



Evolution of Nepal's National Security Council and National Security Policy

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Abstract

In a democratic system, there is a discussion about who will be the "guardian of the guards." For this, the military is made answerable to the parliament and parliamentary oversight bodies are established to make military affairs transparent and accountable to the civilian government. Democratic countries have adopted security policies in which the civilian government controls security strategy and priorities, which were previously handled by the military. A high-level body has been established in various countries to provide strategic direction to the country. For example, the National Security Act of 1947 established the National Security Council (NSC) in the United States; the United Kingdom established one in 2010; and India and Nepal both established one in the post-1990. In Nepal, the NSC of 1990, with only two members and the Prime Minister as chairperson, was unable to bring civilians and military personnel together, resulting in a security dilemma. However, Constitution of Nepal (2015) explicitly enjoins the NSC to formulate security policy and other strategic policies. The Nepali security policy, namely the National Security Policy (NSP), was enacted for the first time in 2016 by the government. This NSP was said to be revised by the government in 2019, but what about the policy and what were the NSC's roles in policy formulation are still kept secret to date? In this backdrop, this paper focuses on whether and to what extent the government takes geopolitics and security sensitivities of Nepal into account while formulating the NSP and constituting the NSC. This will focus on raising the government's security priority and will aid in identifying the factors influencing the evolution of the NSC and NSP. Hence, the research question addressing this objective is mainly, "What are the factors contributing to the evolution and development of NSC and NSP in Nepal?" For this, the academic literature, domestic laws, and national security and defense policy were studied. In addition, semi-structured questionnaires were used to interview experts on national security in an attempt to explore the evolution of NSC and NSP in general and the practicality of security governance in particular. This paper concludes by defending the necessity of the NSP and NSC in articulating the security vision and maintaining some continuity in the future security vision of Nepal's decision-makers.

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Introduction

Nepal holds a special geographical location in South Asia—the country shares its borders with China in the North and India in the East, South and West (Sharma, 2022). Both of its neighbors have tried to influence Nepal’s domestic polity, more visibly during the major political events (Baral, 2021). Statesmen of Nepal have been aware about the geopolitical sensitivity of the country. Prithvi Narayan Shah, the founding father of Nepal, highlights threats from both Southern and Northern neighbors in *Divya Upadesh* (Celestial Advice) (Divya Upadesh). He, therefore, had advised maintaining a treaty of friendship with both India and China (Stiller, 1968, p. 42). Keeping in view the country’s relatively small geography and military, Shah had advised Nepali statesmen not to engage in offensive confrontation with the neighbors; and if fighting is a must, it should only be to defend oneself (Stiller, 1968, p. 42).

Nepal's geopolitical sensitivities demand a comprehensive security vision that includes a strong domestic security framework. However, when it came to defining and dealing with national security matters, traditionally the palace and the monarch had the upper hand (Bhandari & Sharma, 2020, p. 27). The military-monarchy relationship was consolidated with the promulgation of both the Constitution and Army Act in 1959, under King Mahendra, when the democratically elected government was sidelined and the Panchyat system begun (Baral, 2012, pp. 123-129). The Panchyat system lasted until 1990; the national security issues were managed and controlled by the monarch, rendering civilian control over the military impossible.

The people's movement of 1990, on the other hand, brought to end the “partyless” Panchyat system and established the multiparty system with the monarch as the head of the state (Baral, 2012). The concept of a National Security Council (NSC) was adopted for the first time, bringing the Nepali army under civilian administration in 1990 (*The Constitution of Kingdom of Nepal*, 1990). Unfortunately, the NSC never operated in accordance with the spirit of the Constitution till 2001.

The NSC was restructured and its objectives were essentially codified and enshrined in the present Constitution (2015) and National Security Policy (NSP) (2016). Furthermore, in 2016, for the first time, the civilian government adopted a security policy, taking a step in articulating the risks and challenges facing Nepal and the Nepalis. The NSP was said to be revised and codified as a classified and secret document (Sharma, 2022). However, the NSC's role in this entire policy development process went unnoticed.

