**, by their COG Centre of Gravity, depriving them of their enabling means and preventing the criminal facilitation of terrorist activities
- **Adopt and implement United Nations Conventions against Transnational Organized Crime and corruption** in the society through strengthening bilateral, multilateral co-operation and formulating strong penalizing act.
- **Develop greater co-operation and co-ordination with public private non-governmental organizations** to prevent Human Trafficking by constant vigilance and public awareness.
- **National Criminal Justice System and Legislative body** needs to formulate special Act to deal effectively with Terrorism.
- **Organize broad bilateral, regional and global training and technical assistance programs** to strengthen law enforcement and prosecutorial capacity.
- **Launch constant and vigorous operation against drug traffickers, dealers, peddlers** to close down drug market and stop availability of drugs.
- **Mobilize Border Surveillance and Informant Teams** to deter the flow of counterfeit currency carriers, illegal arms, ammunition smuggling and illicit goods and TBC leadership through Investigation and control illegal manufacturing of Arms, Ammo. Explosive.
- **Identification of Highly sensitive points and areas** to develop limited regulated Border.
- **Electronic surveillance** of smuggling routes and entry points.

- **Security authorities in Border** must be equipped with scientific technical resources such as **Mobile van with X-ray, Explosive Detection** and other concealed illicit drugs and contraband goods.
- **Develop multi-agencies approach together with police people partnership.**

Terrorists can easily sneak into India through Nepal and vice versa. Therefore, the existing open and free movement border necessitates Nepal and India to give a thought upon to ponder for new policy approaches to develop strategy especially to control terrorists, human traffickers, smugglers and other trans-border crimes. The risk of International terrorist groups using Nepal as a transit point due to existing geo-socio-eco and political situation is certainly a grave concern. Regulated border with limitation without hindrances to our existing historical social, economic bondage would be the present day factual demand to accept.

Points to Ponder

- ISIL Caliphate Movement
- Radicalization of Youths
- Migration influx
- Enhance integrated Intelligence system
- Electronic Surveillance
- Data system for identification and location finder using GPS
- Foreign employee Nepalese (almost 20 lakhs)
- Terrorism Act
- Incident in Kanchanpur (Gautam case)



Shri Buddhi Narayan Shrestha

Border Management of Nepal and Security Concern

Seminar on Indo-Nepal Relations: Defence & Security Issues

Border Management of Nepal and Security Concern



Presented by:

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Organized by:

**Neeti Anusandhan Pratishthan, Nepal (NeNAP)
and
Indian Council for International Co-operation**

**FRI, Deharadoon, Uttarakhand, India
11-12 April 2017**



What I talk ?

1. International border management system
2. Border management practice of Nepal
3. History of border management with India
4. Misuse of open border
5. Open border and security concern
6. Trans-border criminal activities
7. Extremists nearby India and Nepal
8. Way forward not to let misuse the border
9. Issues visualized along the borderline
10. Last item

International border management system

1. Open border :



2. Regulated border:



3. Closed border:



Existing Border management practices of Nepal

Nepal has :

- Regulated border management regime with China
- Open border practice with India

History of border management of Nepal with India

1. Closed border system: It was prevalent in ancient period, especially for third country nationals until 1816 Sugauli Treaty.
 2. Controlled border: After 1816, it was initiated to grant to establish British Legation Office in Kathmandu.
 3. Open border: Started slowly, unknowingly and unofficially (without agreement), after the restoration of *Naya Muluk* in 1860.
 - to make easy to recruit the British Gorkha regiment,
 - to sell finished goods by British India up to Tibet,
 - to import raw materials (timber, herb plants, animal hides and skins) from Nepal.
- However, passport / permit / Rahadani was necessary to cross the border.
 - It is mentioned in Nepal Gazettee Part-9, Baisakh 9, 2009 BS.

4. More open border:

After India's independence in 1947.



5. Wide open border:

After the establishment of democracy in Nepal in 1950.



6. Empty open border: After construction of Tribhuvan Highway in 1957, linking Kathmandu to Raxaul, Indian frontier town.



7. Regulated border system on the air-route:

- For air-passengers since 1 October 2000, after hijacking the Indian aircraft from Katmandu on 24 December 1999.



