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Of the government, by the government, for the government

The people's apathy with government is turning into antipathy. Across the country, as they struggled with daily survival, few were interested in the contents of the government's Rs 618 billion annual budget presented to Parliament on Sunday. When you expect nothing from the government, you are not disappointed when it does not deliver.

So, while Mahat was preparing to present his budget at the doorstep Parliament (above) women and children in Banepa queued for a trickle of water from a spring (right). And while the UML's chaotic party jamboree was winding down, vegetable farmers in Kalimati dumped tons of tomatoes on the middle of the road to protest low prices. Just as well, because the government hasn't been able to stop rampant pesticide residue in vegetables from poisoning consumers. Nepal's rulers and the people who elected them seem to live in parallel universes. It's a government for the government. The people be damned.

Survivors of the conflict that ended eight years ago still wait for justice and atonement. Thousands migrate every day to work in the Gulf, Malaysia and India. A new study says vulnerability of Nepali migrant workers to exploitation abroad is heightened by routine abuse within Nepal.



PICS: BIKRAM RAI

MALE AND STALE EDITORIAL

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BLOOD SWEAT AND TEARS

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COMMISSIONS OF CONVENIENCE

BY TRISHNA RANA

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PEDALLING A CAUSE

Join thousands of bicyclists on Saturday for the annual Kathmandu Kora Cycling Challenge and make the 100km circumambulation of the Valley

PAGE 7



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MALE AND STALE

If you have been following the mainstream media in Nepal for the past three weeks, you may have been under the illusion that there was another general election afoot. But it was just a member of the ruling coalition, the UML, having its general convention and voting for new party functionaries. In the hyper-reality world of Nepali media, nothing else happened in the country in the past month.

It has been a tradition in Nepal since 1990 to inject political colour into everything, so it wasn't surprising that there was lots of politicisation of politics within the UML as well. The party was polarised into two halves, and the once-split Unified Marxist-Leninists were on the verge of another binary fission.

On one side was once-prime minister and twice-party chairman Madhav Kumar Nepal and his followers, and on the other was once-firebrand revolutionary, now-ailing KP Oli. What Oli lacked in physical stamina was more than made up for by the powerful backing of Home Minister and Deputy Prime Minister Bamdev Gautam.

There is a fatal flaw in the personalities of most of Nepal's politicians: they don't know when to call it quits. Tenacity and ambition can be a virtue, but clinging on to power despite age, infirmity or irrelevance is not. Which is why aging cancer patient Sushil Koirala is squandering the respect gained from a lifetime fighting for democracy by coveting the prime minister's chair just to keep a rival out. Madhav Nepal has had the chance to lead his country and party to demonstrate what he could achieve which, as it turned out, was not much. Oli may be a straight talking tough guy, but with a double kidney transplant it is pretty obvious he is just a stand-in for Gautam.

The UML's downfall started after the tragic death in a highway accident in 1993 of Madan Bhandari, its leader and architect of the party's metamorphosis from



DIWAKAR CHHETTRI

The UML election was not internal party democracy in action, but the politicisation of politics.

die-hard Marxism-Leninism into the people's multi-party democracy line. Bhandari was a man of his times, and in the early 1990s knew which way the wind was blowing after the collapse of the Soviet empire and the fall of the Berlin wall.

Alas, the UML liliputs immediately showed their capacity for cynical opportunism by calling Bhandari's death an "assassination" and indulging in a protracted witch-hunt

for conspirators. The murder of UML cadre Amar Lama who was driving the car in 2003, supposedly by the Maoists, only added to the intrigue.

Far from being scientific communists, the UML has often flip-flopped and sometimes displayed an irrational streak. When it first won elections and came briefly to power in 1994, it showed relatively clean and efficient governance with collective decision-making under statesman-leader Manmohan Adhikari. But in the age of coalition politics, the party faced scathing ridicule for being "neither a duck nor a chicken". The reason was that it often looked like the UML's leaders were playing politics just for the sake of politics, and had lost sight of what stood for.

That brings us to the present, and unfortunately, not much has changed. In last week's chaotic and self-obsessive general convention, the party's dirty linen was all hung up to dry at Bhrikuti Mandap. The party tried to put its scientific credentials on display with futuristic drones, lasers and robots, but all that backfired because manual vote-counting stretched over days.

However, it was in the list of 14 elected office-bearers that proved that the UML is one of the least inclusive political parties in Nepal. Aside from token women and Janajatis, the core leadership is male and stale: dominated by hill Brahmins who have already served multiple times in government and the party hierarchy. Interestingly, the word 'male' is also the Nepali acronym for Marxist-Leninist. It's no wonder the UML's Janajati members are mutinying.

On the plus side, we see some young faces in the party hierarchy who have shown integrity and a can-do attitude when given positions of responsibility in government in the past. And, perhaps, that is where the hope lies.

YOUR SAY

www.nepalimes.com

THE POLITICS OF EVERYTHING

Finally a commentary that breaks the taboo about discussing the dangers of ethnicity based federalism ('The politics of everything', Editorial, #715). The best case scenario is that they will be economically unviable and will collapse because future provinces will start arguing about sharing natural resources and tax revenues. And the worst case-scenario is that those conflicts will be inter-ethnic. The result: Bosnia multiplied by 20.

Kumar

In order to calm down the exacerbation of identity politics, the sociopolitical structure needs to go through the phase of de-ghosha-isation. But federalism based on ethnic identity as a remedy is worse than the disease.

Nirmal

Ethnicity based federalism will never work because most Nepalis don't believe in it. The only people who want it are discredited politicians like Prachanda, the ethnic parties and the Indian government.

HUM

This editorial is very timely, logical and much needed.

@dn_ktm

Most of the blame would go to opportunistic Madhesi leaders who were so bankrupt of political capital by 2007 that they decided to wage ethnic politics. The president, vice-president, and top ministers are all Madhesi. The Madhesi people may have been excluded by the Nepali

government, but Kathmandu also neglects the Karnali and Upper Gorkha. The people of Madhes have been let down by mainly by their own leaders, and the leaders know that fully well.

D Gurung

THE GENERATION GAP

Here is a humble suggestion to the drafters of the new constitution: please include an age bar and a limit on the term of office for all political posts from the president to ministers to the peon of a party ('The gender gap,' Trishna Rana, #715). Provisions for a maximum of two, five-year terms and retirement at the age of 70 must be included. Aged leaders can still act as senior advisers to the party but should be forbidden from holding any official posts. This way, the leaders are less likely to waste time in petty wrangling and as one person cannot become a minister three times, more opportunities will be created for younger leaders. Political careers in this part of the world start young (usually in the early 20s). Fifty years of politics is more than enough time for an individual to build a strong base, make a difference, and then retire gracefully.

