

# NEPALI Times

#599

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**THUNDERBOLT:** The first major storm of the season lights up the sky behind the Taleju temple in Kathmandu as the Seto Machendranath chariot festival got underway this week.

## Stormy season

For the first time in a long while there is a sense that the political parties are finally focusing their minds on the urgency of peace and constitution. Barring last minute hitches, the cantonments and weapons containers will be handed over to the army by 12 April, there is now a real chance the remaining issues on the constitution can be sorted out. But after coming all this way, and in a hurry to meet the 27 May deadline, we shouldn't adopt an authoritarian constitution.

**Editorial**  
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## Bem-vindo!

Brazil wants to increase investment in Nepal's hydropower, but the new Brazilian ambassador to Nepal says delays on Lower Arun could put that in jeopardy.

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MIN RATNA BAJRACHARYA

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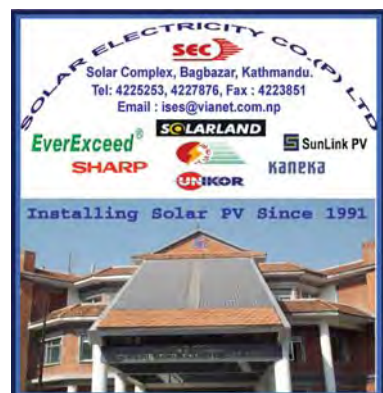
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# FEDERALISM BY ANY OTHER NAME

There is a feeling of déjà vu as we approach the 27 May midnight deadline for the mandate of the Constituent Assembly to expire. It seems like it has all happened before, and it has. Four times in the past two years, in fact.

Like last time six months ago, and the time before that, the top leaders are again blowing hot and cold over the prospects of integration, and finishing the new constitution in time. Torn between the need to assuage a completely skeptical and disillusioned public, and talking tough to improve their bargaining position in negotiations, leaders' statements still swing between wild optimism and reckless pessimism. Some tell their cadre in Kathmandu there is no way the constitution will be written in time, and the same afternoon publicly announce in Biratnagar that the CA term will not be extended.

Prime Minister Baburam Bhattarai exudes confidence these days about meeting the 27 May deadline, but the crony he hand-picked to be the Attorney General challenges the Supreme Court's authority to over-ride parliament. He told us in an interview last week that a "democratic" constitution was not possible, and insinuated that people don't have the right to private property. If this is a moderate speaking, imagine what the



BIKRAM RAI

**After coming all this way, and in a hurry to meet the May deadline, we shouldn't adopt an authoritarian constitution**

hardcore sound like.

Despite this, for the first time in a long time there is a sense that the political parties are finally focusing their minds on the urgency of peace and constitution. PM Bhattarai has played a catalytic behind-the-scenes role in this. He got his party to give in on the insistence from the NC and UML on peace-first-constitution-later by showing flexibility on integration.

The breakthrough was possible when Chairman Pushpa Kamal Dahal finally saw he couldn't play it both ways, and be a spoiler anymore.

With the cantonments and weapons containers being handed over to the army before the new year, there is now a real chance that the remaining issues on the constitution can be sorted out. This time, it may have to be the NC and UML who will have to give in on state structure and form of government while safeguarding pluralism, press

freedom and an independent judiciary.

After coming all this way, and in a hurry to meet the May deadline, we shouldn't adopt an authoritarian constitution. We are not being paranoid. Even so-called moderate Maoists are still talking about "state capture", unleashing a "revolt", and calling anyone who disagrees with them "a people's enemy".

What is important is not that we have a directly elected presidential, parliamentary or mixed system, but whether or not democratic fundamentals are protected, and accountability ensured. We do not want a president who aspires to be a Nepali version of Vladimir Putin, or worse, Kim Il Sung.

The other dispute is over the kind of federalism we should have, how many provinces there should be and how to carve out their boundaries. This is more complicated, and care has to be taken to balance local self-governance without the country disintegrating. But even here, cooler heads have prevailed and there is an emerging consensus on just six provinces (plus Kathmandu) that balance and safeguard the ethnic and linguistic diversity within them. Whether or not these provinces are named after a particular ethnic group is not as important as whether all ethnicities within that province are treated equally. Name it 'federalism' or anything else, the crux is that political power and economic-decision-making should be devolved to elected local units.

If there is a deadlock on federalism, there can be an agreement on the broad outlines of the new constitution for now, with the details to be ironed out later. In the final analysis, words have no meaning if there is no political will to implement them.

## ON THE WEB

www.nepalitimes.com

### BABURAM BHATTARAI INTERVIEW

Will Baburam Bhattarai ever get over his illusion that he is the solution to all of Nepal's problems ('Constitution by 27 May', Interview, #598)? He believes he has the golden touch and is carrying forward the peace process single handedly. But nothing could be further from the truth. In fact it was Bhattarai who stalled the peace process when Dahal and Nepal were in charge. Also before accusing other parties of preventing him from doing any work, Bhattarai should remember how he treated them when they were in office. He made his cadres throw stones at Nepal's vehicle, show black flags, boycott meetings and not engage in any dialogue. They even humiliated the president by taking out processions on buffaloes. Bhattarai has no right to complain: most people have been supportive of his government and he has strong backing from his gurus in India.

**Ushaft**

- If Bhattarai really cared about the country, he would not have created a jumbo cabinet full of ministers who have been looting us for the past seven months. But Nepalis will no longer tolerate the impunity, murder, extortion, loot and abuse of power. And when we finally rise up Dahal and his cronies will realise that they are no match for the iPad generation.

**Umesh Rai**

- After 10 years of violence and six more years of political turmoil, I feel that the Maoists have lost track of their aim and are pursuing very different objectives. Bhattarai and his comrades need to do some soul searching and understand why they went to the jungle in the first

place. And if the end goal was simply to loot the state coffers and ordinary taxpayers, was it necessary to kill 16,000 Nepalis?

**Poudyal**

- The Maoist party is in disarray, the leaders have a reputation of being murderers, liars and looters, and are fighting openly with each other. The Nepali people are truly disgusted and won't let the Maoists run the country from the barrel of a gun any longer. Bhattarai's days are surely numbered and his grand communist revolution has failed.

**Mahendra Nepali**

- The Maoist party badly needs a makeover, because the people are tired of their blatant lies and widespread corruption. Also Bhattarai and Dahal have lost all credibility in the eyes of the public and it's time they stopped acting like emperors and started behaving like public servants.

**Rajendra Shrestha**

- Comparing Nitish Kumar with Baburam Bhattarai is a little off the mark ('The last lap', Anurag Acharya, #598). While Bhattarai is responsible for the death of thousands of Nepalis and has destroyed much of the country's institutions, Nitish Kumar has used democratic methods to bring about progress and change the lives of people in Bihar.

**Kanchan Khanal**

### SELF-RIGHTEOUS VIOLENCE

The Maoists deliberately used violence and terror for political gain ('Self-righteous violence', Editorial, #598). To them, the end justifies the means, so why would they apologise? They will never say sorry and they will never transform into a peace-loving party.

**Kiran L**

- Every terrorist group in the world will say violence is political and will convince us to see their armed struggle from a 'historical and political perspective' just like Baburam Bhattarai. Ask members of Al Qaeda, or any separatist armed group in India, they will all use the same argument. For me the Maoists will remain a gang of murderers and terrorists until they publicly apologise and renounce violence as a political tool.

**Nirmal**

- Why would the Maoists give up the very means which made them stronger, win votes, and earn legitimacy of Nepali intellectuals, political parties, civil society and the West?

**K K Sharma**

### BAD PARENTING

It's not right to label Nepal's privatisation drive as a failure as Paavan Mathema does ('Bad parenting', #598). Yes, some privatised companies shut down, but this was not due to privatisation. Companies using technology from 1950 could not compete with foreign and local manufacturers who have modernised production systems. Labour problems and inefficient tax law provisions also decreased the price of the privatised public enterprises, so much so that it became unwise to acquire them. Therefore, the only long term solution is for the government to sell public enterprises or liquidate them and lay off employees. Creating organisations like Public Enterprise Management Board (PEMB) will only promote the status-quo.

**Bidur Shah**

- Any discussion on the future of public enterprises should look at the terms of sale, not management reform. A public enterprise with the explicit or implicit backing of the state operates in the market without fear of failure, and therefore is inherently deaf to the voice



DEEPENDRA BAJRACHARYA

of the customer, and will only generate losses. A PEMB would merely be putting lipstick on a pig, underneath it will remain a pig.

**Thomas**

### HELL AND BACK

As a Filipino who has been working in the Middle East for the past 30 years, I have seen the condition of Filipino migrant workers improve significantly over the past decade ('To hell and back', Rubeena Mahato, #597). The Philippine government introduced some important policies like signing a proactive agreement at the ministerial and ambassadorial level with countries which receive our workers so that they have stronger representation. Also all first time migrant workers are made to participate in a pre-departure orientation seminar conducted by the Labour Ministry to help workers understand the conditions that they may face in the host countries and the types of help available to them. In a globalised economy, migration for employment purposes is inevitable. Nepal could also implement similar programs to make the lives of its migrant population safer and easier.