Methodology

This study used a mixed-methods approach that included primary data collection as well as a review of secondary data sources. The primary data were gathered through key informant interviews (KIIs) with stakeholders in the security sector. The semi-structured interviews were used as data collection tools for KII. The secondary data were collected through the review of domestic legal documents related to security and defense, such as the constitutions, Army Act and National Security Policy (2016) and academic publications as well. However, because it

was codified and kept secret until now, Nepal's revised security policy (2019) was not taken into account. To bridge this gap, news articles related to the recent security policy were referred.

Nepal's Geopolitical Sensitivities: Factors influencing National Security

Nepal's location between India and China has a special bearing on its security, the country has experienced a series of intricacies in reference to its relationship with its immediate neighbors (Sharma, 2022). As such, both of its neighbors have often bypassed Nepal in deciding about major security apparatuses affecting all three countries. For instance, recently, India and China decided to use the Lipulekh pass (a disputed land between India and Nepal, bordering with China) as a trans-border route between India and China on 15 May 2015 without Nepal's consent (Ministry of External Affairs, May 15, 2015). The issue got more serious attention in Nepal after India inaugurated a link road to Kailash Mansarovar via Lipulekh pass in May 2020. While India inaugurated the link road, China showed its disinterestedness to get involved in the dispute between Nepal and India over Lipulekh. A senior official at the Chinese Ministry of Foreign Affairs urged India and Nepal to resolve the dispute on their own (*The Kathmandu Post*, May 19, 2020).

India's involvement and interests in major political shifts of Nepal beginning since the 1950s has manifested through various coercive measures and soft assistance (Sharma, 2022, Garver, 1991). However, Nepal's case is not the only one with India's relationship with other countries in South Asia. Traditionally, India considers the Himalaya as its security/strategic frontier (Kapur, 2007, pp. 82-95). As a continuation to its strategy, India signed friendship treaties with Bhutan in 1949 and with Afghanistan and Nepal in 1950 which have enabled India to exert its influence in these three countries (Menon, 2021, p. 28). And India has often played an instrumental role in restricting its neighbors from taking sovereign decisions. For example, India's objection over Nepal's decision to purchase arms and ammunition from China in March 1988 resulted in economic sanction and regime change followed by the 1990's movement (Garver, 1991, p. 960).

More recently, in November 2019, India issued an updated political map that incorporated tracts of disputed territory between India and Nepal in Lipulekh and Kalapani (The Hindu, 2019). This has not only weakened bilateral Indo-Nepal relations but also bolstered India's claim that Nepal is within its sphere of influence. In response to these moves from India and China, the Government of Nepal issued diplomatic notes asking both countries to be sensitive when dealing with disputed land such as Lipulekh and Kalapani (Ministry of Foreign Affairs, 2020). And when there was no response to these diplomatic notes from both sides, Nepal unilaterally issued an updated political map including Limpiyadhura, Kalapani and Lipulekh in its political map in May 2020 and established additional border outposts on all four sides, arguably to protect Nepal's border in the west after India constructed the link road to the Lipulekh pass (*The Wire*, 2020).

Although the bilateral relationship between China and Nepal has not been as contentious as the latter's relationship with India, lately China's interest in Nepal has grown tremendously. As such, there have been increased instances when China has reportedly been involved in the domestic polity of the country (The Diplomat, 2020). Most recently, in 2020, there were reports

on China's encroachment of Nepal's territory in Limi in Humla bordering Tibet Autonomous Region (TAR). This, however, was the first-time ever officials from Nepal making such claims regarding Chinese interference in Nepal's territory (Yeh, 2019; *BBC*, 2021).

Given the nature of its sensitive geopolitical location, Nepal has not only received special attention from regional actors but also from global actors like the United States (US). A recent verbal war between China and US over Nepal's position on the Millennium Challenge Corporation (MCC) exemplifies the graveness of the issue. The Chinese foreign ministry spokesperson accused the US government of adopting 'coercive diplomacy' to urge Nepal to adopt the MCC (Institute of Asian Studies, 2022). Speaking at a press meet in Beijing, the spokesperson shared that the MCC as being a Pandora's Box for Nepal (Institute of Asian Studies, 2022), further exemplifying Chinese concern over Nepal.

