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21st Sapru House Lecture

by



Rt. Hon'ble Mr. K.P. Sharma Oli

Prime Minister
Government of Nepal

**Sapru House, New Delhi
22 February 2016**

Chairperson, Hon. Srimati Sushma Swaraj, Minister of External Affairs of India
Hon. Deputy Prime Minister and Minister for Foreign Affairs of Nepal
Hon. Ministers and Members of Parliament in my delegation
Excellencies,
Distinguished Members of ICWA,
Members of the diplomatic community,
Scholars,
Ladies and Gentlemen,

Let me begin by thanking the Indian Council of World Affairs for inviting me to deliver the 21st Sapru House Lecture. I am pleased to have my name associated with various luminaries who have delivered the Sapru House Lecture and those who will follow the suit. The opportunity accorded to me also manifests the importance the Indian scholars and foreign policy community accord to Nepal.



(L-R) Ambassador Nalin Surie, Director General, ICWA, Rt. Hon'ble Mr. K.P. Sharma Oli, Prime Minister, Government of Nepal, Hon'ble Smt. Sushma Swaraj, External Affairs Minister, Government of India and Hon'ble Mr. Kamal Thapa, Deputy Prime Minister & Foreign Minister of Nepal.

I express my sincere thanks to Hon. Srimati Sushma Swaraj, Minister of External Affairs, for being with us and presiding over this meeting despite her busy schedule.

I have come to New Delhi carrying with me good wishes of the people of Nepal to the friendly people of India. I have been deeply touched by the warm welcome extended by our Indian friends.

This is my first travel abroad as the Prime Minister. This is also the first visit by the Prime Minister of Nepal since the promulgation of the new Constitution in the country in September last year.

I would like to begin by sharing my thoughts first on Nepal's political development and then I will move to the second aspect of my speech that is Nepal-India relations.

Ladies and gentlemen,

As you are aware, in the last ten years, Nepal has undergone political transformation of historic proportions. We moved from a unitary monarchical system of governance to a federal democratic polity. The decade-long insurgency that began in 1996 was subsequently replaced by a peace process in 2006. Support and solidarity received from people and Government of India in Nepal's peace process needs a special mention here.

The painful transition of eight long years was finally brought to an end on 20th September last year when an elected Constituent Assembly promulgated the new Constitution with near consensus. The promulgation of the new Constitution also culminated the sixty-five years old enterprise of the Nepalese people to write their own constitution. This is a historic achievement beyond doubt. The new Constitution embodies hopes and aspirations of all segments of the Nepalese society, which is diverse in terms of culture, religion and ethnicity. Nevertheless, peaceful co-existence has been the defining feature of our way of life.

Accommodating diverse aspirations of the Nepalese people in a single document through an open, democratic and transparent process was not an easy task by any standard. The Constitution that we have today was the best possible outcome of compromise under the prevailing circumstances. We have fulfilled our historic responsibility. Yet, we believe that in the evolutionary process of the Constitution appropriate adjustments can always be made as per the wish of the people.

Ladies and Gentlemen,

Often it appears to me that the outside world is not fully aware of the contents of the new Constitution and the process that was employed in its making. Judgment has at times not been objective.

During the Constitution making process, all members of the Constituent Assembly were involved. It was not promulgated in hurry and without following the due process, as certain quarters tend to believe. Not only the Members were actively involved in the process, but people at large were also consulted in various phases of its making. We spent years in deliberating on what kind of constitution Nepali people want. The entire international community watched the constitution making process in Nepal with considerable interest. We kept them informed of what we were doing in institutionalizing peace and democracy.

The First Constituent Assembly resolved most of the issues and only a limited number of contentious issues were left before it was dissolved for its failure to deliver the constitution within the mandated period of four years. Learning from the past experiences we had to move carefully with a sense of responsibility, as the country couldn't have afforded to witness the failure yet again of an elected house, making the whole democratic process a fiasco. So, sincere attempts were made in the Second Constituent Assembly from the beginning to take all stakeholders on board. Difficult and contentious issues were resolved only after intense debates and hard compromise. Some groups left the process towards the end of the exercise especially when we entered the decisive phase of compromise. It was unfortunate.