**Tennessee**

### A MAN'S WORLD

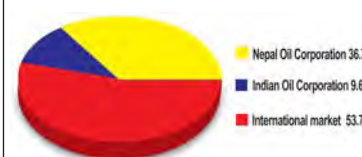
I think the title of the photo on your front page is slightly misleading ('It's a man's world', #598). I visit Patan Darbar Square regularly and often see a frail elderly man carrying two large gagris of water on his shoulders. And the men seated on the sidewalk pass obscene remarks towards him. It's a classed world, regardless of the person's gender.

**Indraraj Giri**

**Times** nepalnews.com  
Weekly Internet Poll # 599

**Q. Who is responsible for the frequently increasing petroleum prices?**

Total votes: 1,678



Weekly Internet Poll # 600. To vote go to: www.nepalitimes.com

**Q. What do you make of Prachanda's claim that the Baidya faction is planning a guerrilla war?**



# Truth without justice

## It would be better to have no Truth Commission at all than a toothless commission

 **GUEST COLUMN**  
**Ram Kumar Bhandari**

The war may have ended five years ago, but the country is not at peace. It will not be at peace until the surviving families and victims of the conflict are not told the truth, and do not get justice. Unless these grievances are addressed, revenge will fester, and there is a danger of another, more virulent conflict.

By trying to brush the dirt under the carpet, by attempting to push through a general amnesty, by protecting those accused of war crimes, the state is rubbing salt on the wounds of the families of wartime victims. A colleague recently told me the hallmark of Nepali political culture is a penchant for 'big picture' solutions, ignoring the 'little picture' and the 'little people'. Our political leaders have failed to listen to the victims, and their need for truth and justice.

They see the 'logical' end of the peace process as being confined to the integration of combatants and drafting of a new constitution. Over the past six years they have fought tooth-and-nail for power and abused it, signed countless agreements, and have been obsessed with their own power-sharing concerns and not those of the people who suffered during the war that they waged.

A recent package deal between the main political parties has removed the amnesty clause on serious crimes from the draft bill, but they have agreed to appoint commissioners on the basis of political consensus. This is a dangerous game. The commissions will then just be committees of the parties rather than independent bodies as has happened with the NHRC, the women's commission and state restructuring commission.

The selection of commissioners is the

key to their independence at a time when human rights activists are still receiving death threats, the guilty have political protection. Who will protect the hundreds of voiceless victims when they want to speak out? The proposed bills are silent about witness protection, and victims' welfare. With the departure of OHCHR, the weaker role of the NHRC and a polarised human rights lobby, the internationals need to monitor this process carefully. The peace process is not just about integration. The Nepal Peace Trust Fund (NPTF) should be made transparent, justice-oriented and foster sustainable peace.

The euphoria of peace in 2006 has been replaced by widespread disillusionment and cynicism about politicians. Impunity is rife, accountability is feeble, and there is declining political trust. The social injustice that lay at the root of the conflict is all but forgotten, and so is the war's legacy of violence.

Surviving families and victims are fed up with the politics of compromise that sidelines their concerns, and the false commitment to justice from the establishment. Us victims will not follow secret accommodations made in Kathmandu that ignore grassroots realities.

Known perpetrators openly walk the streets, pose for TV cameras in the company of party leaders, completely discrediting the peace process. The instigating party that unleashed the bloodshed sits in power, and does its best to ensure general amnesty with the acquiescence of its erstwhile enemies. It is hard to imagine that the kidnappings, disappearances, extrajudicial killings, rape and torture will ever be investigated in Nepal and the victims will ever get justice.

When victim groups who suffered from excesses by both sides visit the top brass of political parties, there are platitudes and assurances, but nothing ever happens. The president seems sincere, but he can't play a proactive role. Under intense international pressure, the two commissions on truth and disappearances are being set up, but there are still



HRW

loopholes which will allow the guilty to get away.

Our agenda is clear: 'Truth without justice and reconciliation without accountability will not be acceptable'. We realise now that Nepal lacks a suitable transitional justice environment, and it would be better to have no commission at all rather than a bad commission.

Human rights organisations and the donor cartel should also be sensitive to the priorities of the victims when they support transitional justice mechanisms. The survivors and victims of conflict are now ready to boycott this process if government adopts general amnesty provisions.

Any law or mechanism lacking minimum international human rights standards aimed at establishing truth and delivering justice will not be acceptable to victims and their relatives. Provisions such as pardons, the independence of the commissions, the role of the attorney

general, the protection of victims and witnesses, the exhumation process, the statute of limitations and coordination between the commissions should be victim-centric and need to be reviewed.

If these demands are not addressed, and if attempts are made to deprive victims of justice under the pretext of seeking truth and reconciliation, such mechanisms will not only be called into question, but will be rejected by the victim community. ■

**Ram Kumar Bhandari, whose father was disappeared by state security forces in 2001 in Lamjung, is a human rights activist and chair of the National Network of Families of the Disappeared (NEFAD).**

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# “BRICS is not anti-western”

Brazil's high-profile participation in last week's BRICS Summit in New Delhi marked the beginning of a new foray by the Portuguese-speaking South American nation into Asia. China has become Brazil's largest trading partner and bilateral trade grew from \$2 billion five years ago to \$77 billion last year. Brazil's trade with India has grown to \$15 billion a year, and intra-BRICS trade is expected to double to \$500 billion by next year. The Undersecretary-General for Political Affairs of Brazil's Ministry of External Affairs, Maria Edileuza Fontenele Reis, travelled to Kathmandu this week after attending the BRICS summit to inaugurate Brazil's new embassy here. She spoke to *Nepali Times* about Brazil's expectations from BRICS and the Rio+20 environment summit in June.

**Nepali Times: Why did Brazil wait so long to open an embassy in Kathmandu?**

**Maria Fontenele Reis:** We are so pleased we could finally open our embassy here, and we want to start launching concrete projects with Nepal in agriculture, human resource training, and to share knowledge on trans-boundary projects like Itaipu. We want to promote Brazilian investment in hydropower, and make Lower Arun a model project so it can send a positive message to other foreign investors in Nepal.

**How would you assess the accomplishments of the fourth BRICS summit in New Delhi?**

We think it has really enhanced the capacity of the world's emerging markets to make a strong statement of cohesion in geopolitics, trade, finance and environment negotiations. The main focus of the Summit was to fight for a more inclusive and representative world order and bolster the demand of rich countries to take effective measures to ensure global economic recovery. We are moving gradually, but solidly, to act together to reform global financial institutions like the



MIN RATNA BAURACHARYA

World Bank, IMF, re-examine the quota system and look at UN reform. We had a very successful coordination in the Security Council in 2011. In New Delhi we decided to set up a working group to establish a BRICS development bank to promote sustainable development and infrastructure. There was also an agreement among our central banks to stimulate growth in investments and trade in our own currencies.

**There has been some criticism that the Summit was dominated by China and Russia?**

I was present during the negotiations, and I can say that is not true. Decisions are only taken by consensus, and BRICS member countries all have very strong and independent foreign policies. For example it was because of our insistence that the final declaration took up the Palestine issue so strongly, and on Syria it was Brazil that pushed for a condemnation of the killings of unarmed civilians, otherwise the declaration would have been equally critical of both sides. We are not an anti-western grouping, we stand for the twin pillars of coordinating our political position in the international arena like UN, G20, or WTO, and also strengthening trade and cooperation within BRICS.

**What are the chances of a breakthrough at the Rio+20 conference on the environment in Brazil in June?**

In 1992 we hosted the first global environment summit when it was not fashionable to talk about the environment. Twenty years later, we want to evaluate progress and look not just at climate change but also at sustainable development and promotion of a green economy in the context of poverty alleviation. Rio+20 is occurring after the Conference in Durban last year and before the Conference on Biodiversity in New Delhi in October. We want to examine the ecological, economic and social aspects of global climate change. After Copenhagen, Brazil passed a law to reduce its carbon emission by 38 per cent and protect the Amazon rainforest. We need a paradigm shift in the way we define sustainability so that forest-dwellers' rights to a better life can also be ensured.

## Brazil keen on hydropower

Brazil recently opened new embassies in Nepal, Bangladesh and Sri Lanka this year. On hand to inaugurate the new embassy building in Kathmandu this week was the Brazilian Undersecretary-General for Political Affairs Maria Edileuza Fontenele Reis, who looks after Asia and BRICS at the Ministry of External Relations in Brasilia.

“We are so pleased we could finally open our embassy here,” Fontelene Reis told *Nepali Times* in an interview (see interview, above). “There is great potential to build bilateral cooperation in agriculture, hydropower and tourism.”

In three days of meetings, Fontelene Reis met Foreign Minister

Narayan Kaji Shrestha and agreed on increasing technical cooperation, investment, establishing a mechanism for regular political consultations and lifting requirements for visas for official and diplomatic passports. She also thanked Shrestha for Nepal's support for the candidacy of Brazilian José Graziano da Silva as head of the UN's Food and Agriculture Organisation (FAO) last year.

Brazil is keen to share technical knowhow on agriculture, provide human resource training and improve the quality of Nepali coffee. Brazil would also like to increase its investment in Nepal, but the delays in the 400MW Lower Arun project have meant that the Brazilian multinational, Engevix, is on the verge of pulling out after six years.

