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Nepal: Escalates border dispute with India by Amending Its Constitution:

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The Law Ministry of Nepal has now registered with the Parliament Secretariat an amendment bill to Article 9 (2) of the 2015 Constitution substituting the new map that includes all the contested territories in the Kalapani area.

The Bill will have to be passed by a two third majority both in the House of Representatives and the National Assembly to be incorporated in the Constitution in place of the earlier map approved and published.

By setting in motion the amendment to the Constitution Oli has further raised the ante in the border issue with India. While both the media and most of the politicians appear to favour a dialogue with India at the diplomatic level, the otherwise beleaguered Oli has decided to push the envelope further. This goes against the statement of Chinese Ministry of Foreign Affairs after the dispute came out into the open that said “the issue of Kalapani is between two Nepal and India. We hope that the two countries will resolve their differences properly through friendly consultations and refrain from taking unilateral action that may complicate the situation.”

It is also known that soon after the road was inaugurated by India, Oli sent a diplomatic note to China and he got a response soon. Oli told the Parliament that China has clarified that its agreement with India to open a link road to the Lipu Lekh Pass does not affect the outstanding boundary questions between Nepal and India.

Nepal quotes the Sugauli treaty and states that all territories east of the Kali River goes to Nepal and that this would include the Lampyadhara, the Kalapani and Lipulekh area. The issue is really where the source of the Mahakali river is located and the treaty does not make any mention about the source of the river. It is said that India contends that the river starts as a small river Pankhagad further south of Kalapani and the ridge line east of Kalapani is the true border, That is how the Indian road is built from Gunji to Lipulekh Pass and

this would make it the shortest route to Kailas Manasarovar. Nepal had not raised any objection all these years when this route was used both for trade and pilgrimage.

Oli for now is seen to be assured of retaining his post and the expected Party Secretariat meeting did not perhaps take place last Thursday. Both his Bete noir- Madhav Nepal and Jhalanath Khanal appear to be quiet after the Chinese advice and Dahal is happy now with having been given the powerful post of overseeing the Party as its sole Chairman! Gautham is no more a threat as he has to wait for election to the Parliament that may take some time or may not take place at all!

In the process of saving his position and taking a strong nationalistic stand (read anti Indian), Oli has had no time to look into various challenges he is facing in dealing with the Corona Virus (Wuhan Virus).

It is two months sine Oli introduced a lockdown and yet there is no plan to bring back the migrants and there is no evacuation protocol, quarantine facilities and testing. Once they start returning from the Gulf and Malaysia Oli will be faced with a “Virus more lethal than the one from China and Itlay.” Not a single Ventilator has been purchased as yet. All they have is the medical equipment given by China which the World knows are of substandard quality.

The opposition party led by Gagan Thapa moved a resolution as early as May 11 seeking safe repatriation of stranded migrants. His proposal called for immediate return, relief and repatriation of those in vulnerable condition in various Corona Virus hit countries. The Supreme Court of Nepal has also issued instructions to take the migrants back.

Oli has been deliberately delaying the repatriation and he told the Parliament that bringing all Nepalis home is not possible but the Government is preparing to repatriate those who have an urgent need to return. The issue of need does not arise as the Pandemic in those countries have made the Nepalis penniless forcing them to approach the Government to take them back. Oli has quietly handed over the problem to the CCMC (Covid Crisis Management Centre) which is planning to start evacuation in another fortnight!

The Nepal Association of Foreign Employment Agencies have said that roughly one third of those in Foreign countries want to return.

The breakup of those in other countries is as follows:

Malaysia	500,000
UAE	400,000
Qatar	425000
Saudi Arabia	380,000

Kuwait	80000
Bahrain	35000
Oman	17500

Of these, roughly 500,000 want to return. Almost a third of them are unskilled workers and would find it difficult to get a job. Many of them are likely to move to India in course of time.

Interestingly over 115000 Nepalis were waiting in the country with their permits to go to foreign countries before the endemic stopped them. There are also 50000 personnel who are in the recruiting agencies in Nepal who will be without the jobs now.

Priorities for the Oli Government are very clear- the first will be to revive the economy. The second will be bringing back the citizens stranded abroad, establish executive protocol, quarantine, testing etc. and third most important relief for the Poor who are suffering from the lock down.

Now that Oli has validated his nationalistic credentials, it is time for him to cool down and look to other challenges posed by the endemic. With his own position fairly assured, he should stop raising the ante against India in the border issue unless he is being advised otherwise by external forces as alleged by Indian analysts and the Media.

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