The weakness of the Government of Nepal has manifested not only at the level of bilateral relations management but also on a number of other sensitive security issues. Nepal is advocating for non-alignment as its foreign policy (Ministry of Foreign Affairs, 2020) regardless of its seeming alignment with US global strategy like Indo-Pacific Strategy (IPS), State Partnership Program (SPP) and MCC. For instance, the government had to back down from its decision to participate in a first joint military exercise between seven Bay of Bengal Initiatives for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) member nations (Bangladesh, Bhutan, India, Myanmar, Nepal, Sri Lanka, Thailand) in Pune, India, in December 2018, followed by criticisms from various quarters (*WION*, 8 September 2018). Strategically, Nepal has agreed to be the part of the China's global initiatives under Belt and Road Initiatives (BRI) (The Kathmandu Post, 2020), ratified the much disputed US grant like MCC. Similarly, the report of US Department of Defense, mentions Nepal as its defense partner (Department of Defense, 2018) and similarly Nepal is also collaborating with the US in disaster mitigation under SPP since 2019 (Department of Defense, 2022). With these cases, it can be argued that the Nepal has to balance the security threats to its stability from its immediate neighbors and beyond.

Evolution and Development of National Security Council

The National Security Council is expected to advise the government/executive on the security and defense issues (Sharma, 2020). The NSC, as the research-oriented policy-making body of the government, has an important role to play in terms of making security policy and analyzing security dynamics and challenges (Wagle, 2010, p. 85). Theoretically on the objectives of the NSC, its roles are:

the first is to inform and advice the chief executive on events and policies in the areas of national security and defense, the second is to coordinate among the players, establish consensus and see the policy through to implementation, similarly third and of importance mainly in presidential or semi-presidential systems, the NSC is normally the point of contact that facilitates communications with the legislative branch on security policies coming from the executive, followed by is to see the intelligence product is made available to what are mainly civilian decision-makers within the executive, in form that is useful to them, to develop national security policy/national security strategy and lastly, to implement the security policies (Bruneau, Matei & Sakoda, 2009, pp. 257-258).

In Nepal, even though the government introduced and established the NSC in 1990, less attention was paid to its effectiveness from 1990 to 2001 (Sharma, 2077). The NSC was for the first time incorporated in the Constitution of Nepal of 1990). Because of its narrow mandate and structure, the Prime Minister (PM), Defense Minister (DM) and Chief of Army Staff (COAS) as members did not function in the spirit of civilian control based on the Article 118, Constitution of the Kingdom of Nepal, 1990. In the early days of the NSC's inception, policymakers and cabinet members perceived the NSC as the Defense Council (Pandey, 2009, p. 80).

The political uprising of 2006 (Subedi and Bhattra, 2017) brought a noticeable shift in the structure of security governance in Nepal. The 19-Day People's Movement was organized by the-then signatories of the 12-Point Understanding as an initiation of the peace process after the Maoists' inclination towards the parliamentary system (12-Point Understanding, 2005). The latter in 1996 had unilaterally announced a violent armed struggle against the government by making expressing its "Forty-Point Demand" (Fahmida, 2002, p. 64). The Government of Nepal and the CPN (Maoist) both officially declared the end of the decade-long violent armed conflict in Nepal after endorsing the Comprehensive Peace Accord (CPA) in 2006 (CPA, 2006). The "Nepali peace process" had dual responsibilities: one to promulgate the constitution from the Constituent Assembly and another the management of the Maoist combatants (reintegration and rehabilitation) (Sharma, 2020a).

Both agreed to manage the arms and armies of the Maoist combatants in different temporary cantonments and for the Nepali Army (NA) to be confined in its barracks (CPA, 2006). And regarding the issues of democratization of the NA, its appropriate size, democratic structure and national and inclusive character, the Council of Ministers was given the responsibility to suggest a comprehensive action plan (CPA, 2006).