GVR

It's not about age - they are venal and corrupt, and incompetent for the most part.

David Seddon

Gagan Thapa, Udaya Rana, Rabinda Adhikari, Ganesh Man Pun may be "young" in relation to the other leaders but unfortunately lack influence to really make a difference. Personally, I feel these men lack the drive and are incapable of asserting their rights and

challenging the old, senile, pot bellied leaders of their respective parties.

Narayana Prasad

DANGEROUS WORK

This is just the tip of the iceberg ('Danger, men at work', Prashant Gnawali, #715). The dangerous working conditions of factory workers along industrial corridor across the country- grill-workers working without masks to protect from poisonous fumes, NEA staff fixing lines without safety equipments, and cleaning manholes without gears to protect them from infection and rashes--the denial of basic safety equipments to cut the costs has become so normalised, one hardly notices.

@AnuragAcharya

LIVING TOGETHER

This is such a double edged sword for women who live in traditional society such as ours ('Living together,' Mina Sharma, #715). Nepali women today have far greater freedom than before to choose their partners and even find how compatible they are with their mates by living together before marriage. However, the stigma attached with living and having sexual relations with men before marriage is so harsh that if the cohabitation does not work out as planned, then life becomes hell for the women in question. They are called names, most likely abandoned by families, while the men escape relatively unharmed. Given our narrow-minded social setting, women have to be cautious before deciding to live in with their partners. Laws to protect and ensure the safety of women are welcome.

Aarti Banskota

A MINORITY WITHIN A MINORITY

Tibetan Muslims who lived in Tibet were of three origins: Nepali, Indian and Tibetan ('A minority within a minority,' Clare Hennig, #715). While they practice Islam as their religion, their culture, language and food habits are very similar, if not the same as Tibetans. This happened due to cross marriages that began to take place after opening of trade with India and Nepal. After the invasion in 1959, the Nepali, Indian and the Chinese government allowed the Tibetan Muslims to move back to their country of origin.

Zehnat Banu

THE GREAT HIMALAYAN TRAVERSE

Nepal's restricted area permit system is totally outdated and is hampering tourism development in areas which need it most ('The great Himalayan traverse,' Matt Miller, #715).

Michal Thomas

MOVING THE GOALPOSTS

Nepal could invite Qatari workers to build the stadiums in Nepal, after all they are building prefabs ('Moving the goalposts,' Ass, #715). Then take their passports and deprive them of holidays, money, living standards and their human rights, that would be FIFA Fair Play.

@qatarninetales

You are funny as hell! I liked number 7 and 9 the most. FIFA should definitely consider these suggestions.

SP

Times WHAT'S TRENDING



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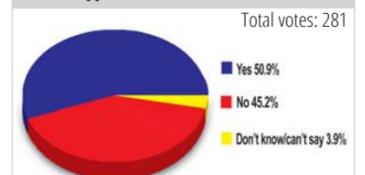
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Times nepalnews.com Weekly Internet Poll #716

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Q. Are you satisfied with the new Budget?



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SUBHAS RAI

Journalists are a self-righteous bunch who relish telling people what they ought to do. We may be expected to just report, but we also like to dispense unsolicited advice on what is right and what is not,

The truth about facts

It's a thin line between using news sources and being used by them

and whether they are being manipulated. The bargain already compromises the reporter, editor, or even publisher, because we cannot expect them to cover anything that may embarrass, endanger or expose wrongdoing of the very institutions they are in bed with.

Who is going to expose corruption within the opaque procurements of the Nepal Army, for instance? Will it still be possible to investigate corruption in the judiciary? Can one expect a reporter embedded with the Nepal Oil Corporation to expose graft there?

It's a thin line between using news sources and being used by them. Journalist face this ethical dilemma regularly. Some succumb because it's just not worth the effort to resist the temptation, others are disillusioned enough to leave a profession they idealistically believed could be an agent of change.

Journalism is simple as long as you follow the old-fashioned rules: protect news sources but more importantly protect the news from the sources. As in most things, in reporting too, the process matters as much as the outcome.

And while the desire and initiative to serve the 'facts' might be praiseworthy, compromising the values and ethics of one's profession while doing so is not. Fact that come this way stop serving the cause of truth. [@rubeena](#)



THIS IS IT
Rubeena Mahato

news reports can be subjective in terms of where they are placed, how the story is angled, who is quoted and in what order.

Journalists report, but more importantly we are also supposed to interpret, analyse and explain events. And the license to do so comes from the assumption that the media or those working in the media business are people of high integrity and conscience and can be trusted upon to interpret 'facts' and meanings for the public.

But what if those trusted with delivering the truth or the closest version of it, have compromised their independence? Consider this: all newspapers

have dedicated beats for political parties, overseen by reporters considered closest to those influential in the parties. A NC, UML or Maoist beat reporter, for instance, can be trusted to speak for his sources.

Office-bearers of the Federation of Nepali Journalists (FNJ) openly contest elections on behalf of political panels. Various professional associations of journalists, even clubs, are divided along party lines and most journalists make no effort to hide their allegiance.

It is standard practice in Nepal to elevate political leaders to god-like status often around

the time they are about to rise to power or have taken up office.

There is a race among reporters to be the first to profile a leader as it would bring, among many other things, the opportunity to be close to a power center and enjoy his blessings. Reporters are sometimes in such thrall of a rising new leaders that they are elevated unquestioningly and prematurely to high pedestals.

Journalists are taught not to get too close to their sources, to keep perspective, and not to accept freebies. But that has not stopped some to go out of their way to practice mutual back-scratching journalism, virtually becoming mouthpieces to their news sources in exchange for whatever has been offered in return.

The credibility of Nepali media today is threatened by embedded journalism. It is of course convenient to have news to come to you especially from institutions that are fiercely secretive like the Army or intelligence agencies.

Any information from them carries news value, but there is no free lunch in the corridors of power. It is always a quid pro quo: the journalist gets a scoop, the source gets to spin.

Reporters rarely ask whose interest is served by such leaks,

what is to be believed and what should be questioned, which ideas are morally revolting and which are worth leaps in faith.

The ethics of doing so might be endlessly contested but that is how the media works, and not just in Nepal. To those who take issue with opinion pieces, it might be worth noting that even

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Blood, sweat and tears

'The vulnerability of Nepali migrant workers to exploitation abroad is heightened by routine misconduct within Nepal'

The exploitation of Nepali workers abroad has been called a form of 'modern day slavery', and exploded in the international media this year with one exposé after another over their mistreatment in Qatar.