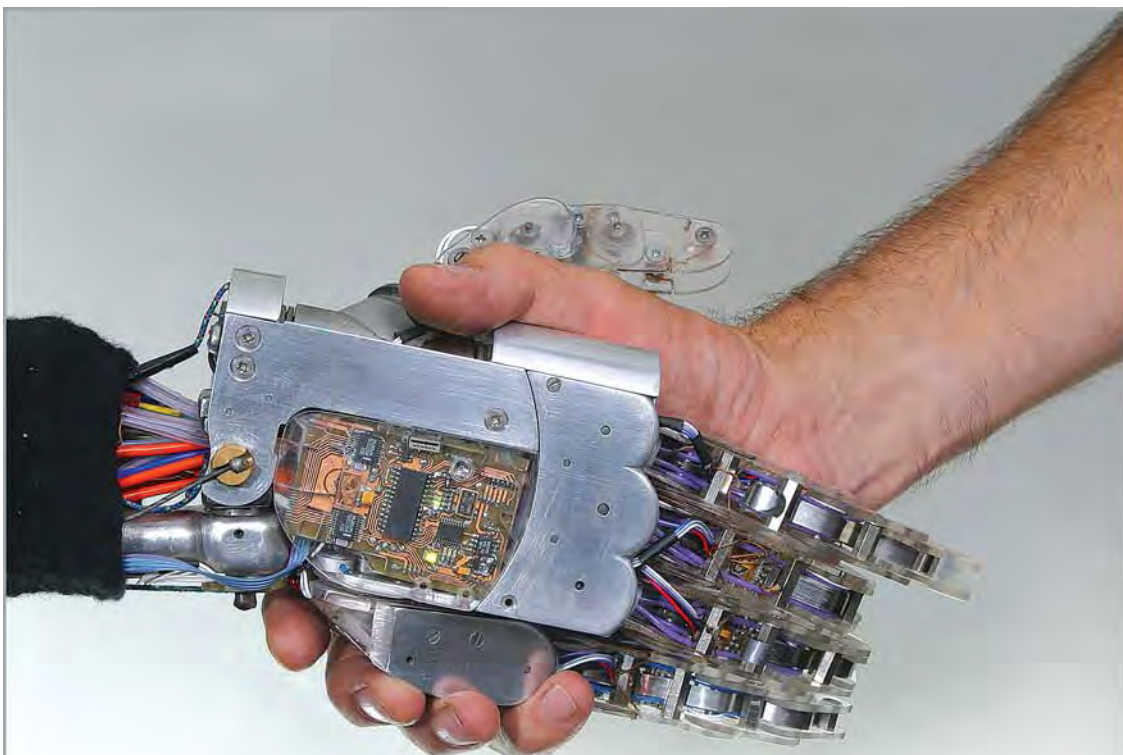
Recently, the Energy Ministry allowed India's Sutlej Jal Vidyut Nigam to increase the capacity of the Arun III upstream from 402MW to 900MW, making Engevix less viable. The Ministry has extended the license for Lower Arun by six months to reorient and restructure its engineering, but the Brazilians say they need at least 18 more months.

“The decision came out of the blue, it is quite frustrating,” says Brazil's new ambassador to Nepal, Marcos Duprat Ribeiro (pictured, right), “Lower Arun is a showcase project and a satisfactory conclusion would send the right signals, attracting more Brazilian investors in the future in Nepal's hydropower sector.”

**Kunda Dixit**



MIN RATNA BAURACHARYA



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# Chinese flavour, Indian curry

The BRICS summit in New Delhi showed that China is emerging as the pre-eminent partner in the group



WORLD WIDE  
Shyam Saran

NEW DELHI — The Delhi Declaration and Action Plan adopted at the 4th BRICS Summit in New Delhi last week, would have quickly laid to rest any residual anxiety in western capitals that a serious rival focus of power and influence was beginning to take shape in the Indian capital.

One look at the wholly pedestrian Action Plan and any illusion of substantive intent would be quickly dispelled. It reads like trivial pursuits and should have been billed as a tentative calendar of prospective meetings and events rather than be given the status of an Action Plan.

The declaration bears the clear imprint of China and to a certain extent Russia on some key economic and political issues. The most notable example of this is the thinly veiled but unusually harsh criticism of the US-sponsored Trans-Pacific Partnership (TPP), which is seen as mainly directed against China.

Unless India has been told it will have no place in the partnership why close our options? The Declaration obliquely criticises the US for causing excessive dollar liquidity. China is concerned because this reduces the value of its massive dollar assets and triggers hot money inflows. Brazil, too, has suffered as a result.

But India would prefer that stimulus measures in the US continue so that export demand for its goods and services is not threatened. Despite the risks, India appears eager to receive “hot” money flows at a time when investment levels are depressed.

Political positions articulated in the declaration are on the expected lines but the language is reflective of the stronger stance taken by Russia and China both on intervention in Syria and



the imposition of sanctions on Iran. In Western capitals these formulations will be seen as endorsement of the Chinese and Russian positions, despite the fact that India, Brazil and South Africa have a more nuanced posture.

On the UN reform, the Declaration adopts the well-known Chinese position of offering support to the aspirations of Brazil, India and South Africa ‘to play a greater role in the UN’, without endorsing their candidature for permanent membership of the Security Council. Russia, which had formally supported India’s candidature, has now aligned itself with China.

Two agreements were concluded among the Exim Banks of the five countries during the Summit. The ‘Master Agreement in Extending Credit Facility’ in local currencies is to implement an essentially generalised currency swap arrangement among the participating countries. The second is the ‘BRICS Multilateral Letter of Credit Confirmation Facility Agreement’, which too is a trade facilitation measure. Once implemented it is likely to reduce transaction costs of intra-BRICS trade. The BRICS Business Forum, which met on the eve of the Summit, recommended a target of

\$500 billion of intra-BRICS trade by 2015 compared to \$230 billion currently. The issue of liberalising business visas was flagged but with no commitments.

There was strong anticipation that the summit would announce the setting up of a BRICS development bank on the lines of the World Bank but focused on financing projects in BRICS and other developing countries. However, caution seems to have won the

day. An initiative that would have been seen as a major contribution by emerging economies in promoting growth and recovery in their own and other developing countries, strengthening their hands in pushing for reform of international financial institutions, and marking the grouping as a serious and authoritative player on the global stage, was instead consigned to a committee.

BRICS is here to stay

as a familiar feature on the international landscape. It has the economic and political heft to play an influential role provided it is able to act together on key issues. In that sense, the Delhi Summit remained mostly a flag-waving exercise. In the foreseeable future, the most realistic prospect for BRIC countries may be their working as a coalition on issues of common interest such as reforming international financial institutions, resisting protectionism and promoting development in developing countries.

There is no doubt that being part of this group gives each member that little extra room for manoeuvre vis-à-vis the established advanced countries. India and China working together in BRICS might also mitigate the elements of confrontation between them. (IPS)

**Shyam Saran is former Indian Foreign Secretary and ambassador to Nepal. He is currently the chairman of Research and Information Systems for Developing Countries (RIS) think-tank and senior fellow at the Centre for Policy Research (CPR) in New Delhi.**

## BIZ BRIEFS

### Swifter swift

Arun Intercontinental, authorised distributor of Suzuki for Nepal, has introduced New Swift in the market. The New Swift has spacious interiors and advanced K-series petrol engine powered with Variable Valve Timing (VVT) and is available in five colours.

### Qatar cares

Qatar Airways organised a travel trade familiarisation trip to Doha, Qatar where 14 travel agents from Nepal participated. The trip was put together to showcase Qatar Airways products and services to travel agents and equip them for better customer service.

### New Year Bonanza

CG Electronics, authorised dealer of LG in Nepal, launched its New Year Scheme called “LG Hataima Sureprize, Prize Ma Surprise”. The scheme is applicable on all LG consumer durables and home appliances and buyers can win smart TVs and home appliances from LG.

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# Remembering not to forget

KUNDA DIXIT

**As he looks down at another nearly lost half-decade of development in Nepal, Toni Hagen must be shaking his head**

Swiss geologist-turned-development guru first came to Nepal in 1950, travelled 14,000 km criss-crossing the country on foot over 12 years, produced books and charted out Nepal's development pathways. Just about everything he said we should do, we didn't. Everything he said we shouldn't do, we did.

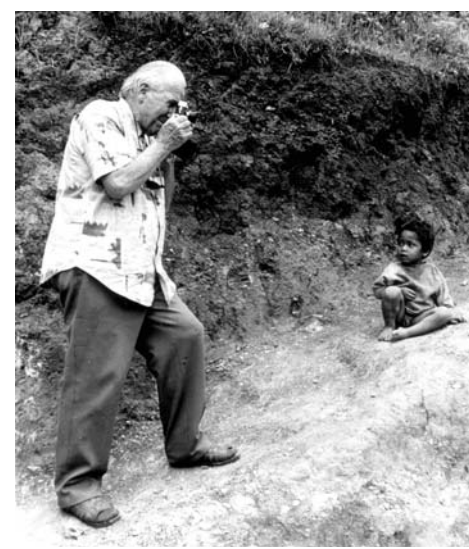
Among the books Hagen wrote, the multiple editions of *Nepal*, are still a classic – both as a geography text book and a sustainable

development blueprint for the country. Ten years before he died in 2003, Hagen had started working on another book, *Decentralisation and Development*, to record the lessons learnt from his long acquaintance with Nepal's march to modernity and to compare it with Switzerland.