In 2006, the interim parliament amended the Army Act to make the NA accountable to parliament for the first time since 1959 (Singh, 2009, p. 308). In its preamble, the people of Nepal were granted sovereign rights for the first time and the NA was made accountable to the people (*Army Act*, 2006). However, the fluidity in understanding among policymakers regarding the NSC is highly observable in the Act itself. In its Chapter 2, section 4 and 5, the Act has provisions related to the NA (only) and these sections speak less about provisions related to the formulation of national security-related policies and strategies. These roles and responsibilities of the NSC make it sound more like the defense/military council than the NSC. This Act envisions the roles, functions and power of the NSC as an avenue to recommend the government on military issues and its role in policy formulation was not adequately mentioned (*Army Act*, 2006).

The two Constituent Assemblies (2008 and 2013) promulgated the Constitution of Nepal in 2015. Article 266 of the Constitution, which deals with national security provisions, defines the roles and responsibilities of the NSC where the council is directed to advise the government on the formulation of a policy on Nepal's overall national interest, security and defense, as well the mobilization and control of the NA (*Constitution of Nepal*, 2015). The table below compares the setup and aim of the NSC under the 1990 and current constitutions.

Table 1: Comparison of Nepal’s National Security Council setups of 1990 and 2015 with objectives

Details	1990	2015
Setup	<p><i>National Defense/Security Council</i></p> <p>Prime Minister (Chairman)</p> <p>Ministry of Defense</p> <p>Chief of Army Staff</p>	<p><i>National Security Council</i></p> <p>Prime Minister (Chairman)</p> <p>Ministry of Defense</p> <p>Ministry of Home Affairs</p> <p>Ministry of Foreign Affairs</p> <p>Ministry of Finance</p> <p>Chief Secretary</p> <p>Chief of Army Staff</p>
Objectives	<ul style="list-style-type: none"> ● His Majesty shall operate and use of Royal Nepali Army on the recommendation of security council ● Defense Secretary be act as the member secretary ● For the mobilization and control of Royal Nepali Army 	<ul style="list-style-type: none"> ● Government of Nepal shall operate and use of Nepali Army on the recommendation of security council ● Defense Secretary be act as the member secretary ● For the formation of a policy on overall national interest, security and defense of Nepal ● For the mobilization and control of Nepali Army

Highlighting the uncertainty in its execution of mandate of the NSC, a former COAS shared, ‘I have attended the NSC meetings only during the election and after the earthquake (2015) within my tenure as an army chief’ (Guest Lecture at DCPDS, December 20, 2018). Similarly, a former defense minister, while sharing his experiences in handling the ministry, summarized the security governance and mechanism in this way:

...It is functioning traditionally, the defense secretary as member secretary is not suitable for NSC. The professional experts in security, economy, diplomacy and retired generals must be there. For instance, during the Doklam incident nobody briefed me. NSC must be a feedback mechanism. I didn’t experience the regular meeting of the NSC, it used to activate only during the crisis (natural calamities) and at the time of election. I didn’t find any mechanism in government which can recommend feedback to the government on different issues like Doklam, territory encroachment and on contemporary politics. The army never briefed the DM about the encroachment of the border; I even expressed this feeling in my farewell meeting as well. I attended the NSC meeting three times, during the election, after the earthquake and flood. The NSC must be active in bringing the border encroachment issues as well, but I didn’t experience that. Now, the NSP is reforming, the PM must take the leading role to activate the NSC...(KII with Former Defense Minister on 14 December 2017).

Interestingly, NSC meetings have taken place only during times of crisis for the ruling government. For instance, in 2021, the NSC meeting took place just a day after the COAS met with the Chief Justice, stoking speculation on back-to-back NSC meetings and the political message carried by these. In February 2021, there was a back-to-back NSC meeting after the dissolution of the House of Representatives (HoR) in December 2020. Furthermore, the meetings also discussed peace talks with the Biplav-led faction of the Communist Party of Nepal (Maoist) (*The Himalayan Times*, February 23, 2021).