Rt. Hon'ble Mr. K.P. Sharma Oli, Prime Minister, Government of Nepal delivering 21st Sapru House Lecture.

We must frankly admit that no one is happy with all the provisions of the Constitution. Personally speaking, I am also not fully satisfied with it, as some of my core issues have not found due place in the new Constitution the way I wanted. Yet, more than 92 percent of the CA members enthusiastically participated during the voting and more than 85 percent of the members voted in favour of the Constitution, ensuring its wider legitimacy. These members represented all segments of Nepali society, communities and regions.

The Constitution guarantees human rights and fundamental freedoms to all citizens without any discrimination. It accommodates almost all rights and freedoms that are contained in the various international human rights instruments. Some of the features of our Constitution are unique and far more progressive.

Ladies and Gentlemen,

We felt that there were some misunderstandings about the provisions of citizenship in the new Constitution. The Constitution ensures that all Nepali people have the right to citizenship. The citizenship can be obtained both in the name of mother and father. There is no discrimination aimed at any segments of Nepalese society. Nepal's citizenship regime is quite liberal and does not render anyone stateless. All citizens are treated equally in terms of opportunities and state services. For the past 70 years we have been fighting for justice, equality and democracy. The new Constitution is the culmination of our efforts to firmly establish these ideals in society and in polity and ensure in the most unequivocal terms possible the end of all forms of discrimination.

Ensuring social justice has been one of the key objectives of the Constitution. It seeks to promote socio-economic justice to the backward and different ethnic communities of the country. State policies are aimed at uplifting the overall status of socially backward women, Dalits, Adibasi Janajatis, Madhesis, Tharus, minorities, persons with disability, marginalized, Muslims, backward classes, gender and sexual minorities, youths, peasants, workers, oppressed or citizens from backward regions, and economically poor Khas Arya. The pillar of social justice is thus firmly embedded in our constitution.

Gender equality is another principal feature underpinning our Constitution. The constitution provides that the president and vice-president should come from different community and gender. Similar provision applies in the election of speaker and deputy speaker of the House of Representative. This key principle of inclusivity has already been upheld by electing the first female president of the country and the first female speaker of the Legislature-Parliament. These are groundbreaking achievements in the implementation of the new Constitution.

The Constitution provides for Human Rights Commission, Women Commission as well as Madhes Commission, Tharu Commission, Muslim Commission as constitutional bodies. These dedicated constitutional commissions reflect our profound commitment to protect and promote the rights of people of different ethnicities and communities. The Constitution has also provided for a Federal Commission to deal with the issues of the demarcation of the provinces.

Early this year, our Legislature-Parliament passed the first constitutional amendment bill to address dissatisfaction of some agitating parties. This is a credible evidence of the dynamic and progressive nature of our Constitution.

These, in my view, are sterling achievements that Nepal has made after a period of prolonged transition and uncertainty. And, we are happy that the international community has warmly welcomed the promulgation of the Constitution and expressed support from for its implementation. I thank Prime Minister Modiji for recognizing the promulgation of the new Constitution as an important achievement of Nepali people.

Ladies and Gentlemen,

This political transformation cannot be sustainable if it is not supported by socio-economic transformation. In the absence of economic development and general prosperity, the goal to create an egalitarian, inclusive and rights based society only becomes an unrealized dream. So, our topmost priority ahead is, and should rightfully be, to achieve economic development. Political stability creates a conducive environment for growth and development.

The world is interconnected and interdependent today. So, the pursuit of economic development calls for collaboration and cooperation in bilateral, sub-regional, regional and global contexts. Individual efforts alone will not be sufficient.

Asia has now become the center of global economy. What pleases us is the phenomenal economic progress India has made. Nepal cannot afford anymore to remain a poor backyard of this thriving Asia. We must be prepared to seize the opportunities that are unfolding in our neighbourhood and make our country a vibrant zone for growth and development. This is possible and achievable. But we are committed to work hard and start working now.