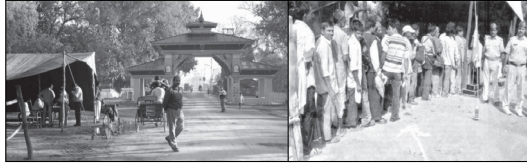
- ID card system was jointly initiated and security check was started after hijacking of the Indian Airline Aircraft .



Indian Air Marshals are checking the air passenger just above the Nepal earth in the Tribhuvan International Airport

8. Regulated border system on the surface route :

- ID card system has been introduced jointly at Nepalganj-Rupaidiya crossing- point from 1 November 2005.



- This system was introduced in an experimental basis. But it was not carried on for long.

9. Border blockade and opened

1. Blockade from 13 May 1962 to 5 October 1962.
2. Misunderstanding From 1 November 1970 to 23 August 1971.
3. Economic blockade from 23 March 1989 to 1 July 1990.
4. Undeclared border blockade (Birganj-Raxaul) from 24 September 2015 to 5 February 2016.



- This is more or less a multi-faceted picture or a short account of Indo-Nepal border management.
- So Indo-Nepal border management system consists, as history tells, an example to make detail study. a

Is there any treaty on Nepal-India border management ?

- There is no black and white document on open border system between Nepal and India.
- Then, how the border is made open ?
 - It is due to the fact that administration of both the sides did not obstruct to cross the border without any restriction.
- But in the changing situation, misuse of open border has created trouble to maintain peace & security, law & order in both India and Nepal.
 - Open border has more or less disturbed the security system of Nepal and India.

Misuse of open border

- Prime Minister of India Narendra Modi said on 27 May 2014 in New Delhi:

- 'Nepal and India should be mindful of mutual security concerns as they share an open border.'



- Bihar Chief Minister Nitish Kumar said during Chief Ministers conference in New Delhi on 21 April 2012:

- Open border with Nepal poses security challenges to Bihar.
- It needs center's support to regulate the border to check cross-border crimes.



Diplomacy regarding border management

- Indian Prime Minister Narendra Modi said on 20 February 2016, while meeting with the visiting Nepali Prime Minister KP Oli :

- We will not allow terrorists and criminals to abuse our open border.
- Security agencies of two countries will intensify co-operation.

- Nepali Prime Minister KP Oli has said on 22 February :

- Open border is a common asset of Nepal and India. Both sides should maintain security of No-man's Land, so that spirit of open border remains alive in practical terms under all circumstances.



Indian External Minister Sushma Swaraj has said on 28 July 2014 :

- Open border has been misused for -
 - criminal activities, human trafficking,
 - import and export illegal drugs,
 - smuggling of Fake Indian Currency Notes etc.



Indian Ambassador to Nepal Ranjeet Rae said on February 17, 2014 :

- India and Nepal have an open border:
 - But sometimes, unfortunately, they are also misused by people who do not have the best interests of the two countries at heart.
 - Terrorism-related cases, fake Indian currency smuggling, gold smuggling and trafficking of protected species are at the specific areas of concern India has with Nepal.'



Nepali authorities also have expressed concern over misuse of open border.

- Vice-President Parmananda Jha has said on 17 Septemeber 2014:
 - The open border between Nepal and India should be considered a boon for the two countries.
 - However, Nepal and India should try to ensure that the open border was not misused by smugglers, terrorists and criminals.
- Foreign Minister Mahendra Bahadur Pandey has said in a seminar organized by the Institute of Foreign Affairs on 9 September 2014:
 - Our immediate neighbours expect Nepal's active cooperation in not allowing our territory to be misused by elements inimical to them.



It shows that Open border has more or less challenged the security system of Nepal and India. *

Open order and security concern

1. Within Nepal herself

- There were many underground armed groups in the Tarai of Nepal such as- Tarai Cobra, Tarai Defense Army, Tarai Kangaroo Court etc.
 - They had created horror and terror in the plain areas time and often
 - It did lapses on peace and security of life and property in some extent
- It is mainly due to:
 - Misuse of Nepal-India open border regime
 - And also less vigilance on the Nepal-China regulated border
- Unwanted elements, international terrorists, traffickers of small arms, smugglers, narcotic holders, criminals, fake Indian currency holders, abductors cross the open border with India, in a disguised manner

It had adversely affected the security system in Nepal and India in some extent.