The same government headed by K.P Oli was determined to amend the functions, duties and power of the NSC through a bill in the parliament (*Annapurna Post*, 2075 BS), allowing the PM to mobilize the army without the recommendation of NSC. As per the bill, the work, duties and the responsibilities of the NSC was classified in separate seventeen responsibilities relating to formulating security policy, disaster management, NA mobilization and so on. Whereas this bill aims to replace subsection 6 of the Army Act on the provisions related to NSC (national defense council translation of 'Rastriya Surakchya Parishad' by Law Commission in Army Act). As per the bill, the NSC has the broader objectives including the policy formulation on national security and defense, mobilization of army in development, disaster mitigation, safeguarding national interest and many issues related to the mobilization of the army. Out of proposed seventeen NSC's rights, duties and responsibilities ten of them are directly related to the NA [Subsection 3 (b), (c), (d), (e), (i), (j) and (p)], clearly reflecting the government's understanding about the army and NSC in general.

Also, the political leaders since the 1990s, have different perceptions and interests while defining the national security/threats and lack inter party common security consensus. When it comes to the provisions related to the national security, policy-makers/politicians mention the provision related to only the NA on its mobilization and control properly. However, the COAS was not included in NSC for the first time as per the Interim Constitution.(Interim Constitution of Nepal, 2007).

After the 1990s, the majority of political leaders, including the DM in general and the PM in particular, never considered military (defense and national security) as a priority, as they established the NSC Secretariat only in 2001 to deal with the Maoist insurgency. The democratic governments never dared bring the Royal Nepali Army (RNA now NA) under civilian control. Instead, the Principal Military Secretariat (PMS) at the Palace bridged that gap. Usually during this period, the PM held the defense portfolio. Due to this, the three-member NSC/NDC rarely functioned as a constitutional body.

Supporting this, a former defense secretary stated, 'PM used to retain defense portfolios with themselves; the COAS and the Prime Minister were the "prime movers" of the NSC. Also, the military was controlled by the palace and the COAS was loyal to the monarch. So the NSC was dysfunctional for decades' (KII with former defense Secretary on 4 December, 2017).' Despite the fact that the NSC was conceived in 1990, its significance was only recently recognized in 2001. However, there was no specific security policy until 2016 in Nepal.

In the absence of a security policy, the NSC barely played a role in determining and envisioning the country's security visions. In return, the stakeholders of the security apparatus

always made excuses to derail or bypass the NSC to fulfill their own vested interests. The reason is the perception of political leaders about the council as involving military affairs and the establishment of different security committees for internal security (*APF Act*, 2001) which made the council more interested in military affairs and political leaders felt it was not necessary to engage with military and defense issues till 2006.

Regarding the structure of the NSC, the members from the provincial level, security experts and the opposition party leaders of the HoR need to be included as members in the NSC as per the federal structure. Furthermore, the presence of the opposition leader on the NSC will provide a unified vision of national security and strategy. Similarly, dedicated committees on defense and national security under the NSC are desirable to strengthen the NSC's effectiveness.

The First NSP 2016

National Security Policy serves as a common point for a country's decision-makers and helps them keep a reasonable degree of consistency in their day-to-day decisions. 'NSP provides a country's decision-makers with a common basis in their handling of and response to information and events that represent threats, risks, challenges, or opportunities to the country's security, understood in a broader sense' (Knudsen, 2012, p. 136). NSPs vary from state to state, but they tend to be a single document addressing at least three basic themes: the state's role in the international system, perceived domestic and international challenges and opportunities and the responsibilities of implementing actors in addressing these challenges and opportunities (DCAF, 2005). For a country like Nepal, emerging from a decade-long internal violent conflict (1996-2006) it was necessary to have a security policy identifying the challenges and threats to national stability and security. So NSP was formulated for the first time in 2016. Its objectives were: to protect and promote national unity, social and cultural solidarity and tolerance in the context of the multi-ethnic, multicultural, multilingual, multi-religious and geographical diversity of Nepal in one and to maintain the freedom, sovereignty, territorial integrity, national unity, independence and dignity of Nepal in another (NSP, 2016).

NSP is an integrated framework of overall structure that serves as the policy blueprint. It incorporates every aspect of the modern nation-state polity. In our case, national security means the complete safeguarding of a country from a geographical, social, economic and political perspective (NSP, 2016). This domestication of the definition of security shows the geopolitical condition of the country as well. The social, economic and political perspectives of security have an inclination toward non-traditional security. Traditionally, national security is interrelated with national unity, territorial integrity and sovereignty (Buzan, 2008, p. 35). Since security does not have a universally accepted definition, it differs from state to state. The concept of security in our context is similar to the concept of human security (Human Development Report, 1994).