Ladies and Gentlemen,

Let me now move to the second aspect of my deliberation: Nepal-India relations. India is our closest neighbour and the most important partner for development and prosperity. We share many things in common, both geographic and cultural. We share history and civilization and

geography inextricably binds us. Relations are so extensive, deep and multidimensional that formal documents and treaties alone cannot capture their essence. There are very few countries in the world today whose past as well as future are so closely intertwined with that of each other. So if I have to define our relations in one single term, I call it sovereign fraternity. We have an open border that has kept our people uniquely close.

True friends stand with you at difficult times. When the massive earthquakes hit Nepal in April and May last year, support for rescue and relief from India was there within hours.

India's pledge for reconstruction was generous. We are finalizing the modality of utilization of the 1 billion dollar support package.

Foundation of our relations, strong and unshakable as it is, should remain so forever. We must trust each other and respect each other's sensitivities in a spirit of solidarity and accommodation. Trust fosters understanding and helps build confidence. Confidence generates an environment that is conducive for cooperation and this finally leads to shared prosperity. Respect for the principles of sovereign equality and mutuality of benefits is essential to promote healthy and friendly relationship between and among nations.

Occasional differences may appear in any society. This is also true between neighbours. But we must address them in a way that does not undermine the foundation of our relations. Intermittent issues between two countries and governments should not lead us to actions that are unwarranted and impact people's daily lives adversely. Our destiny is so intimately linked that we are bound to be good friends forever. So, strengthening friendship and securing shared prosperity must be our common objective.

The main mission of my coming to India was to clear misunderstanding and apprehensions that surfaced in the last few months following the promulgation of Nepal's Constitution. In my meetings with the President, Vice President, Prime Minister Modi and

other senior Indian political leaders, I tried to clarify what we did in the past few months, what our intentions were and how we seek to advance as a nation towards development and prosperity. Having exchanged views with them in a frank and friendly atmosphere, I am convinced that whatever misunderstanding was there does not persist any more. This, in my view, is the most important outcome of my visit.

Ladies and Gentlemen,

Nepal is between two big neighbours and wants to benefit from the enormous progress both are making in economic growth, science and technology, IT and trade. We at times hear from certain quarters that Nepal uses this or that 'card' vis a vis its relations with neighbours. Such perceptions have no basis. There is no question about aligning with one or the other. We cannot do it and for us it is not a viable policy option either. As a neighbor, we have and will continue to have good relations with both based on their own merits and one is not comparable to the other. What we see rather is that India and China are coming closer – be it in ever expanding bilateral trade or in multilateral negotiations on critical global issues like climate change. We see this as an opportunity to forge a productive partnership for development with both. This is where Nepal will benefit and so will our two prospering neighbours. We believe that a peaceful, stable and prosperous Nepal is in the interest of our neighbours, region and beyond.

It has been our principled policy, which we have been implementing sincerely, to respect the security sensitivity of our neighbours. We remain firm in our commitment of not allowing any hostile activities on our soil directed against India. The open border is our common asset. We must make determined efforts to ensure that it is not misused by any unscrupulous elements to the detriment to our vital interests. We also need to maintain the sanctity of No Man's Land so that the true spirit of open border remains alive in practical terms under all circumstances.

Nepal and India are endowed with resources, both natural and human. What we need is a collective will to sustain enduring partnership to convert resources into wealth for our

mutual benefits. Our vision must be informed by the fact that in collaboration and cooperation lie the opportunity to grow and prosper together and share benefit in larger interest of our peoples.

Ladies and Gentlemen,

Day before yesterday, I had a very fruitful meeting with Prime Minister Narendra Modiji. We discussed about advancing Nepal-India relations to seize the momentum built and focus on economic cooperation and development. Water resources present a vast scope for cooperation between our two countries. Legislative, policy and institutional framework has been created to facilitate cooperation between our two countries.