After his death, Hagen's daughter Karin and other friends put the book together, compiling half-finished chapters. Harka Gurung gave it a final edit and wrote a preface before he himself was

killed in the tragic helicopter crash in Ghunsa in 2006. Because it has gone through multiple hands, the book is understandably disjointed. It reminds one of Hagen's own stream of consciousness, conversations towards the end of his life, as he tried to leave behind as much wisdom as possible.

Hagen came to Nepal 62 years ago because it was felt landlocked and mountainous Nepal had a lot in common with Switzerland, and could be made in its image. Since



## Paid to be green in Nepal

BIRGANJ – Eleven years ago, when 74 tons of a contraband gas used in refrigeration and air-conditioning were seized by customs at the Indo-Nepal border here, it was hailed internationally as a major victory in the campaign against smuggling of chemicals that destroy the Earth's protective ozone layer.

But no one thought of what to do with the nearly 900 cylinders of gas, and they have remained in a dusty and stuffy warehouse in Birganj since 2001. Now, after years of negotiations, the last of the chemicals will be shipped to the United States for destruction, and the entire process will be funded by carbon credits earned in removing a potent greenhouse gas.

Called CFC-12, the gas is not just banned by the Montreal Protocol because it is harmful to the ozone layer, it is also 10,900 times more powerful than carbon dioxide as a greenhouse gas. Nepal is a signatory to the Montreal Protocol and, as a developing country, was allowed to use some of the CFC until the complete ban went into force in 2010.

But there was still eight tons of the chemicals left, and Nepal's Bureau of



BRIAN STEWART

Standards and Metrology, the California-based EOS Climate and the United Nations Environment Programme (UNEP) have joined forces to use the international carbon trading market to pay for the destruction.

"We have been working on the safe disposal of this harmful chemical for years, and it is a feather in Nepal's cap,"

**Nepal demonstrates that it is possible to use carbon credits to fund the destruction of ozone-depleting contraband**


says Sitaram Joshi, the government official in charge of ozone activities in Nepal till recently. "It sets a precedence for similar destruction of CFCs elsewhere in the developing world."

EOS Climate is the leading company using carbon markets to destroy CFCs, and its operations director, Brian Stewart, is in Birganj this week to oversee the shipment of the cylinders to the United States via Kolkata port.

"Without EOS ensuring the destruction of this material in the United States, it would eventually be released into the atmosphere causing significant harm," Stewart told *Nepali Times*. "The average person in Nepal emits between 0.1 and 0.3 metric tons of CO2 per year. The destruction of this stockpile is equivalent to preventing more than 60,000 tons of CO2 from entering the atmosphere."

Despite the ban on CFCs, there are still old refrigerators and air-conditioners around the world that use the chemical. Rather than allowing for CFC-based refrigerants to escape into the environment, EOS Climate pays for the destruction of these harmful gases through carbon markets. When the chemicals are finally destroyed, EOS Climate will share revenue with the Nepal government to help fund additional training and awareness about responsible refrigerant management and appliance recycling.

Says UNEP's Saurabh Kumar: "Nepal's experience proves that you can leverage carbon funds with a market-based solution to finance the disposal of chemicals which have greenhouse potential and are harmful to the ozone layer."

CFCs were replaced by HCFCs, which are ozone-friendly but are also very potent greenhouse gases. Signatories to the Montreal Protocol have committed to also phase them out by 2030. The Nepal project demonstrates that similar carbon-market funded approach could be used to remove HCFCs as well. 

**Kunda Dixit**

[nepalitimes.com](http://nepalitimes.com)

Cooling without heating, #547  
Nepal becomes ozone-friendly, #229





# Toni Hagen

**TONI'S NEPAL** (*left to right*): Toni Hagen in 1995, writing in his journal while walking across Nepal in 1959, and his photograph of the reed bridge over the raging Arun River at Num. After crisscrossing 14,000km across Nepal on foot, the geologist said, "I found the people more important than the rocks."

then, Nepal's leaders, kings, kangresis and krantikaris have all aspired to "turn Nepal into Switzerland". Hagen's book is not about how to mould Nepal into a Switzerland, but to learn lessons from Nepal's own mal-development and look at how democracy and federalism have delivered decentralised development in Switzerland.

In his preface, Gurung points to the little-known fact that the first Nepalis to visit Switzerland were ‘Gurkhas’ who acted as guides to British mountaineering expeditions in the Alps in the late 19th century, and after whom Piz Gurkha and Gurkha Pass were named (and later renamed by the Swiss because it smacked of ‘colonialism’). What an irony that 50 years later, the tables were finally turned, and the Swiss arrived on Kangchenjunga to start climbing in the Himalaya.

Toni Hagen made a detailed geological map of Nepal, plotted sites for hydropower projects like Kulekhani and the Karnali Bend, proposed a east-west electric train artery, ropeways for mountain transport, and advocated rural eco-tourism. He was against the World Bank's paradigm that "development follows roads", arguing instead that roads should follow development, and

they should create maximum employment during their construction. Wonder what Hagen would have thought of the mindless bulldozer roads that now scar the mountains through which he walked.

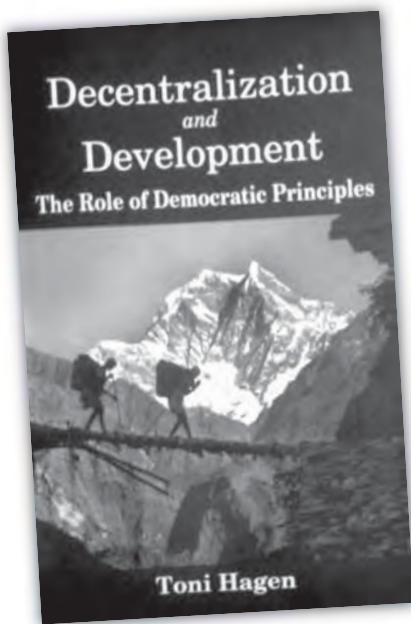
The geologist soon found the development needs of Nepal so overwhelming and urgent, he wrote: 'I found the people more important than the rocks.' Hagen's book continues with his earlier works to deal mainly with transportation, hydropower and decentralised planning. It is EF Schumacher's small-is-beautiful approach that leads him to advocate small run-of-the-river hydropower schemes, green roads, community-managed infrastructure and ecotourism. We have ignored much of his advice.

But not everything has gone wrong. Hagen was proud of the success that Nepal's community forestry program achieved, he would

have approved of the small hydropower projects for rural electrification, local trail bridges, the green roads being built under the Rural Access program, the village homestay tourism now being promoted in Lamjung, Dolakha and Rasuwa. He was an ardent advocate of community development through grassroots democracy.

But on balance, Nepal's modern leaders have not been very smart. Not even as smart as Chandra Shamsher, who was way ahead of his time when he built a cargo ropeway to service Kathmandu in the 1920s. Hagen's book has a photograph taken in 1959 with Jawaharlal Nehru, BP Koirala and himself during the Indian leader's visit to Nepal. Nehru doesn't look very happy, and one has to read MP Koirala's memoir, *A Role in Revolution* to speculate why.

Nehru repeatedly warned BP's brother and predecessor, MP, in long handwritten letters about letting in foreign experts like Hagen, saying they could not be trusted. One finds out in *Decentralisation and Democracy* that after Swiss experts advised tunnelling under Chandragiri near Pharping and building a shortcut to the plains via Kulekhani where a dam would be built, the Indians opposed it. Instead, they pushed through the circuitous Tribhuvan Highway that was ten times longer. Needless to say, 60 years later the 'fast track' from Kathmandu to the plains still hasn't been built. 🇳🇵



**Decentralization and Development:  
The Role of Democratic Principles**  
Toni Hagen  
Ratna Pustak Bhandar, 2012  
374 pages  
Rs 1,000

**nepalitimes.com**

A road runs through it, # 391

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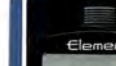
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काम सानो ठुलो भन्ने हुँदैन । पसिनाको कुनै रङ र जात पनि हुँदैन । काम गरेर खान लजाउनु पनि हुँदैन । चोरेर, ढाँटेर, छलेर, लुटेर खान पो लजाउनुपर्छ । जो जहाँ रहेर जुन काम गर्छ ऊ त्यसैमा रमाउनुपर्छ गौरव गर्नुपर्छ र समर्पित भएर गर्नुपर्छ । काम नै शक्ति हो, भक्ति हो र मुक्ति हो । कामको इज्जत गरौं, पसिनाको सम्मान गरौं ।

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## EVENTS



**RIDE WITH PRIDE**, Kathmandu Cycle City 2020 is organising a mass cycle rally to promote cycling and cycle lanes. *Rs 1000 (Door sales) or Rs 700 (Pre-sales), 12 April, 7.30 pm onwards, United World Trade Centre, Tripureshwar*

**New Year's Eve**, welcome the new year with a bang and party the night away. *Rs 500, 12 April, 5pm onwards, Chapter 9, Jhamsikhel, 9849715450*