The NSP includes 'security and protection of public and private norms and values, national respect and dignity, lives and prosperity and socio-cultural norms and values. It also includes aspects of the environment, good governance, development and human rights...' (p. 3). This is easily identical with the seven dimensions of human security: economic, food, health, environment, personal, community and political (Human Development Report, 1994).

In security studies, the question of how and why the state operationalizes security makes sense. This may be the state's own needs, which are called national interests and other diverse internal and external influences (see Table 2). The major factor influencing Nepal's national security was its geographical location and open border. This geostrategic location has also resulted in the immediate concerns and interests of both neighbors India and China. The NSP 2016 has identified and incorporated eleven elements influencing Nepal's national security (p. 10) as in Table 2.

Table 2: Elements Influencing National Security as defined by NSP 2016

S.N.	Elements Influencing National Security	S.N.	Elements Influencing National Security
1.	Geographical location and open border	2.	Transformation in state system
3.	Political instability	4.	Religious, geographical and ethnic issues
5.	Levels of economic development and discipline	6.	Matters of immediate, short-term, long-term and permanent types of national interests
7.	Activities and activeness of disintegrative or separatist groups	8.	Concerns and interests of neighboring and other countries
9.	Matters of internal security at central, regional and local levels	10.	Abuse of science and technology and modern equipments
11.	Matters concerning global, regional and sub-regional security		

The NSC and security policy are understood and viewed differently by major stakeholders in the national security apparatus. Even in the present day, defense bureaucrats perceive security as the realm of the defense ministry and the army. Similarly, a retired Additional Inspector General of APF shared:

I am also unaware about the NSP. Whether the policy is categorized as a classified document or it was publicly available, I am still confused about this. Even when I asked for the policy (2016), the response I got was that the policy was already on the website but till date I don't have access to the security policy (KII on 16 November 2018).

Adding on the security policy, the former defense secretary highlighted:

I am among the people who advocated for the COAS in the NSC as a member. Because the main function of the NSC is to mobilize the army, without the consent of COAS it is hard to mobilize, so it would be easy to implement the NSC decision relating to the army, if COAS was in NSC. And, NSP is the holistic security analysis of the country. NSC-secretariat is the executive body of the council which has the mandate in formulating the policy, analyzing the security environment of the country and to give the appropriate suggestions to the government. Also, the NSP is not the homework of the NSC- Secretariat. But it is the comprehensive security analysis of the nation where the Army is the prime in national security. So the defense ministry must take the leading role while drafting the NSP (KII with former defense secretary on 23 November 2018).

The NSP, itself, generalizes the security threats, risks and challenges, but fails to identify the specific security threats and risks (see, Table 2 and Table 3). It has brought all the threats and risks that can be potential security threats for Nepal but has not dealt with them adequately in defining the specific threats and risks in the upcoming years and future. This policy has not felt necessary to address the threats and risks of unequal treaties and agreements of the past, foreign aid taken against the national interest, issues of immigration and refugees, a country’s landlocked geography, the threat and risk associated with transit rights, open borders and blockades and so on. However, it internalized the concerns and interests of international community as external challenges and threats (NSP, 2016)