THE DEADLINE
Damakant Jayshi

The danger in such high profile international coverage is that it takes the spotlight off the exploitation of Nepali workers by Nepali recruiters and immigration officials, and tends to let them off the hook.

The Centre for the Study of Labour and Mobility (CESLAM) of Social Science Baha has been studying the violation of the labour rights of Nepali migrant workers. Its damning study, *Migrant Workers' Access to Justice at Home: Nepal*, puts a lot of the blame squarely on Nepali labour brokers.

'Despite Nepal's efforts to protect migrant workers, it is generally failing to hold private recruitment companies and individual agents accountable, and the vast majority of workers remain unable to access



BIKRAM RAI

compensation or other forms of justice in Nepal or abroad,' the study reports.

The study also points that the laws governing recruitment and placement of Nepali migrant workers are relatively robust, but their implementation and enforcement weak. The exploitation of the migrant labour continues, and impunity is entrenched.

The average annual remittance from migrant labour is nearly 25 per cent of Nepal's GDP of Rs 1.71 trillion, up from 20 per cent just three years ago. Most district capitals in the hinterland have seen a huge infusion of cash, which has led to a boom in

construction, education and retail sectors.

And how are we treating the people who have been making such significant contributions in propping up our economy? CESLAM's paper does not mince words: 'The story of labour migration begins and ends at home. The vulnerability of Nepali migrant workers to exploitation abroad is heightened by routine misconduct committed in Nepal during the pre-departure phase by individual agents, recruitment agencies, and other private actors.'

Most of this is not new, there is a shocking story of mistreatment and cheating of

vulnerable workers in the media nearly every day. But clearly, the reports are not helping to curb impunity since the guilty do not fear punishment.

After international uproar generated by exposés on the mistreatment of Nepali workers, there have been insinuations that the West is unfairly targeting Qatar in order to relocate the venue of the 2022 World Cup. We are barking up the wrong tree: this is not about football, it is about decent pay, acceptable working conditions and protection for migrant workers both in Nepal and the host country.

The government of Nepal and other migrant-exporting countries are mum about the kafala system of bonded labour of their workers in the Gulf because they don't want to jeopardise their economic lifeline and youth employment safety valve. What the governments forget is that this is not a one-way traffic: the Gulf countries need the cheap labour as much as we need the money they send home.

With individual governments unable and unwilling to take on the issue with the host countries, there is urgent need to develop a coordinated South Asian approach. Instead of undercutting each other in migrant worker pay, India, Pakistan, Bangladesh, Nepal and Sri Lanka could work

on bargaining collectively for better working conditions for South Asian countries. The forthcoming SAARC Summit could be the ideal forum to launch this initiative.

In Nepal's case, as the CESLAM study emphasises, there is an urgent need to rein in recruiting agencies which are at the frontlines of the abuse of worker rights. They mistreat aspirant workers, over-charge for tickets, permits and travel documents, and provide forged documents or abandon them at airports in Doha, Dubai or Bahrain. Those that do make it have to work for at least six months just to pay back the recruiters' fees, often their salaries are nowhere near what was promised. Many of the recruiters have political protection.

We don't need more research or media exposés about the abuse and exploitation of our workers, we need government agencies with teeth that can protect the millions of Nepali who shed blood, sweat and tears to prop up this country.

@damakant

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Hydropower and manpower, Editorial, #676
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New look
Yeti Airlines, has introduced a new livery to its BAE Jetstream 41 fleet. The Jetstream 41 9N-AHW (pic) is the first to be painted in the new design by Aashik Pokhrel.

Extending south

SpiceJet has announced launch of its new flight from Kathmandu to Bagdora in Darjeeling district. Beginning 13 August, the airline will operate three flights a week on this route.



In recognition

Eithad Airways held its annual Eithad Trade Awards at the Radisson Hotel in Kathmandu on 15 July. Fourteen trade partners of the airline were awarded in three categories- Travel Agency of the Year, Best Premium Sales and Best Share Shift.

Doubling frequency

China Southern Airline has started operating double daily flights for its Guangzhou to Kathmandu to Guangzhou route from 15 July. The new flight timing will be 8.30am departure from Guangzhou and departure from Kathmandu at 11.55am.

Quadruple win

Turkish Airlines was awarded the 'Best Airline in Europe' for the fourth time at the 2014 Skytrax World Airline Awards. The results announced at the Farnborough Airshow in Hampshire on also named the airlines the 'Best Airline in Southern Europe', 'Best Business Class Onboard Catering,' and 'Best Business Class Lounge Dining'.

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The south-west monsoon is now vigorously active over the subcontinent, trying to make up for lost time. The annual pattern in Nepal is that the moisture-laden winds from the Bay arrive from the southeast without lightning and thunder, and with persistent rain. Usually the monsoon comes in waves called "pulses" which are actually low pressure troughs accompanied by heavy precipitation. On Friday, the pressure is dipping to below 1,000hPa which portends torrential rain mainly at night through the weekend along the Mahabharat range south of Kathmandu.

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COURTESY: SAVE THE CHILDREN

PEDALLING FOR A CAUSE

On Saturday, hundreds of cyclists will once more do a full circle of the Valley

STEPHANE HUET

Three years ago, two 16-year-old volunteers decided to organise a fundraising bike race around the Kathmandu Valley. On Saturday, 19 July, the fourth annual Kathmandu Kora Cycling Challenge will take place once again. The event is expected to draw 1300 cyclists as they challenge themselves to complete routes of 50km, 75km or 100km around the Valley.

Kathmandu Kora, which takes its name from the clockwise circumambulation done by Buddhists around religious structures, was initiated in 2011 by British teenager Maxim Jones.

Before leaving for a volunteering trip to Nepal, he wanted to raise funds for his missions at the SAMATA School in Boudha and the OCCED Orphanage in Naxal.

Jones contacted the Nepali tour operator Socialtours, who

suggested that he conduct a fundraising cycling challenge around Kathmandu. With the help of another teen, Shishang Lama, Jones began to organise the challenge in January 2011.

Six months later, in July 2011, thirty-five other cyclists joined the two teenagers and cycled 60 km around Kathmandu. The event raised Rs 450,000 which was shared between SAMATA school and OCCED orphanage.

After the success of the first cycling challenge, Socialtours expanded the fundraising campaign and created Karma Foundation, a non-profit to run Kathmandu Kora. Each year, the INGO Save the Children identifies a new cause for the funds raised by the cycling challenge, which usually include development projects in rural areas of Nepal.