Energy security underpins economic security. To further strengthen cooperation in energy sector, Modiji and I jointly inaugurated the Dhalkebar-Muzzaffarpur transmission line through remote operation. This line allows our two countries to transmit electricity both ways. Now we are facing huge power shortage in Nepal. This new infrastructure enables us to import power from India. When we will be able to produce surplus power in Nepal the same will be used to export power to India. More such infrastructure has been planned.

Modiji and I shared the view that Nepal-India cooperation in hydropower is growing. Two mega deals with India public and private companies were done in 2014. Negotiations on some more are ongoing. Pancheshwar Multipurpose Project has been planned under G2G partnership. Early start of the Project will be a new milestone. This will serve as model for other large scale joint undertaking. We have signed Power Trade Agreement. Development of Nepal's hydropower will benefit both of us.

Our cultural connections are deep. Pashupatinath and Bishwanath, Janakpur and Ayodhya, Lubini and Bodhgaya and many more icons of shared civilization stand for our spiritual bonds. People in large numbers cross the border as pilgrims every year. Such relations are beyond the lines of treaties and agreements. These are eternal-Shaswat of our fraternity.

Prime Minister Modi's policy of 'neighbourhood first' has generated high optimism in the region. Nepal fully reciprocates the calls and is committed to contribute towards greater regional and sub-regional partnership in trade, transit, investment, infrastructure and connectivity.

We have formed the Eminent Persons' Group to suggest measures to further strengthen our bilateral relations consistent with the trends of our time as well as aspirations of our peoples. I am hopeful that EPG would soon start its works and fulfill its responsibility within the given timeframe. We want our relations to be forward-looking and progressive.

Finally, I thank you once again for this opportunity to share my thoughts with the learned people gathered here. You are the leaders of society and the intellectual world. You analyze situation and communicate to people. Therefore, I thought it important that I come to talk to you directly and convey to you our perspectives on Nepal-India bilateral relations as well as share with you what Nepali people have been able to achieve in institutionalizing peace and democracy, thereby creating a solid foundation for development and prosperity.

I thank you for kind attention.

Question and Answer Session

In the question and answer session, four questions were taken up and responded to by the Nepalese Prime Minister. The first question was asked by Mr. Ashok Mehta, a retired General from the Indian Army. He began by saying that Mr. Oli's main mission in visiting India was to clear the misunderstandings of the past, recent past and congratulated Mr. Oli on his success of removing the misunderstandings. His question was that though misunderstandings have been removed at the level of governments, but misunderstandings between people, since the India-Nepal relationship is between two sovereign people, what measures does Mr. Oli's government in cooperation with the Government of India intend to take in removing the anti-India sentiments that have been created in Nepal?

The second question was by Dr. Sanjeev Dudeja. His question was on Madhesis' participation – that despite their participation, there are grievances. How would Mr. Oli address these grievances; would he take it from scratch or will it be taken care of in this Constitution itself?

The third question was by Dr. Pramod Jaiswal, IPCS. He said that Mr. Oli has formed political mechanisms. Does Mr. Oli think that it will work because he has formed it unilaterally?

The fourth question was by Dr. Thakur, a journalist. She asked about Nepal's bilateralism, whether India will see any change in Nepal's policies vis-a-vis India and China?

Mr. Oli, on the first question, answered that as Mr. Mehta said, the cloud of misunderstanding has been cleared now. The cloud between the governments may be clear, but between the people or among the people; what is the situation? Mr. Oli said, "Really speaking, there was no problem between the people. We are, in fact, talking about the relations between the two governments, mainly. Among the people, 'jaise bolte hain ki beti roti ka sambandh border ilake mein (hai), there is no problem. There is no problem near the border area and they are getting married. Within three months, (there is a question of citizenship) 596 ladies, who went to Nepal after wedding, got citizenship. Within four months, 1075 ladies got naturalized citizenship. The marriage, the relationship between people of this and that side are always normal. In fact, there were, to some extent, some misunderstandings, but they were just misunderstandings. Misunderstanding is the lacking of real understanding. Now the situation is clear."