Table 3: Nepal’s Security Threats, Risk and Challenges as defined by NSP 2016

S.N	Threats, Risk and Challenges as per NSP 2016	S.N	Threats, Risk and Challenges as per NSP 2016
1.	<p>Political Challenges and threats System of governance, political instability and division, Unconstitutional activities, Unwarranted external influence</p>	2.	<p>Challenges and threats related to law and order Trend of politicization of crime and criminalization of politics, Obstructions to the culture of rule of law, Trends of violation of law and impunity, Abuse of modern technology in commission of crimes, unlawful import of arms and explosives, Corruption, Increasing incidents of violence in community</p>
3.	<p>Socio-economic Challenges and threats Illiteracy, increasing unemployment and poverty, Minimal national production, Financial crimes and revenue leakage, import of external financial crisis and infirmities, population growth and unmanaged migration, Abuse of civil rights</p>	4.	<p>Challenges and threats related to disasters and natural resources Natural disasters such as earthquake, soil erosion, flood, landslide and water submergence, unmanaged and irregular exploitation of natural resources, Climate change and environmental loss, Chemical, radiation and technology induced disasters</p>
5.	<p>Challenges and threats posed by extremism Likelihood of involvement of terrorist in smuggling of arms, explosive and narcotic drugs, Threats created in society due to disorder, insecurity, terrorism and chaos, External collusion and undesirable movements, Inter country and trans border crimes, Involvement of extremist in misuse of foreign currency and smuggling</p>	6.	<p>External Challenges and threats Open International border, Border encroachments, Fuel and Energy crisis, Regional security environment, International security environment (Adjustment of national interests, internal conflicts of interests and strategic competition), Political instability, External Aggression</p>

The 2019 Review of NSP

Theoretically, NSP formulation follows a standard policy cycle spanning initiation, drafting, reconciliation and approval. The review is nearly always initiated by the executive. In some cases, the legislature or standing groups on security issues may recommend a review of NSP (DCAF, November 2005). The process may vary from being annual, regular, or occasional. In our case, the government formed a high-level advisory committee (seven members) to review the NSP in 2018 (Upreti, 2075 B.S.). And the committee headed by the-then deputy prime minister and defense minister submitted the revised security policy on March 4, 2019 to the Government of Nepal (Pandey, 2078 B.S.). Even though, it was not disclosed who the members of such a committee were or the reason behind the review of the NSP within two years of its enactment, a retired brigadier general shared that he was aware of the ongoing review of the NSP (2016) and also disclosed that the Ministry of Defense and NA Headquarters undertook it covertly (KII on 12 November 2018). The revised security policy has been categorized as a very sensitive political document and is therefore still classified to date (KII on 12 November 2018).

The available literature suggests that the revised NSP also does not sufficiently capture comprehensive security analysis. Strategically, NSP 2016 was adopted after the blockade imposed by India that lasted four and a half months in 2015 (The Wire, 02 March 2016), when the country was in post-earthquake recovery and the constitution was just promulgated from the Constituent Assembly. It speaks less about the economic blockade and specifies it as a major security threat (NSP, 2016).

When examining Nepal's security concerns and problems, it is critical to incorporate geopolitical impacts. The secondary literature available also supports the same argument. Nepal faces both opportunities and risks from its immediate neighbors, India and China, both of whom possess nuclear weapons and are global developing powers. In some ways, both neighbors are considered the greatest challenges to Nepal's sovereignty, territorial integrity and national unity (BBC, 2018).

Furthermore, it has been reported in the newspaper article that the revised NSP (2019) emphasizes 'previous unequal treaties and agreements constitute a danger to the state's sovereignty and independence. This policy has also identified insecurity along the international boundary, encroachment and undesired border operations as important security issues' (Kafle, 2069). Similarly, 'the revised NSP defines security concerns as foreign aid used against the national interest and unwelcome activities, as well as corruption, irregularities and nepotism. Immigration and refugee concerns are also regarded as threats to national security' (Kafle, 2069). As a result, it can be argued that the revised NSP has addressed a variety of non-traditional security concerns than the previous NSP. This underscores the reality that Nepal is exposed to both traditional and non-traditional security challenges ranging to internal and external security environment.

The NSP (2019) has reviewed the past security environment of Nepal and has concluded that the security threats are that 'Nepal's internal security environment has long been complicated by armed conflict, unwanted external influences, political instability, open borders, economic

blockades (Silapatra, 2075), organized crime, obstruction of the rule of law, communalism and regional narrow-mindedness'.

Another aspect of both NSPs (2016 and 2019) that is lacking in our context is cyberspace security, which recognizes the fact that global and regional powers are competing and expanding their influence accordingly, which has the potential to create electronic warfare threats. To address this vacuum, the government has adopted the "National Cyber Security Policy, 2078," three years after the NSP 2016.