"We implement projects in zones where the government cannot operate", explained Bineta Pandey, chairperson of Karma Foundation.

In 2012, Kathmandu Kora raised



Rs 950,000 for the renovation of a birthing facility in Samritu, Rukum. The following year,

800 riders amassed Rs 1.7 million to build a birthing centre in Sharmali, Baitadi. This year, Karma Foundation hopes to raise

Rs 2 million for the construction of a birthing facility in Pyutar, South Lalitpur.

"Women here give birth in the post office", said Bipin Maharjan, manager of Socialtours. "Seeing these horrible conditions, we chose to help a village nearer to Kathmandu this time".

In addition to raising money for unprivileged rural areas, Karma Foundation and Socialtours hope to increase awareness among the cyclists, and their entourage, to the organisation's cause of the year.

The organisation asks the riders to raise Rs 100 per kilometer by soliciting friends, family and companies to pledge for the cause. But this is a voluntary act and riders are not bound to collect that exact amount of money.

Although Karma Foundation receives support from agents in Australia, U.K, Norway and U.S.A, Maharjan wants Nepal to be less dependent on foreign aid.

"We are used to receiving money from other countries," he said. "But if we are united, we don't have to rely only on foreign funding".

To show participants the difference their contributions can make, Karma Foundation took ten riders to witness the implementation of the project in Sharmali last year.

"It's important for the cyclist to witness the difference they're enabling", said Pandey. "We want people to understand that one individual can make a big difference." 🇳🇵

Kathmandu Kora 2014
 19 July, 7am

Patan Darbar Square
kathmandukora.net, karmafoundation.org

nepalimes.com

Yak Attack 2013, #649
 Ride on the roof, #665



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EVENTS



BFF, adopt a dog from Animal Nepal's shelter – the local mixed breeds are healthier and better adjusted to local conditions than pedigrees. *Rs 150, animalnepal.org, (01)5538068, 9841334537*

The Butterfly Home Project, a fundraising exhibition and sale of arts and crafts by the children of Early Childhood Development Center (ECDC). *19 to 20 July, 11am to 5pm, The City Museum, Darbar Marg*



Headspin, Take part in the ultimate B-boying competition in Nepal and compete with dancers from New Delhi and Mumbai to win Rs 25,000 in cash prizes. *Rs 250, 10 August, St Xavier's School, Jawalakhel*

Joystick joy, Take part in the All Nepal E-Sports Challenge and be second to none in hyper-reality – inviting Counter Strike, DOTA and FIFA '14 teams. *18 to 22 July, 10am to 6pm, Civil Mall, call 9849659820 for registration*

Muna Madan, Nepal's favourite epic on stage again. *Runs till 31 July, Rs 100/200/300/500, Rastriya Nachghar, Jamal*



Impression, an exhibition of the works of photographer Aakash Pradhan. *10am to 5pm, Cafe Mitini, Lajimpat, (01)4002070*

Kickabout, your shot at glory as it rains goals at the second Arsenal Nepal Futsal Fest. *19 July, 11am onwards, Sky Goals, Bhatbhateni Store, Maharajganj*

Kathmandu kora, join hundreds of cycling enthusiasts and ride for 50, 75, or 100 km to raise funds for a birthing centre in Pyutar, Lalitpur. *18 to 19 July, facebook.com/kathmandu.kora*

Flagbearers, Be one of 30,000 participants to form the largest human national flag and make it to the Guinness Book of World Records. *9 August, 6 to 9am, Tundikhel, Kathmandu*

Beyond auto mode, learn how to use your camera beyond its auto function. Don't just be a button-pusher; take control of your pictures. Registration until 18 July. *20 to 31 July, 5.30 to 7pm, Rs 6000, Canon Imaging School, Maitry Bhawan, New Road*

Amalgam, A series of talks around the ongoing exhibition at Siddhartha Art Gallery

20 July, Socio-political art, questioning the role of the artist as an informed citizen, 3pm
27 July, Street art, spreading socio-political messages through art in the local community, 3pm.
Siddhartha Art Gallery, Babar Mahal Revisited



Charya Nritya, Experience Kathmandu's version of dance meditation under the tutelage of Prajwal Ratna Vajracharya and immerse yourself in nature, consciousness and compassion. *Rs 1,600, 1 to 14 September, 12.15pm, inneradventuretravel.com*

DINING



Chopstix, savoury Asian food cooked in true Chinese fashion sure to charm and impress. Try the famous drums of heaven. *Kumaripati, (01)5551118*



iDoYo Ushi No Hi, savour exquisite Japanese delicacies at Mako's to celebrate the Japanese eel festival. *18 to 20 July, Mako's Japanese restaurant, The Dwarika's hotel, Battispatali*

Dan Ran, the best Japanese food this part of town. *Jhamsikhel*

Vol Au Vents, go crazy with choice combination of fillings for scones, crepes and vol au vents with the Lounge's new interactive menu. *Rs 400 (exclusive of tax) onwards, The Lounge, Hyatt Regency, Tusal*

Haus Café, pastas, pizzas, desserts, Haus does everything with equal perfection. *Pulchok*

Kasi, spread out over a large terrace overlooking Phora Darbar, Kasi offers a delectable plate of Newari delicacies. *Darbar Marg*

Noyoz, this tiny little joint serves food that tastes like your mother's home-cooking. *Bhatbhateni*

Weekend brunch, beside the swimming pool and Jacuzzi at Hyatt Regency. Ideal way to end the week, with fun, food and friends. *The Café, Hyatt Regency. Saturdays 12.30pm to 4pm, until 3.30pm (Sundays). Rs 18 000, (01)449 1234*

Lal Durbar Restaurant, authentic Nepali dinner with cultural shows. *Hotel Yak & Yeti, Darbar Marg, (01)4248999, reservation@aldurbar.com*

Trisara, with dishes like flambeed prawns, crispy chicken, and khao soi, it would be a folly to ignore its aromas. *Lajimpat*



Lanhua, for the best of Chinese cuisine at great prices. *Lakeside, Pokhara*

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Rs 150, 19 July, 7pm onwards, La Grange, Thamel



Hunkaar,
Nepali vedic death metal band Dying Out Flame are releasing their debut album *Shiva Rudrastakam*, supported by Deflesh, Undefined Human, Corpse Sick, and Forensic Torture.
24 July, Rs 50, Sainik Bhawan, Dharan
2 August, Rs 350 (including CD), Hetauda

Raktapayas,
28 of Nepal's sickest thrash/grind/death metal bands are out to get you – are you game? 21 July

Devika Bandana,
catch the songstress with over 300 hit songs to her name in her live solo comeback performance.
Hotel Radisson, Lajimpat, Kathmandu. 9801184474.