"As far as the question on citizenship is, all Nepalese, which I mentioned in my speech also, are citizens, who have the right to get citizenship, card or ID card or citizenship card they can get. But there is one question; in the Constitution, there is a provision that the question of citizenship will be decided according to the federal law. There is objection on that word, 'the federal law'. The districts or the provinces or local governments cannot provide citizenship and it is (so) everywhere all over the world. Every country is controlled by the Central government or citizenship is provided according to the Central government, central law. If

there is federalism, it is governed by the federal law. It is a very simple thing. There is, in fact, nothing that we can provide that right, even in any country in the world. They cannot provide (that) right to the provinces to provide citizenship on their own. The citizenship law cannot be different in this or that province. All the provinces have one and the same law that is federal law or central law to decide upon citizenship.”

“As far as the question of unilateral declaration of the political committee to decide about the boundaries of the provinces (is concerned), it reflects that we want to resolve the problem. We want to listen to the demands and grievances of the people and want to address those problems. Even now, we are talking, talks are going on. Dialogues are taking place, of course, continuously. Even in the crucial times always, we were taking and trying our level best to resolve the problems. For that, we amended the Constitution for the first time after the promulgation. In a very short period of time after the promulgation of the Constitution, we amended (it), which was not so easy. It was not easy to amend a Constitution, which was just promulgated. When it started to be implemented, at that time, we amended the Constitution, to address the voices, the problems, the grievances and demands of the people, nothing else. Similarly, regarding if there are any questions, we are ready to listen and address them. One thing, Constitution is a changing document. According to the needs of time and demands of the people, it can be changed and amended. The question of numbers and borders, etc. of the provinces also is a common question. Some two years before, a number of provinces in India were added. From Andhra Pradesh, Telangana was carved out and Telangana, a new state and province emerged. The numbers were changed and the border was changed. Even after such a long time since the promulgation of the Indian Constitution, the process of (changing) these boundaries and numbers, etc. is still continuing. So we are ready and this is not that we can, (or) we have to write or draft the Constitution or promulgate the Constitution or declare the Constitution for always. There shouldn't be any mistake. Yes, there is no mistake for the present needs and for the present feelings or present demands, we can address but if the demands and experiences say something different and demands call on the future, then the Constitution is amended. Similarly, the provinces are for the benefit of the people, for their service; how they can develop further, the provinces etc. This Committee is formed, the Political Committee, we were just waiting and discussing to form (it) with consensus. We

were trying to reach an agreement, but finally we failed to do that. So, under the leadership of the Deputy Prime Minister and Foreign Minister Mr. Kamal Thapa, one coordinator and there will be 11 members. Ten members are left there. Therefore, there is no reason why there is dissatisfaction because there is enough space for discussion. We have just declared the number of the Committees and the chairperson or the coordinator or the leader of the committee to lead the committee, that's all. And this committee, the Political Committee's (agenda) will be fulfilled with consultation and agreement with the other sides also. Because this is not just to keep (it) in a showcase, but this is for resolving the problems, which have appeared, so we want to do that."

"As far as the question on relation between India and China is (concerned), we are in need of the two countries. We have two neighbours. In north, there is China and in the south, there is India. We are very happy and we would like to express our happiness that both our neighbours are developing very fastly. They are achieving dynamic developments in different fields very fastly. For that, we are satisfied, we are happy and we want to get benefits from that development. And as I said, we don't want to play cards against this and that; we don't want to permit anybody to use our territory against any of our neighbours. And particularly, as far as the question of the relationship between Nepal and India is, everybody knows that it is not a new one. It is not just a dialogue formed relation; or in some process, this or that government formed the relation or established relations between our two countries. That is not true! Historically, since thousands of years, and I have mentioned in my speech also, we have Jankapur and Ayodhya's connection, there are so many connections. So we have to work together, we have to live together; we have to work and live with friendship and get common prosperity. So there will be no problem and Nepal wants to be a country of Buddha's birthplace, peaceful one. Nepal is very rich in natural resources and wants to use them with the support and cooperation of our neighbours, particularly with India. We want to work together and Nepal always was friendly to India, is friend of India and will be friend of India."