Similarly, it was said that, within the first two years of the enactment of the security policy, the government updated the NSP in 2018–19 to address the federal structure of the country. However the structure of the NSP doesn't allow any representatives from the provinces and local level as well in NSC (see, Table 1). Similarly, if we exclude COAS, it seems more like mini-cabinet than NSC. It is timely that the provincial chief ministers, federal and provincial planning commissions, the provincial ministry of internal affairs, the speaker of the HoR or chairman of the National Assembly and the opposition political party leader in the HoR be invited to the NSC to reach a security consensus as per the federal structure.

In spite of this, the NSP 2019 is still classified as a secret document and major security stakeholders lack the shared security interest of the country. To meet the objectives of the NSP, the three tiers of the government—federal, provincial and local—have to be in a single board to address the diverse security challenges, risks and threats to Nepal and Nepalis. Because all levels of government have legislative, executive and judicial authorities. Also, because the provincial and local governments have their own police forces (provincial police and municipal police) and mechanisms, the federal government has to collaborate with them to implement the NSP. Another major drawback of both NSPs is that they fail to propose the opportunities that Nepal has, regardless of its geopolitical sensitivities. The revised NSP needs to specify precisely how these security threats, risks and challenges that Nepal possesses can be minimized and then transformed into opportunities.

Conclusion

Nepal lacks a unified entity that can give impetus to the country's security. Consequently, in the last few years, Nepal was unable to assert its interests effectively in regional, bilateral and multilateral forums. In many instances, the country was unable to take a firm decision on sensitive issues like participating in military drills and entering into bilateral alliances resulting from the internal political turmoil and political parties' varied perspectives on domestic and international affairs and the factors constituting national security threats. Similarly, the key stakeholders also have different opinions on national security and the roles and responsibilities of the NSC in general, making security apparatuses and their roles, responsibilities and duties more ambiguous. The key security stakeholders are not sufficiently aware of the provisions relating to national security in the constitution, policies and acts, making the NSC further ineffective because the revised NSP is still classified and not discussed publicly and implemented in a manner that can be seen.

The NSC as such can also be the focal body for making consensus on issues like bilateral, regional and multilateral relations, where Nepal can clarify its position. In domestic affairs,

the NSC is the only high-level body that can collaborate and coordinate among the security bodies, line ministries and departments. In a nutshell, if the objective of the NSP is to secure and protect the citizens of Nepal from every quarter, then the citizens in return have the right to know about the security interests and threats of their country. The state should guarantee access to vital policies, including the national security policy, without any objection. The NSC should fill this vacuum.

The evolution and development of Nepal's NSC and NSP were heavily influenced by domestic political developments as well as developments in its immediate neighbors and beyond. In the former case, it was created with the intention of controlling the NA in general or detaching its loyalty to the monarchy. Even during the transition (2006-2015), the Army Chief was not included in the NSC, but Chief was included in the recent setup of the NSC. Regarding the objectives of the NSC, it has holistic responsibilities in determining the security vision of the country, although the practicalities fall short.

The NSP, on the other hand, was recently formulated in context of the federal democratic republic of Nepal. Previously, the palace and the military had a clandestine defense and security policy for security stakeholders that was unknown to and inaccessible to them. According to the NSP 2016, the elements influencing national security as well as threats, hazards and challenges have been correctly examined in Nepal's security environment. It did not, however, propose future security visions. Furthermore, several variables influencing national security have been overlooked, such as cyberspace, threats from neighbors and the open border with India and non-traditional security risks relating to climate change, disasters and immigration issues.

One thing that is clear from the above information and cases is that efforts are being made by the Government of Nepal to secure its vital interests through a variety of legislation, acts and laws, but to some extent these arrangements are not seriously internalized. The NSP (both 2016 and 2019) has rightly documented the geopolitical sensitivity of Nepal. For this, the government has to take a step forward to secure its vital interests, as identified by the security policy. In doing so, first, the government has to be clear on its own security visions and interests and second, it needs to collaborate with the immediate neighbors in securing Nepal's interests by making India and China confident that Nepal will not play between them. Third, Nepal needs to clarify its vital interests and the major security threats from its immediate neighbors and beyond.

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