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Rs 100, 1pm onwards, Jamsthan, Talchikhel, Lalitpur

Music at the museum,
catch Nepal's favourite blues guitarist in action with his band, the Ashesh trio performs at the City Museum, featuring the Thimi Dhimey Pucha. Rs 350, 19 July, 6.45pm, The City Museum, Darbar Marg

GETAWAYS



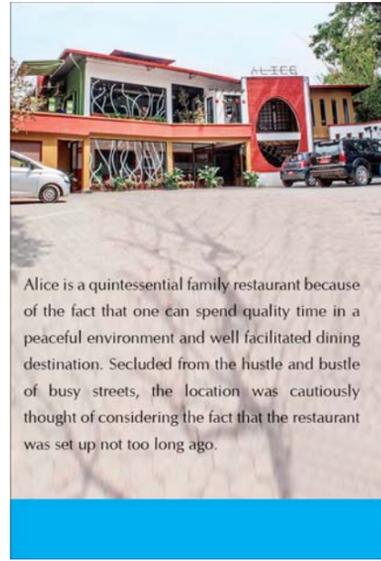
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Balthali, Kavre, 9851075818



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Shivapuri-Nagarjun National Park, Lapsipedi-3, Jhule, (01)6212399



Alice Restaurant
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Mob: 98049413523
Email: alicegairidhara@gmail.com

Alice is a quintessential family restaurant because of the fact that one can spend quality time in a peaceful environment and well facilitated dining destination. Secluded from the hustle and bustle of busy streets, the location was cautiously thought of considering the fact that the restaurant was set up not too long ago.



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Transforming bahals



According to the late Jesuit Nepali scholar John K Locke, there are an estimated 356 *bahals* and *bahis* in Kathmandu Valley, 165 of which are in Patan. Scattered across the entire city, *bahals* are a type of courtyard commonly found in Newa architecture. *Bahis*, on the other hand, are a sub type of *bahals*. Apart from being smaller in size, they contain a number of structural differences including an elevated entrance and lack partitions in the interior residences.

A *bahal* or a *bahi* usually consists of the *Sangha* (the community members), *Kwapadeo* (the shrine of the main deity) and an *Agam* (a secondary shrine that houses tantric deities, accessible only to certain initiated individuals).

Bruce McCoy Owens, associate professor of Anthropology at Wheaton College in Massachusetts, retraced Locke's steps to research the changes undergone over three decades. He visited each one of these known *bahals* extensively and has documented their transformations throughout the years.

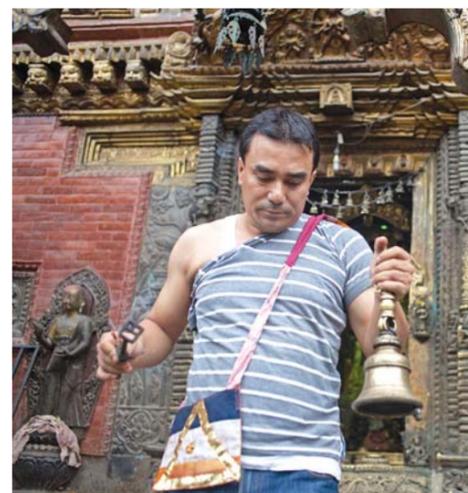
Over time, he noticed both structural changes in the *bahals* as well as changes within the traditions of the community. However, he does not view this negatively.

"Transformation doesn't always mean destruction because it is an ongoing tradition," Owens explained at a talk program in Patan this month. "Transformation is what keeps *bahals* alive."

Keeping up

Before dawn while the rest of the temple courtyard was still asleep, Bibindra Bajracharya pulled away from his bed to start the first puja of the day at Bu Bahal, a temple courtyard in Patan. As he cleaned the temple and moved about the courtyard lighting up oil lamps, devotees started to congregate outside the temple at the break of dawn.

"My main responsibility for the last seven days and the rest of this week is to look after the temple," said Bajracharya, a 37-year-old jeweller who is from a younger generation of priests. He is part of a tradition that requires a male from every family



MOVING OUT, MOVING ON

There are fewer people to look after rituals at Patan's temple courtyards as the younger generation leaves

LOUISE EVANGELINE NG

As part of his daily routine, 74-year-old Punyaraj Bajracharya ambles towards the temple courtyard in his *bahal* for evening prayers. After much effort, his chest heaving he takes a deep breath, and sits on the temple steps.

Just three years into his tenure as an *aju*, or elder, of Bu Bahal he will carry out this daily ritual for as long as he lives. Punyaraj (*pic, below*) is part of a group of 12 elders who oversee the *bahal*'s rituals and prayers.

The role of *aju* indicates seniority and wisdom, and he is revered by the community. Punyaraj's ties to Bu Bahal, which consists of Bajracharyas and Shakyas, run deep within his bloodline - both his father and grandfather were *aju* in their time as well.

"They usually go out to earn money, and then come back and build houses. Not in the *bahal*, but in the ancestral lands in the outskirts of the city," Bipin explained.

The reason for this exodus can also be attributed to space constraints within average-sized homes in *bahals*. With rapid modernisation and increased affluence over the years, families now prefer to live in much bigger spaces than what a *bahal* can offer.

"Bigger is always better," said Bipin. "There are not many rooms in my house. If I get married, and my brother gets married, there's no way we can still stay here together."

Bipin's family is planning to move to another property in Bagdol in two years to afford the family more space.

Uttam Ratna Dhakhwa, 70, from Nag Bahal in Patan moved out of his family home 40 years ago due to limited space for him and his two brothers.

Though space was ample in his father's time, it soon ran out as the family expanded. It came to a point whereby it was impossible to divide the house up further. After Uttam left, his brothers followed suit. Today, the family home is locked up and abandoned. Eight other homes within the Dhakhwa part of Nag Bahal are also deserted.

Uttam and his family still return to their *bahal* twice a year for annual feasts and celebrations, but his links to the *bahal* are not as strong as before.

"It's happening on a large scale. It's very natural that families are growing, places are too small, and at the same time, the demands are increasing in terms of services. Now people want a water tap in the house, proper washing facilities, cars - and sometimes that's not possible there," Uttam said.