**NEW YEAR 2069**, usher in the New Year with sensational dances, musical performances, scrumptious food and a special lantern ceremony. *Tickets range from Rs 999 to Rs 1999 (inclusive of transportation), 12 April, 5.30 pm to 12am, Garden of Dreams, Thamel*

**New Year with a Cause**, celebrate the new year and help build a school for

the differently abled. *12 April, 6pm to 2am, Everest Hotel, New Baneshwor, 9849106262*

**New Year**, Don't miss the ultimate New Year celebration as the United World Trade Centre turns into a club. *Rs 1000 (Door sales) or Rs 700 (Pre-sales), 12 April, 7.30 pm onwards, United World Trade Centre, Tripureshwar*

**The Hangover**, Tenzin Tseten Bhutia showcases his first collection Le Mélange with a thrilling fashion show followed by an equally exciting after party. *Rs 1000, 12 April, 5pm to 12am, Meconopsis, Pulchowk*



**4th ROYAL ENFIELD RENDEVOUS & POKER RUN 2012**, what better way to welcome the new year than by riding through the Nepali countryside on your bike and ending the journey with a BBQ dinner and a live musical performance. *12 April to 14 April, From Kathmandu to Pokhara*

**New Year Celebrations**, usher in 2069 with Miss India Earth Shriya Kishore and Dj Ravish. *12 April, 7pm to 12am, Hotel Everest*

**Ugrachandi Sandhya**, help raise funds for scholarships as you enjoy live performances by Niraya Shrestha, Ravi Dangol and Nisha Deshar. *12 April, 5pm to 12am, Ugrachandi Parisad, Jawalakhel, 9841412883*

## MUSIC



**ON THE ROCKS**, enjoy the music of Cobweb this Friday. *6 April, 8 Degrees, Jhamsikhel*

**SIGN**, Live music by SIGN band every week except Tuesdays and Wednesdays. *7:30 pm onwards, Corner Bar, Radisson Hotel, Lazimpat. Call 4411818*

**Baja Gaja**, playing live every Tuesday. *7:30pm onwards at Mosksh, Pulchowk, call 5526212*

**Live music at Jazzabella Café**, every Wednesday and Friday 6pm onwards. *Jazzabella café, Jhamsikhel, Patan. Call 2114075*

## DINING



**ALCHEMY**, an authentic Italian restaurant which serves dishes like the Pizza Quatro Stagioni and Spaghetti alla Puttanesca. *Thamel*

**Dragon Café**, enjoy momos, sizzlers and vegetable coins at the most reasonable prices. *Kumaripati*

**1905 Restaurant**, feast on roasted delights within this converted aristocratic residence. Walled ambience and green surroundings make it an oasis within the city, *Kantipath, 4215068*

**Bhojan Griha**, traditional Nepali restaurant that serves great local food with folk music and dance. *Dillibajar*



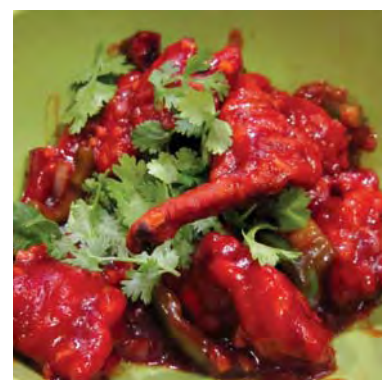
**FLAVOUR**, this newly opened restaurant promises to pack a punch with its Chicken Sub and Bratwurst. *Pulchowk*



**G CAFÉ**, spic and span with a palatable menu, this restaurant is definitely worth the visit. *Bouddha*

**Dhaba**, for an excellent range of North Indian delicacies, try their unbeatable Kashmiri Gosht. *Thapathali*

**Lhasa Bar**, enjoy a beer or a splash of cocktail at this springboard for excellent young musicians starting out on the Thamel circuit. *Thamel, 985101043*



**CHOPSTIX**, savoury Asian food cooked in true Chinese fashion sure to charm and impress. Try the famous drums of heaven. *Kumaripati, 5551118*



**BENCH BURGER**, be it a fish or steak burger, Bench Burger offers many types and tastes to suit your palate. *Krishnagalli, Patan*



**MIKE'S BREAKFAST**, huge breakfasts and a never-ending supply of coffee amidst a lush garden setting characterises this café, popular among tourists and locals alike. *Naxal, 4424303*



RAJAN KATHET

# Peddalling for roads

Mega Cycle Rally is being held on April 5 in an effort to pressurise the government to build cycle lanes across Kathmandu and to show that there are enough cycling enthusiasts in the valley. Kathmandu Cycle City (KCC) 2020 which has been working relentlessly to make Kathmandu cycle-friendly by 2020 is organising the event along with Nepal Cycling Association, Come on Youth Stand Up, Clean Air Network Nepal, Nepalese Youth for Climate Action, World Cyclists Foundation, Rotract Club of Kathmandu and Nepal Unites.

The organisers are looking forward to a big gathering this year. "Our aim is to gather a huge crowd and spread the message.

The more supporters we have, the easier it will be to demand the government to make cycle lanes a priority in urban planning and the existing road expansion program," says Rajan Kathet of KCC 2020. During the rally, the organisers will gift the prime minister a cycle and handover a petition letter to the government. Cycle enthusiasts are confident that building cycle lanes will encourage more people to use bicycles as a regular means of transport. 🇳🇵

**The rally will start from Khulla Manch (Ratnapark) at 9 am.**

**For more information:**  
**Shail Shrestha: 9803276895**  
**Prashanta Khanal: 4464981, 9841401236**

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**HANKOOK SARANG**, from Bibimbab to Samgyeopsal, Hankook offers a wide range of Korean delicacies at affordable prices. *Thamel*

**Summit Hotel**, savour the succulent ribs basket, and add the finishing touch with a hot Dutch apple pie. *Jhamsikhel, 5521810*



**CAFÉ SOMA**, enjoy scrumptious brunch and indulge in crepes with sugar and lemon. *Jhamsikhel*

**Singma Food Court**, for the best Singaporean and Malaysian cuisine in town. *Pulchowk, 5009092 and Bhatbhateni, 4411078*

**New Tushita Restaurant**, relaxing ambience and good food. Don't miss out on their Penne with creamy bacon and mushroom sauce. *Lazimpat, 44432957*

**Alfresco**, for homemade pastas and other lip-smacking delights. *Soaltee Crowne Plaza, 4273999*

**Sal's Pizza**, almost round, almost cheap, always delicious, try out the cheesiest pizzas in town. *Lazimpat, behind Jazz Upstairs*



**PYONGYANG OKRYU-GWAN**, for the rare taste of North Korean cuisine and hospitality. *Durbar Marg*

**Café Du Temple**, famous for its delicious food, warm ambience and a beautiful roof top view. *Patan Durbar Square, 5527127*

## GETAWAYS



**LAST RESORT**, canyoning, hiking, rock climbing, rafting, mountain biking—challenge yourself and be adventurous at the Last Resort. *4700525, 4701247*

**Chitwan Safari Tour**, exciting wildlife safari in the Chitwan National Park at Rs 49990. *Call Ace travels at 4411830*

**Holiday at Grand Norling Hotel**, Gokarna. *One night and two days at Rs 4500 and two nights and three days at Rs 7000. Call 447948*

**Fulbari Resort**, enjoy the scenic view of Pokhara as you pamper yourself with tennis, golf, drinks and dinners. *Rs 6500 per person for 2 nights and 3 days, Call 4461918, 4462248*



## Midnights in Pokhara

The 9th Fewa New Year Festival is back and will be held from 10 to 15 April to mark the Nepali New Year. As part of new year week celebrations, 60 stalls will be spread around Basundhara Park, out of which 15 will serve food while the remaining 45 will display products and information regarding tourism, agriculture and trade. Hotels and restaurants are offering 30 per cent discounts on accommodation and up to 10 to 15 per cent discounts on delicious delicacies during the five day festival.



## SOMEPLACE ELSE



PICS: MARCO POLLO

# Pasta Vostro

Bowtie, elbow, fusilli, gnocchi, lumache, penne, tagliatelle, tripolini or spaghetti: Pasta Vostro, the four-month-old trattoria in Thamel, allows you to customise your own bowl of the boiled carb.

Dine-in or out at only Rs 188 for choice of pasta and sauce and toppings for Rs 18 each, the fast-fresh-food venture sounds good especially when pitted against high-end Italian establishments in the district. But for all tastes and appearances, a few kinks need kneading.

Pasta options are package

purchased (not homemade), and though varied, lack the usual suspects like linguine, angel hair (ideal for pesto) or fettuccine—the flat friend of more creamy, robust sauces.

Shapes aside, a pasta made well is a pasta that you can chew and taste. Among those we sampled, the pastas were well-cooked and al dente and would likely pass Martha Stewart's test for a chewable pasta: take a sliver of pasta from the boiling pot, preferably with a fork to keep your fingers intact, then flick the pasta

against a wall. If it sticks, it's al dente and ready to strain. (Try this at home and not at Pasta Vostro nor at any other restaurant for that matter).