- In this context, Nepal Army has demonstrated a 'Trial Combat Against the Terrorists' in the day of Mahashivaratri on 24 February 2017.



- The CoAS of Nepal has said on 8 March 2016:
 - If there is a serious threat to the country's territorial integrity and national unity, the army will move in a lawful manner.
- Nepal Police has expressed in Interpol conference that Nepal is capable to combat against international terrorists.
- 23rd Asian Regional Conference of Interpol, organized by the Nepal Police, (7 to 19 January 2017) has passed a five-point resolution including terrorism and border security.



2. Security challenges from outside Nepal

Islamic State (IS) has created horror and terror all over the world.

They have attacked and killed the general people of various countries :

- On 5 April 2017 = Killed 31 people and wounded 42 people in city of Tikrit, Iraq.
- 25 March 2017 = Explosion killed 2 persons in Bangladesh Sylhet
- 23 March 2017= Group of gunmen killed 4 people in Bornoma in Nigeria.
- 23 March 2017 = IS terrorists killed 5 people in London outside Parliament attack.
- 19 March 2017 =15 Taliban militants were killed during clashes with Army.
- 18 March 2017 = 1 person was killed by terrorist Muslim in Orli airport, Paris, France.
- 17 March 2017 = 3 people were killed in terrorists attack in Bangladesh Chatgaun.
- 15 March 2017 = 25 people were killed in Damaskas court building of Syria.
- 11 march 2017 = 1 person has been killed in Eastern Afghanistan.
- 16 February 2017 = IS terrorists killed 130 people in Sufi Shrine, Southern Pakistan.
- 13 November 2016, =130 people in Paris of France.
- 4 July = 4 people in Jedda of Saudi Arabia
- 3 July = 165 in Karrada Baghdad of Iraq.
- 2 July = 20 people in Dhaka of Bangladesh.
- 29 June = 41 people in Istanbul international airport.
- 29 June = 30 policemen in Kabul of Afghanistan.
- 20 June = 15 people (including 13 Nepalis) in rolling bus in Kabul of Afghanistan.
- On 12 June 2016 = 49 people were killed in Orlando of Florida America.

Islamic State (IS) members / agents may infiltrate to Nepal or India through open border.

Security implications of cross-border activities

1. Religious militant and Cross-border terrorism :

- Abdul Karim Tunda, one of India's 20 most wanted top Lashkar-e-Taiba terrorists, was arrested by the Special Cell of Delhi Police from the Indo-Nepal border on 16 August 2013.



- Yasin Bhatkal, one of India's most wanted terrorism suspect was arrested near India's border with Nepal on 28 August 2013. Bhatkal is the co-founder of the Indian Mujahideen, a militant group banned in India and listed by the United States as a foreign terrorist organization.



2. Trans-border crime :

- Indian criminal Bablu Dubey, who did 36 crimes in India sneaked Nepal through open border, was arrested by Nepal Police on 29 May 2013.



3. Trafficking of narcotic drugs :

- Indian para-military (SSB) seized, in Indo-Nepal porous border Patna Frontier, over 1,892 kg marijuana, 63.9 kg hashis, 1 kg brown sugar and 500 gm heroin worth total 1 million US\$ in January 2011 alone.



4. Transportation of fake Indian currency Notes :

Fake currency Notes come from third country via Nepal to India.

- Shekh Muhammad was arrested with Rs. 905 million Indian fake currency Notes on 7 June 2013.
- Aasin Miya was arrested with Rs. 6.9 million on 28 May 2012 in Bara district border.



5. Smuggling of gold :

- Nepal Police arrested Amit Sarraf of Raxaul, an Indian national, with smuggled gold in Parwanipur from Indian border bound bus on 19 May 2014.



6. Trans-border Criminal network

Whistleblower website wikiLeaks published a cable classified as 'Secret' by the US Government:

- Revealed that at least 16 terrorists entered India via Nepal in 2009 and then traveled to the troubled Kashmir taking advantage of the open border

US Country Report on Terrorism-2009 says:

- In June 2009 Lashkar-e-Tayyiba member Muhammad Omar Madani travelled through Nepal en-route to New Delhi through the ungoverned space along Nepal-India border.