Like a thread being pulled from a fine garment, community ties are starting to unspool as families continue to move out from their ancestral homes. Today, Punyaraj is unsure if the traditions he keeps now will be passed on to his grandchildren.

"My grandson is very busy. He has no time to talk to me about the rituals, and doesn't want to become an *aju*," Punyaraj said. "But I hope one day he will." 



PICS: BASIL EDWARD TEO

o with the times

within the community to care for the Buddhist shrine within the temple on a 15-day rotation basis. He also sweeps, cleans and leads prayer rituals three times a day while still working in his nearby jewellery store.

Although the process has been challenging, he feels proud to carry on his family's tradition. "Yes, I have a full-time job and other responsibilities, but I'll always have my job," he said.

Bu Bahal is over 800 years old, and the community's tradition for its upkeep and rituals have survived generations evolving with the times. Said Bajracharya:

"In the past, you had to wear a traditional *dhoti* to perform these rituals, and you had to stay inside the *bahal* for 15 days. Today, I can still work and eat outside."

He adds: "I have taken the responsibility and I hope the younger generation will do so too. Even though many young men from the *bahal* are working overseas now, I hope that they will still come back to fulfill their duties."

Basil Edward Teo

nepalitimes.com 

Watch Nepali Times video:
The young priest of Bu Bahal 





THE LUNCHBOX

One day a young woman called Ila (played by the unassuming and lovely Nimrat Kaur) sends a traditional stacked lunchbox, or *dabba* (as they are called in India), to her uninterested husband at his workplace. Taking advice from the

film about a rather unorthodox epistolary relationship between Ila and the receiver of her deliciously cooked meals, delivered by way of the famous *dabbawalas* of Mumbai.

It is hard to believe that such a subtle, deeply sophisticated film is the work of a debutant, and yet it is indeed Ritesh Batra's first film. Just as impressive is that Batra managed to convince the peerless Irrfan Khan to play the slightly surly, uncommunicative, about-to-retire accountant who accidentally receives Ila's fragrant meals.

As Khan's character (whose name is revealed via a thoroughly tongue in cheek scene at Ila's apartment) learns to appreciate the gift lunches, he and Ila strike up an exchange of notes that initially begin with banalities like "the food was too salty today," and progress to candid exchanges about their

lives and dreams.

It is not difficult to believe that the poor neglected Ila would succumb to cooking meals for a complete stranger, especially after we see her meager interactions with Rajiv, the thoughtless and possibly unfaithful husband. As for Irrfan Khan's character, a widower who has reconciled himself to accepting his loneliness, Ila is a beacon of all that is thoughtful and generous.

This is not a film about grand gestures, destiny, or even "true romance" as we have come to know it through mainstream cinema. Instead this wonderful story deals with the minutiae of life that makes it worth living - the small kind acts, the home-cooked meals, the everyday jokes, the appreciation of the people who truly care for you.

As Ila and her new friend slowly find their way towards each other, you wonder, as so often happens in real life, if they will actually miss each other because of the debris that surrounds them - their pasts, their duties, their own crippling fears.

Beautifully observed and filmed in a Mumbai rarely seen in Bollywood films, *The Lunchbox* is one of the most enchanting films I've seen in a long while. It is no wonder that when it premiered at Cannes in 2013 it won the Critics Week Viewer's Choice award. 🇫🇷

The Lunchbox is now available on DVD with English subtitles.

nepalintimes.com

Trailer



MUST SEE
Sophia Pande

Auntie upstairs (a never seen but hilariously opinionated elderly neighbour), she has prepared a special recipe and hopes to cook her way into her husband's heart.

The lunchbox goes astray and so begins a quiet but captivating



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HAPPENINGS



DEVAKI BISTA

BUDGET 2014: Finance Minister Ram Sharan Mahat flaunts the budget briefcase to the media before presenting it in parliament on Sunday.



BASIL EDWARD TEO

GO GERMANY: Supporters of Germany celebrate the team's goal during the World Cup final at a public screening of the match in Patan on early Monday morning. Germany won the game 1-0 defeating host Brazil to win the World Cup for the fourth time.



BIMMI SHARMA

LET'S PRAY: Inmates at Birgunj jail sit down for *Namaz* before breaking their fast on Monday. Hindu prisoners at the jail have also been fasting during Ramadan.



DEVAKI BISTA

GETTING READY: A woman shops for bangles a day ahead of the Nepali month of Shrawan at a store in Ason, New Road on Wednesday. Teej, an important festival for Hindu women, occurs this month.

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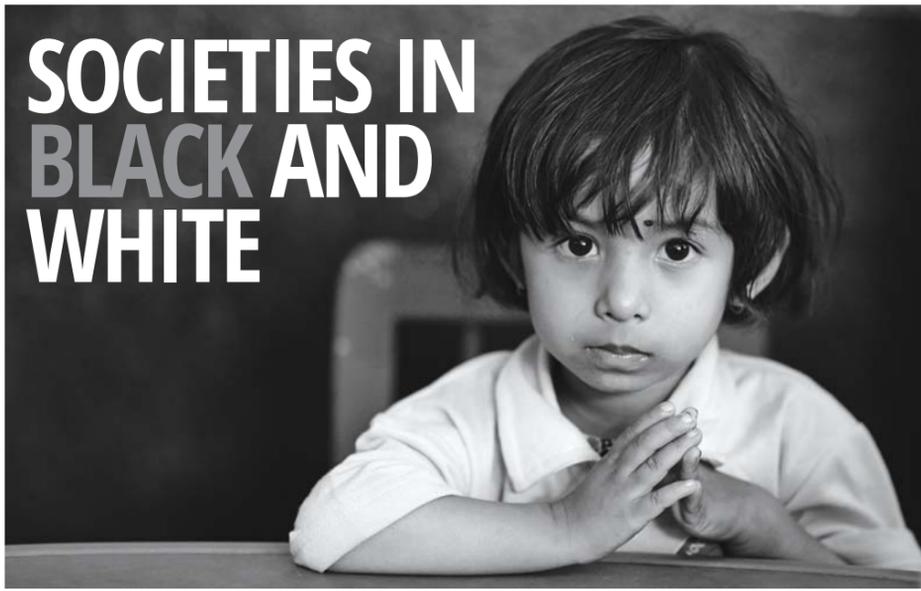
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PICS: JAN MØLLER HANSEN

SOCIETIES IN BLACK AND WHITE

Veins curl in a gnarled arm like the bark on an old tree trunk. A refugee girl's bright, alert eyes are windows to a homeland she has never seen. A transgender person posing for a formal portrait looks confidently straight into the lens. A victim of an acid attack, her face horrifyingly disfigured, is a testament to the depth of greed and injustice in our world.