Sauces and toppings at Pasta Vostro were rich and generous but overwhelming. The four cheese (gouda, yak, mozzarella, parmesan) sauce was, indeed, cheesy, but the flavour of the pasta, hardly traceable. The sampled spaghetti swimming in a savoury yet soupy carbonara was supposedly carrot-based.

Ultimately, the highlight of the review was not a pasta but an



appetiser: the bacon wrapped sausages, a carnivore's treat served with sweet mustard. Skip the garlic bread.

The space at Pasta Vostro is limited but loud. The walls of the narrow, L-shaped corridor, from entrance to dining area to open-air kitchen and cash counter, are painted in hazard orange and sporadically stenciled black with artful pasta silhouettes; while larger-than-life, macro shots enshrine the Italian staple and face a line of urn-like casings of pastas in its different forms.

Momos, advertised for Rs 70 during the time of the review, don't bode well for a purveyor of pastas. 🇳🇵

**Marco Pollo**

**Situated along the zigzag, Mandala Street in Thamel, below OR2K's new location**







MUST SEE  
Sophia Pande

The best film adaptations are the ones that take a little bit of poetic license with the original text and make the story their own. Having not read a single word of Suzanne Collins's trilogy, the first of which the film *The Hunger Games* is based upon, it is interesting to observe yet another teenage-young adult phenomenon translated onto the big screen.

The first thing that comes to light is that Katniss Evergreen (Jennifer Lawrence) is the polar opposite of Kristin Stewart's irritating "Bella Swan" from the ubiquitous *Twilight* series. As Bella longs and waits to be rescued by Edward, her vampire lover, four tedious films (the last is yet to be made) unfold. In *The Hunger Games* the story begins immediately as Katniss speeds into action with her bow which she uses to hunt animals to feed her sister and mother. Katniss *does*, as Bella waits. Unfortunately, just as it is unfair to compare the book to the film, it is also a little unfair to compare heroines from popular novels however much

one might find one of them superior to the other. So let us dwell on the magnificent Katniss, one of the bravest, and most likeable heroines yet to grace the gender-skewed world of action movies. Katniss volunteers (instead of her little sister) to participate in "The Hunger Games" a horrific competition forced onto the remaining 12 districts of a post-apocalyptic world by a totalitarian government. The games require a teenage boy and girl, picked through a lottery, from each district to participate in a globally televised reality show where the victor is the only one who remains standing after being released into the wild where they must survive on their own, and kill each other to win.

While there is an undeniable horror at the inherently voyeuristic nature of cinema that allows us to reflexively rejoice at the event of one nasty teenager offing another (there are some evil neo-Nazi type, uber Aryan blonde kids from District 1 that are specially trained to win each year in the games), it is also essential to state that without a measure of self-identification with the characters, no conventionally motivated film could succeed.

Still, as with the deeply disturbing *Lord of the Flies*, the premise of any story (film or novel) where kids are made to kill each other, always invites food for thought. Perhaps it is simply that children are supposed to be innocent of adult faults, and when they take on adult traits, especially the particularly deviant one of murder, it is all the more distressing and therefore all the more powerful and, thus, as a tool should be used with caution and distinct purpose.

The Hunger Games is worth watching for Jennifer Lawrence's portrayal of Katniss. Katniss is the archetype of what humanity ought to be. She is clear of eye and true of heart and we root for her because she represents the best of our flawed human race. In this way, her character manages to transcend gender. Watch the film, but at the risk of sounding overly didactic, be aware, because every time you want to cheer for Katniss, you are also somehow, however inadvertently, cheering at the death of a child. Even in fiction, this is a disturbing thought.

*The Hunger Games* is currently playing at QFX cinemas.

nepalitimes.com

Watch trailer

## Porter burden



DHAVANTARI  
Buddha Basnyat, MD

Nepali porters carry extraordinary loads, a 50kg sack of rice plus several cases of beer and fizzy drinks would not be atypical. With a basket ('doko') supported solely by a head-strap ('naamlo') porters can walk for hours resting often as they ascend up the trail. Carrying this heavy load can be potentially dangerous at high altitudes (above 2,500m) where the oxygen level is lower than in their normal work environment in the mid-hills of Nepal (about 1,300m).

Several years ago we set-up a weigh station at an altitude of 2,800 m, about a half-day trek south of Namche (3,440 m), the last major marketplace before Mt. Everest Base Camp. We counted the porters and weighed them and their loads on the day before the weekly Saturday bazar.

A total of 545 male and 97 female porters (and 32 yaks) showed up between 7am to 5pm, and more passed by earlier or later in the day. We took measurements of 113 randomly

selected porters. Their average load was 89 percent of their body weight (BW), 88 percent of the men and 71 per cent of the women carried more than 50 per cent of their BW, while 20 per cent of the men carried more than 125 per cent. There were some who were outside our random sample that carried 200 per cent of their body weight (for example, a 50 kg porter carrying a 100 kg load and ascending Namche Hill).

It is true that the section of the popular Mt Everest trek where this study was performed is also used by porters carrying for "saujis" (merchants).



These merchant porters carry significantly heavier loads (as they are paid per kg) than the porters on tourist treks, where the loads are limited to 30kg. So the average weight carried by porters as noted here may not reflect the true weight carried by porters on other tourist treks.

With the increasing popularity of trekking and mountaineering, many porters from different ethnic groups such as the Rais, Tamangs, Chhetris, and Brahmins, who may be accustomed to carrying heavy loads at lower altitudes, are now carrying these loads at high altitude, which was formerly the exclusive domain of Sherpas. High altitude medical experts caution against strenuous exertion under these hypoxic (low oxygen) conditions, since it may make the porters more susceptible to altitude sickness, hypothermia or frostbite. The good news is that organisations like the HRA (Himalayan Rescue Association), MMSN (Mountain Medicine Society of Nepal) and IPPG (International Porters Protection Group) are creating awareness and improving the plight of the porters, but more needs to be done.

### WEEKEND WEATHER

Tuesday's rain has partially removed the thick haze filter and there will be brighter sunshine over the weekend which in turn will raise the maximum temperature, heat the ground, and lift the ambient moisture along the Himalayan mountains to create convection systems. This is normal during this time of the year, but these are not yet the pre-monsoons. That doesn't happen till mid-May. Expect clear bright mornings with afternoon buildup and sometimes intense localised storms with wind and even hail. The plains will remain mainly dry and hot.



FRIDAY	SATURDAY	SUNDAY
27-13	26-14	27-15



BIKASH DUWARE

**BLACK AND WHITE:** Chen Zhili, vice chairman of Standing Committee of the 11th National People's Committee of China meets PM Baburam Bhattarai at Singa Darbar on Tuesday. Chen arrived on Monday for a five-day visit with a 16-member delegation.



BIKRAM RAI

**DAY OUT:** Kumari, the living goddess, leaves her house in a chariot to see the procession of Seto Macchendranath in Kathmandu on Monday.



BIKRAM RAI

**HOWZAAT!** Kathmandu plays against Pokhara in the 4th National Blind Cricket Tournament, held in the valley on Thursday. Compared to regular cricket, cricket for the blind has shorter bats, smaller gloves and a shorter running distance and the balls are rigged to make sounds.



# Cleaning out the closet

The Maoists, Nepal Army and Police have to face the victims and tell them what really happened during the war



BY THE WAY  
Anurag Acharya

In July 2009, the Liberian Truth and Reconciliation Commission published its final report in which Nobel laureate and country's President Ellen Johnson Sirleaf was listed as one of the accused. Sirleaf went on to fight her personal battle to convince the people and the court that her initial support for Charles Taylor was a mistake which she proved in the later years by contributing to his downfall. In 2010, *Newsweek* listed her among the ten best leaders in the world, *Time* magazine counted her among the top ten female leaders and *The Economist* called her the best president the country has ever seen. The reason was simple: Sirleaf was honest and did what she could to reconcile a war torn nation by spearheading the formation of an empowered Truth and Reconciliation Commission which had the capacity to indict even the head of the state.

state, cases must be re-investigated by a civilian body. The mandate of the Truth and Reconciliation Commission and the commission to look into cases of disappearances should be expanded beyond the period of active conflict to include the last four years of transition, especially the Madhes movement. The Maoist leadership must rise above partisan politics and their leaders must shed personal fears in order to establish their international credibility as a legitimate political force. They must form an impartial commission with a strong mandate. The opposition, for its part, must not use the reconciliation process to earn brownie points or start a political witch-hunt. Similarly, Madhesi leaders have an important role to ensure that incidents like the Gaur massacre and mindless killings during the Madhes movement are fairly investigated. Third, the legal standing of the commission's reports must be pre-determined. While amnesty and reconciliation in consultation with the victims might be a good idea, there has to be a provision which guarantees legal standing of the commission's investigations and forms a basis for further prosecution in the court of law.



Presently, international attention is focused on two countries of the region which have recently emerged from devastating civil wars, Sri Lanka and Nepal. The Sri Lankan government has refused to admit its role in war crimes and set up a Lesson Learnt and Reconciliation Committee (LLRC) which absolves state security forces of all charges. In Nepal, there is hope that the proposed truth commission and another one that is designed to look into disappearances will have broader jurisdiction and investigations will be more transparent. The commissions must account for crimes committed by both sides. Although the Nepal Army has argued that it has already investigated its soldiers in a military court, and that civilian casualties are jurisdiction of the

Families have the right to know what happened, and the warring sides must show courage to tell them how and why the person was killed. This week saw considerable progress in the peace process. The parties have expressed an unequivocal commitment to integrate the combatants by mid-April which will remove the last hurdle for declaring the new constitution. There are still unresolved issues of federal units and governance which will test the leadership's negotiation skills. The parties must announce the formation of truth and disappearance commissions at the earliest. This will demonstrate that they mean business and buy them both time and goodwill needed to concentrate on constitution drafting.