7. Illegal transportation of small arms :

- Police have arrested seven people with a dozen of small arms and ammunition from Morang, Sunsari, Jhapa, Saptari and Siraha within one month period, September 2013.



- According to security personnel, Indo-Nepal open border has threat in illegal smuggling of small arms. *

A way forward not to let misuse the border

Nepal and India should have connectivity in border management

- It needs co-operation and co-ordination not to let misuse the border.
- Must pass first hand information promptly each other for security purposes as well.

Indo-Nepal border should be regulated slowly and unknowingly, step by step, in a phase wise basis, not to let misuse the border, and to face the challenges of security concern, as followings:

1. Strengthening border security forces
2. Monitoring by CCTV cameras
3. Introducing ID card system.
4. Fencing the frontier.

1. Strengthening the border security force

- India has deployed 45,000 SSB in 466 BOPs



- Nepal also has deployed 10,300 APF in 87 BOPs.



Nepal should increase the Number of APF and BOPs.

It can be regarded as the first step to face the security challenge.

2. Monitoring by CCTV cameras



3. introducing ID card system



4. Fencing the frontier



To overcome the security challenges:

- Must stress not to let misuse open border
- The border must be:
 - Restricted for the terrorists
 - Controlled for smugglers
 - Checked for criminals
 - Obstructed for girl traffickers
 - Stopped for narcotic holders
 - Vigilant to the carriers of fake Indian currency notes

But there must not be any delayed for genuine cross-border movement of the people of Nepal and India to cross the international border smoothly.

Issues visualized on the borderline

There are differences / conflicts / encroachments / disputes in some spots :

- Lipulek-Kalapani-Limpiyadhura / Susta area
- Encroachments on No-man's land by both the sides
- Cross-holding occupation
- Missing pillars and unclear No-man's land

Recent confrontation on the border:

- Boundary Pillar number 200 is missing in between Basahi of India and Ananda Bazar of Nepal at Kanchanpur District.
- There is no trace of No-man's land as well.
- So there was a confrontation between the inhabitants of two sides on 9 March 2017
- Nepali citizen Govinda Gautam was killed by SSB firing
- India expressed grief on this incident

Issues visualized

- 93 percent of Nepal-India borderline has been demarcated
- 182 sheets of strip-maps have been prepared
- On the map, 8552 border pillars have been marked on the map
- But only 4360 pillars have been erected on the ground
 - Among them, 701 pillars have been missing
 - Of them 499 pillars have been washed away by the rivers
 - 202 pillars have been missing
- There are encroachments on No-man's land (42 places by Nepalis and 76 spots by Indian inhabitants)
- Some areas have been inundated by the construction of barrage, embankments and east-west highways in the Indian frontier, close to the borderline

Formation of Joint Boundary Working Group

1. To resolve the matters both the Prime Ministers have directed to their respective Foreign Secretaries to work on the outstanding boundary issues, including Kalapani and Susta, receiving technical inputs from the BWG.

2. Joint Boundary Working Group (BWG) in Director General (DG) level has been formed on 26 July 2014, during the joint meeting of India-Nepal Foreign Ministers to :

- Erect remaining new pillars
- Repair damaged pillars
- Re-construct missing pillars
- To clear No-man's Land
- To resolve cross-holding occupation
- To complete the remaining strip-mapping.



3. Under BWG, Survey Official Committee (SOC) in DDG level has been formed.

4. Field Study Teams (FST) in CDO/DM level have been formed in the districts.

- Presently, three joint field survey teams (FST) are working on the border on three segments.

Last item

- Both the Prime Ministers have directed to their respective Foreign Secretaries to work on the outstanding boundary issues, including Kalapani and Susta, receiving technical inputs from the BWG.
- Boundary is the common element of both the nations.
- So the outstanding issues should be resolved jointly in an amicable manner.
- Harmonious border management system between two nations is a fundamental necessity to maintain peace and security on both the frontiers.
- Integrated border management system should be implemented for the better relation and upliftment of the inhabitants of both sides of the border. ♣

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