Photographer Jan Møller Hansen denies that he goes out deliberately seeking these images of the downtrodden and disenfranchised. He says photography is all about telling a story,



and the stories of those living in the margins of society represent real drama. And Hansen, a diplomat-photographer tells those stories of the excluded and voiceless through stark black-and-white images.

"You can get closer to the person with black and white, the images are more powerful because there is no colour to distract you," Hansen explains, "you can concentrate on the texture, features, tone and dynamic range of the image."

He is self-taught, and what started out as a hobby has now become a powerful way to document and show the reality of the dark underbelly of our societies. While posted in Bangladesh, Hansen ventured into the teeming slums by the railroad tracks, the shelters for victims of acid attacks, the metal-strewn beaches where supertankers are beached to be dismantled for scrap.

"The life of a diplomat can get a bit boring with expats and clubs, and photography was a bad excuse for me to meet people I would otherwise never get to meet, connecting with them and telling their stories," Hansen says.

When Hansen was posted to Nepal, he was happy to be back in a country that he knew well from a previous stint 20 years ago as a volunteer. But this time, he was returning with his new hobby, and whenever he has some free time from his work at the Danish Embassy, Hansen is off with his camera bag, taking pictures along the recycling shops along the Bagmati, refugee

settlements, abandoned cement factories, or brick kilns.

One of his most striking pictures is a long shot taken at Pashupati of a mother grieving at the funeral of her dead baby. The picture won 2013 Photo Award on Documentary (People's Choice) and is the kind of photo that Hansen says "hits you in the gut".

Through black and white pictures, Hansen puts the physical frailty of human beings in vulnerable situations in sharp contrast to the uncaring, unfeeling, unjust world around them. But even amidst all this squalour and suffering, you see the triumph of the human will, the spirit of survival.

Hansen just contributed to an exhibition of black-and-white portraits of urban refugees in Kathmandu from Burma, Bangladesh, Pakistan and Somalia. What comes across from those portraits are not despair and hopelessness, but stories of families focused on finding a future.

"People ask me why I am always negative," Hansen says, "I am not. The people in my pictures may be poor but they have a lot of dignity. And they all have stories of survival."

Kunda Dixit

nepalitimes.com

The first day of Dashain, #677
Forget us not, #683
State of statelessness, #712

Sky High at the China Town Restaurant

When my editor told me about a new lounge at Lajimpat that hip Kathmanduites are flocking to and asked me to go review it, I was most excited by the name of this new place - Sky High. I imagined it to be on the rooftop of one of these teetering high buildings that have cropped up and, if notable for nothing else, at least provide a bird's eye view of the city. Imagine my disappointment when I discovered that it was merely on the third floor of the building that houses the Big Mart department store - not nearly high enough to drown out the cacophony from the busy street below and definitely not deserving of such lofty name.

The menu was offered from the China Town Restaurant, a floor below. The head waiter explained why this was so, telling us its long history. China Town restaurant opened 21 years ago and was one of the first to serve authentic Chinese cuisine in Kathmandu and the first private restaurant to hire a Chinese chef from China (sic). As time passed and many other restaurants opened, the owners realised that they weren't attracting any new customers. A



decision was taken to revamp their terrace as a lounge, offer live music three times a week and an open mic on the other days, and thus Sky High was born. The food and kitchen, however, is still clearly the domain of the China Town Restaurant.

We were there for a leisurely lunch and after hearing the backstory, we promptly descended into the cool dining room below. Although an attempt has been made to create a relaxing, soothing space on the terrace, it is swelteringly hot in the afternoons.

The Beijing Soup (Rs 120 for a small bowl and Rs 200 for a big one) was thick with minced bits of chicken, prawn and pork and suitably satisfying. The



plate of cold cucumber (Rs 150) was replete with flavours of fish sauce and fermented black beans, tanginess from freshly squeezed lemon sauce and a mild sweet aftertaste from the sweet soy sauce. I liked that the cucumbers were served sliced thickly and retained their crunch and moisture.

We skipped the other appetisers and rushed headlong into our spicy oriental lunch. The pork ribs (Rs 400) were ribs in name only, as they could have been from any cut of the meat and were drenched in a sauce so thick as to be slightly cloying. The spicy fried steam fish (Rs 425 for half and Rs 800 for the full piscine) was, in a word, delicious. It comes with



PICS: RUBY TUESDAY

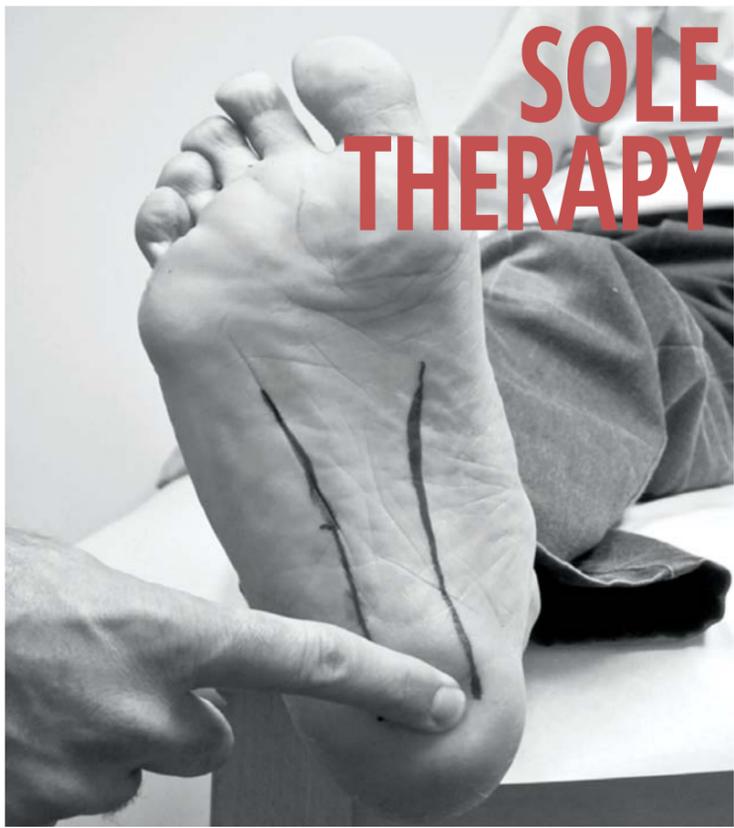
The food is filling and the portions generous. Also it is very reasonable; our meal for two came under Rs 1500. This probably explains its popularity because ultimately we all are in search of a restaurant that serves good food at prices that won't break the bank. Ruby Tuesday

How to get there: The China Town Restaurant and Sky High Lounge are above Big Mart Department Store in Lajimpat.