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**THIS IS IT**  
**Rubeena Mahato**

Elections in Nepal have never been completely free or fair, and everyone has a favourite example of vote-buying, ballot-stuffing, or booth-capturing. Goons mobilised by political parties often lock up rival candidates or block roads on election day so opposition voters can't make it to the polling centres. There were lots of proxy, underage and multiple voters in the 2008 CA election.

These are just the visible irregularities, but what ultimately determines the election result in Nepal are things far more basic: most Nepalis do not know how the voting system works. There is a lot of mass voting where villagers are mobilised by local bigwigs in return for payment in cash or kind from candidates. Like in a lot of other things, we have weak institutional memory and quickly forget the corruption history or criminal record of candidates. Voter opinion is influenced by few weeks of campaigning, misinformation and vicious propaganda. Whoever makes the biggest



# Poll-itically correct

The quality of democracy in Nepal will depend on serious electoral reform

noise has an edge.

Parties know this better than anyone else, and campaign financing has become an integral part of the process, and this is usually ill-gotten or are donations from businesses

who extract their pound of flesh once the party is elected. In this way, elections become a key feature in perpetuating the cycle of corruption. Until a candidate or party's victory depends less on the ability

to spend money and more on performance, credibility and integrity, elections will never be the determining facet of democracy. Electoral reform, therefore, has to be integrated into the implementation of the

new constitution.

The erosion of the image of parliamentary parties in the 1990s is in large part explained by the lack of performance and their behaviour during successive elections. The

## Are we ready for e-voting?

Electronic election will not necessarily be free and fair unless there is political integrity

BIBEK PAUDEL

In a representative democracy, when the fairness of elections isn't guaranteed, the legitimacy of the system suffers. It makes it possible for election results to be used by demagogues to hijack democracy itself. It is not enough to have international election observers. No election in Nepal after 1991 have been wholly free and fair. The incumbents harassed the opposition, polling booths were captured and constituencies were jerrymandered to improve the governing party's chances of re-election.

The party in power used state security, hired local goons and spent lavishly, so that political aspirants without such resources didn't have a chance. This is what bred extremism and pushed the electorate towards the radical left. An unfair election can therefore undermine democracy.

Nepal's Election Commission is introducing electronic voting nationwide in several elections in the coming years. But e-voting is not a panacea, and just because we go digital doesn't mean there won't be hankiepankie. Technology is not always benign, in fact it can open up avenues for massive fraud, money laundering, terrorism and dictatorial repression.

The fact that a majority of people do not understand how information technology works



BIMAL GAUTAM

gives immense power to the few who do. The mainstay of electronic elections are hardware and software. Sure, it makes voting easy and convenient, accurate and reliable results can be announced almost instantaneously, but what if the underlying software running the machine has been designed to cheat?

What if the circuitry has been redrawn to rig results? Who is checking if there are negotiations between political players and vendors to get

'backdoor entry' access to the electronic system? In case of disputed results or technological errors, do we have laws in place and the legal experience to handle them? Do we have the capacity for auditing, validation, encryption and data protection? When our government websites are so easily hacked and defaced, it is cause for worry.

There have been many cases of error, manipulation and fraud with e-voting, and not all are confined to developing countries. Big changes

in electoral processes should accompany similar adaptations in our legal and administrative systems. When cheating is masterminded by the political hierarchy, that is where we need to clean things up. Technology by itself will not ensure honest elections. Any purchase of computers and software for elections should be scrutinised and the technology audited. Standardisation agencies should be well trained to deal with such systems, and until then, we should verify the systems through international agencies. The bugs within the voting hardware and software should be made public. There are alternative voting technologies that use free open-source systems that are maintained by the community, are hard to rig and have publicly listed index of weaknesses.

During the 2008 CA elections, the irregularities beat past records. Electronic elections alone will not make future polls in Nepal free and fair. There has to be a political commitment to play fair, and by the rules. 🇳🇵



**Bibek Paudel is a student of information technology and society, and writes about digital liberties.**





ANUP PRAKASH

incumbent party used the state machinery, muscle and money at election time. This was one of the reasons the Maoists went to war, arguing that the entrenched elite used elections just to shuffle the deck among themselves.

Alas, the party that sought to change all this through armed struggle is now behaving no differently. The Maoists used to believe that political power flowed out the barrel of a gun, now they know it flows out of a cash machine. The Maoists

like to portray themselves as the party of the poor, but are now the richest ones around. Leaving aside our austere Mustang-riding prime minister, Maoist leaders drive around in the most expensive cars, live in the most luxurious mansions and have a well-known penchant for the good life.

Like the people they tried to physically eliminate until five years ago, the Maoists have understood how money translates to political power. The desperation of Maoist and Madhesi leaders in the current coalition to rake it in is not just because of personal greed, it has a lot to do with ensuring cash flow for the next elections. Every sector of economic life is fair game for “pre-paid” kickbacks, cuts and extortion: casinos, real estate, unions, foreign employment.

If this is what the party that espouses the dictatorship of the proletariats looks like, imagine what the others are up to. If political leaders in Nepal have almost zero credibility, it is because their loyalties lie not with the people but with themselves and those who funded their election campaigns.

The epidemic of corruption today is a direct result of the conviction among political leaders that future elections can easily be rigged or bought, and there is no need to deliver development to the constituencies. The absence of local elections has ‘democratised’ corruption right down to the grassroots. The infamous all-party mechanism at VDCs and DDCs have become synonymous with massive and systematic corruption where local units of the parties are in cahoots to loot budgets.

In paper, parties are

required to disclose their financial details and there is an upper ceiling for the money that parties and candidates can spend during their election campaigns, but few abide by the rules, mostly because there is no one to enforce them.

It is clear there is no point having elections, just for the sake of having them. The quality of democracy in Nepal will depend on serious electoral reform. If all goes well, there will be four elections in the country in the next few years: national elections, local elections, provincial elections when the country goes federal, and a presidential or prime ministerial election depending upon the governance system in the new constitution. We cannot afford anymore to elect crooks, undermine our hard-earned freedoms and squander the chance to uplift living standards through unaccountable leadership.

A good idea would be to establish a national fund for campaign financing, so the state subsidises parties for elections and levels the playing field somewhat. At the heart of any well-functioning democracy is a free and fair election process which depends on certain criteria: voters are not subjected to threats, intimidation or enticement, they have access to accurate information about the contesting candidates and the voting is based on a system that eliminates chances of rigging or errors to a bare minimum. For proof that this is possible, we only need to look next door at Bihar, where clean elections have yielded clean governments that serve the people. The CA election only had to be peaceful to be successful, but the success of the next elections will be measured on these standards. 🇳🇵




IFES

## Electronic voting

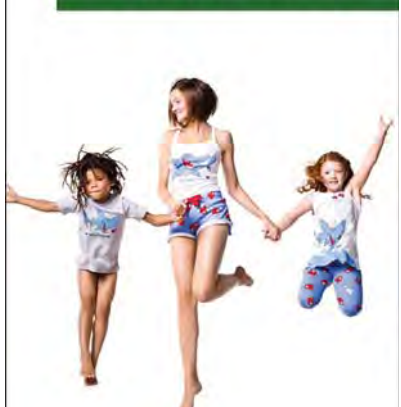
Since 2010, the Election Commission says it has been working on a “war-footing” on a new voter registration drive. In two years, 10.3 million Nepalis have got voter IDs and the Commission is now sending the list for revision at the VDC level. The new computerised list keeps record of voters’ finger prints, photographs and personal information. The digitised voter ID along with electronic voting which the Commission plans to introduce in the next election is expected to reduce duplication and election fraud. Six electronic voting machines were used in the last by-election and only one was used at the CA election. The Commission expects 4.2 million more registrations and is awaiting the result of the latest census for the data on newly eligible voters above 18.

The location of polling booths have been a major source of contention among parties in previous elections, so this time the Commission is using GIS (geographic information system) to maintain a maximum two-way distance of 5 km. An Electoral Education and Information Centre that will work on voter education will be operational in two months. Plans are also underway to digitise election information and make them available to the public.

“We are looking at building a system that will allow voters to access all information on the candidates including their educational, financial and political backgrounds,” Chief Election Commissioner Neel Kantha Uprety told *Nepali Times*. “We have done a lot on electoral reforms in the last two years and are confident that the next election would be freer, fairer and more acceptable.”



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# The Maoist path to enlightenment

Prakash Adhikari in *Annapurna Post*,  
25 March

अन्नपूर्णपोष्ट

The Maoists have had two chances to rule this country, and they have squandered both. They have flouted the rule of law, failed in governance, and their public support base is eroding. Senior civil servants and secretaries are resigning because of pressure from ministers, cadre and power-hungry Maoist unions. It is therefore stupid to expect a party like this to give people their rights or



BINOD JOSHI

improve their livelihoods. Worse, the Maoists are openly coddling those found guilty of murder and other crimes and granting mass pardon to 367 people facing such charges. It's as if the Maoist prime minister wants to convey the message that his party can do anything, commit any crime and get away with it. Such impunity has further tarnished the domestic and international reputation of the party. It took a German minister to draw attention to this during a recent visit, and warn that aid to Nepal may be affected if the general amnesty proposal went through.

It is now clear that however much the Maoists talk about their 'people's war' for societal transformation, all they have tried to do in the past four years is demolish democracy and support authoritarianism. The party still seems to think it needs guns to ensure victory in elections and doesn't want to disarm, and its leaders keep threatening to return to the jungle, wage a people's revolt or unleash rivers of blood.

In the midst of all this, the supreme leader of the Maoists, Prachanda, after waging a war that killed 15,000 Nepalis, disappeared and displaced thousands more has suddenly decided to become a follower of Gautam Buddha, the prince of peace and compassion. This could be considered a positive move if Prachanda suddenly had pangs of conscience about the suffering he unleashed, or because he is scared of being dragged to the war crimes tribunal. All the world's religions and laws prohibit the taking of human life, yet leaders who celebrate violence and boast about their killings want to be seen as believers of non-violence. But first, the Maoist leader and his followers have to prove to us that they really mean it.

Why don't the adherents of Prachandapath mark the next auspicious full moon day by meditating for enlightenment under the Bodhi tree? Let the former guerrillas in the camps and YCLs also shave their heads, dress in monks' robes and chant "Buddham saranam gachhami, dhamam saranam gachhami, sangam saranam gachhami"? And let them say that they have forever forsaken the path of violence. Only then will it suit Prachanda and his disciples to lead the committee on Lumbini and welcome Ban Ki-moon. The UN chief's visit may have been cancelled for now, but at some point he should come and bear witness to this transformation of the Maoists to a truly non-violent party.

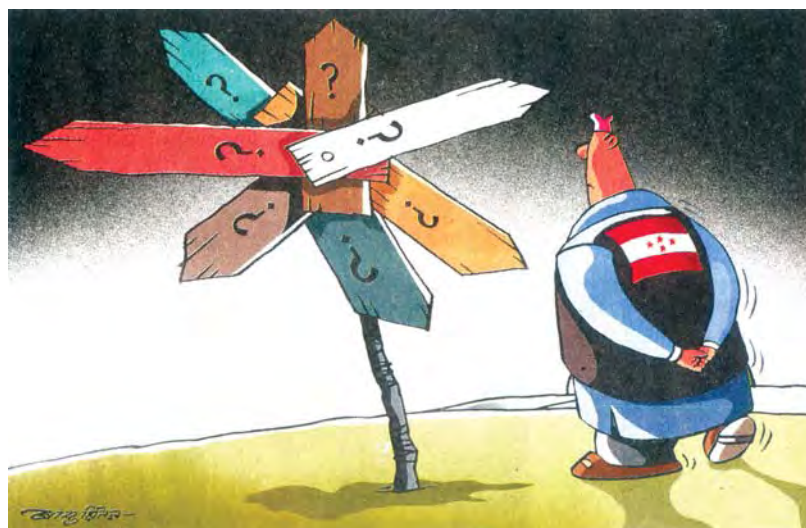
## Roadblocks

Dipak Rijal, *Nepal Samacharpatra*, 25 March

समाचारपत्र

Construction of the final 1.5 km of the road connecting Besi Sahar in Lamjung to Manang's headquarter in Chame is likely to be delayed unless the government provides Rs 70 million immediately. The track which covers areas around Myarni and Sirnataal is considered to be the most difficult to work on and has already claimed the lives of two soldiers and nine other workers. This segment of the road was supposed to open within April, but the lack of funds and constant influx of tourists has slowed down construction.

The Department of Road had initially estimated the total cost of the 65 km road to be approximately Rs 1.37 billion. But after failing to work on the road, the government handed over the responsibility to Nepal Army. Once the army took over, they brought down the budget to 800 million and despite monetary limitations, carried on building the road by borrowing construction materials. So far Rs 700 million has been spent on the project. Although construction started in 1995, Major Indiwari Gurung says that progress has been extremely slow because of rough terrain, financial constraints and local interference.



अन्नपूर्णपोष्ट Basu Kshitiz in *Annapurna Post*, 4 April

### QUOTE OF THE WEEK



“ There are some senior officials in South Block who do not know the difference between Matrika Prasad (M.P), Bisheshwar Prasad (B.P) and Girija Prasad (G.P) but, they are in-charge of the Nepal desk. ”

SD Muni speaking at the Nepal-India Conference on 4 April.

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BIKRAM RAI

## “We are citizens”

Bishnumani Pokharel and Mithilesh Yadav in *Nagarik*, 2 April

नागरिक

Majurani Sada from Siraha district lives with her two sons, their wives and two grandsons in a small hut on a piece of land owned by her landlord. She is a Mushar, one of the most backward Dalit groups in Tarai who typically work as daily wage labourers. Although Majurani was born in Siraha and has lived there all her life, she does not have a citizenship card.

“I don’t really need the card, but without it my son cannot make one, nor can my grandsons,” explains Manjurani. She has travelled regularly to the administrative offices, 20 km away in Lahan, but has returned empty handed every time. “If I bribed the officers, maybe they would stop troubling me and give me my card,” says Manjurani

Majurani along with 40 other landless families in her village have no documents to prove their nationality and most of them have been denied citizenship. Although Dalits who make up one third of Siraha’s population are entitled to acquire the cards through a free and convenient process, the district officials have not been following the stipulated procedures. Instead, issuing of citizenship has turned into a lucrative business for civil servants, agents and police.

Even when a team went to the village to issue citizenship cards, the ones with money quickly cashed in. But 70 year old Ram Lakhan was unlucky and his family is still citizenship-less. “Those who had money, got their cards made. Nobody bothered about us,” says Ram Lakhan. He adds: “My father was born here and so was I. We are citizens of this country, but just don’t have documents to prove it. I am tired of running around, maybe I will just save some money and bribe them.”

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# Cash or credit? Both

Not a day goes by without a Constipated Assembly member making a donkey of him- or her-self. Sometimes they are caught selling red passports, others are arrested for being part of kidnapping rings, some are convicted murderers who drive around with the PM, others vandalise the Great Hall of the People. Compared to such fun and games, it would be trivial to bring up the case of a legislator who was caught red handed hiring someone much smarter than himself to sit for his SLC exam. The media should give the guy a break, he was just trying to further his education. His only mistake was to get caught.



As we heard last week, the restaurant business has collapsed because of the ongoing crackdown on driving under the influence. Sales of liquor have plummeted, and



so has govt revenue from the tax on alcohol. The crackdown had reduced Nepal's Gross National Happiness pretty drastically, but now comes word that it may actually bring down our GDP growth as well. Private hospitals have registered 80 per cent drop in income from

their emergency wards because of the sharp reduction in the number of traffic accidents. Some hospitals may actually default on their bank loans, thus having a domino effect on the banking sector. There is one slight silver lining: the breathalysers have a limited number of plastic pipes so they have become a vector to pass on communicable diseases mouth-to-mouth, thus increasing business for hospitals.



The other reason Nepal's economy is shrinking is because the casinos are going bust. So there is a plan afoot to get the cabinet to approve a proposal from the First Son and the erstwhile First Son-in-Law (now sleeping partners in the Yaketyiak Casino) to allow Nepalis in to gamble and

inject cash into state coffers. For this, the scions of the former and current royal families have mobilised other casinos to donate generously to the war chests of cabinet members. The Baddie union gets a cool 15 percent take of the daily take in all KTM casinos, but that income has shrunk worryingly because of a drop in Indian and Bangladeshi gamblers.

Legalising the entry of Nepalis would kill two chickens before they are hatched: the Baddies would get a source of income so they don't have to extort us, and the state treasury would be regularly topped up.



Cash or credit? Well, as far as the Maobaddies are concerned they want both. But at the moment, they mostly want credit, and that is what the intra-party feud is all about. Smelling a coup, BRB wants to at least get some credit for untangling the peace process, while PKD wants to get all the credit for resolving the constitutional deadlock. To his credit, Comade Bhayankar wants to have all the credit, and if he can't have it he doesn't want anyone else to have it either.

The intra-party feud within the Mau Mau is now getting physical. They are splitting each other's heads, so a party split may be near. Bal Krishna ("Comrade Manslaughter") Dhungel got a knock on his head in Salleri recently courtesy the ultra-hardliners. The Baidya faction of the Kranti-curry Union has declared all out war on rivals. In Kathmandu, the Kiran Ba faction doesn't commute to Paris Hill anymore, it has moved in with Comrade Hitman at the Newa Council building in Kopundole where the revolutionaries are all masked, not because they want to protect their identity, but to ward off the stench of the nearby Goo-mati River.



Nepal and Brazil have a visa waiver agreement for diplomats of each other's countries. But a visiting Brazilian minister had to wait one-and-half hours this week to get her visa on arrival at KTM. Which means PM BRB will get reciprocal treatment when he goes to Rio in June?



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