Great Food Deserves Carlsberg

That calls for a Carlsberg



SOLE THERAPY

Ever heard of Plantar Fasciitis? It is Latin for 'sole inflammation', and leads to pain on the heel pad. The plantar fascia is a band of tissue that runs from the heel and supports the arch of the foot. A 45 year-old surgeon at a local hospital started experiencing pain in his



DHANVANTARI
Buddha Basnyat, MD

right heel as he was operating on his patients. He would typically feel better for some time when he soaked his feet in hot water. The pain was worse in the morning after he woke up and walked around. There was increased pain and tenderness when he pressed his finger on the soft pad of his

heel. Other than this bothersome, dull ache in his right heel, he felt completely normal with no other complaints. There was no history of trauma or any neurological diseases. He took ordinary pain medicines which gave him some relief.

Like the surgeon, individuals who spend a significant amount of time on their feet either walking, standing or running may be more predisposed to this ailment. Athletes who are constantly pounding their feet on a hard surface are also liable to suffer from plantar fasciitis. Obese people and those above 40 may also suffer from this problem due to the excessive weight bearing, and pressure on the heels over many years. Most experienced clinicians will make the diagnosis without doing any tests just based on the history and the tenderness on the heel after careful examination.

In Western countries where

data is available, up to 10 per cent of adults have had this kind of heel pain at least once in their lifetime lasting from days to months. The surgeon's story is indicative of "classic" plantar fasciitis. For many people, it may be just heel pain for the first couple of steps in the morning and heaviness in the heel for the rest of the day. In some cases patients may have heel pain when standing up after prolonged sitting or they may have a dull ache in the heel at the end of the day. Some people may note that the heel pain occurs only after vigorous exercise and this may suggest an "overuse" injury. The pain may decrease with a proper warm up before vigorous exercise. In severe cases, there may even be localised swelling in the heel if regular exercises is continued despite the pain.

Unfortunately there is no single, effective treatment for plantar fasciitis. Educating patients about their condition can be an integral part of therapy. Athletes with plantar fasciitis may need to modify their activity and opt for temporary rest. Obese people will need to lose weight. Not walking with bare feet and using shoes with good arch support and cushioned heels may help. Massaging and stretching the fascia in the morning, for example, by rolling the foot over a can may be beneficial. Besides taking ordinary pain medicines, using ice on the heel pad after exercise or just soaking the feet in warm water can provide temporary relief.

Some doctors will inject steroids locally into the fascia, but this is a drastic measure for pain control. In most instances the pain will improve within a year or earlier even without any therapy. Importantly, plantar fasciitis is not related to nerves as this is primarily a problem of muscle and connective tissue, so if there are any neurological symptoms (numbness or weakness of the affected heel) an alternative diagnosis has to be sought.

GIZMO by YANTRICK

My tab

The recent trend of large screen sizes on smart devices looks set to continue with the latest Samsung device, the Samsung Galaxy Note Pro (SM-P901) tablet. Boasting a massive 12.2 inch screen, the SM-P901 is a device that stretches the upper limits of what we call a tablet, seriously encroaching on laptop territory. Samsung envisioned the SM-P901 as a workstation/laptop replacement, and with the power and performance that the SM-P901 packs, it is easy to see why.

Cut from the same cloth as the brilliant Galaxy Note 3, the SM-P901 looks and feels like a stretched-out Note 3, and sports the same faux-leather back, which feels comfortable in-hand, and looks like something you would like to pull out of your bag in an office meeting. The black variant in particular looks more professional and premium rather than the white one. Unlike the Note 3, the SM-P901 is fitted with a dual-speaker setup, which occupies both edges of the device, while the stylish S Pen is holstered in the upper-right edge of the device. The behemoth of the SM-P901 is in terms of size; it is surprisingly light and thin at 750g and 0.31 inch respectively. An impressive screen resolution of 2,560 pixels x 1,600 pixels translates to a high pixel density of 247pp, resulting in greater detail in everything from icons to videos, along with fantastic viewing angles, whether you are watching HD movies or getting work done.

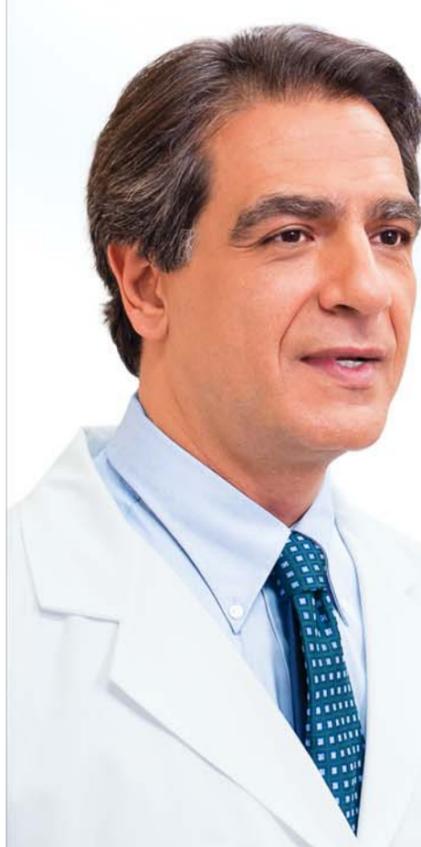
The SM-P901 runs on Google's Android mobile operating system which is powered by Samsung's powerful Exynos 5 Octa processor. It comes with a whopping 3GB of RAM, resulting in ultra-fast responsiveness and multi-tasking on another level. The ability to run up to 5 apps simultaneously on the huge screen really is a treat, especially if you intend to use the SM-P901 for your office work.

Samsung has also packed the SM-P901 full of premium software for free, with the icing on top undoubtedly being the Hancam Viewer (for document viewing/editing), e-Meeting (a conference app) and Remote PC (for mirroring/ remotely controlling PC/Mac) apps. The SM-P901 is also decked out with regular Note series features like front and back cameras (2MP and 8MP respectively), an IR blaster, 3G capability, and the S Pen, which really excels due to the extra screen space. The SM-P901 is bundled with a Samsung Bluetooth Keyboard, which doubles as its cover.

Internal memory of only 32GB (expandable up to 64GB) is a minor grievance, especially since the SM-P901 is intended as a work and multimedia powerhouse. The battery life of 10 hours is acceptable.

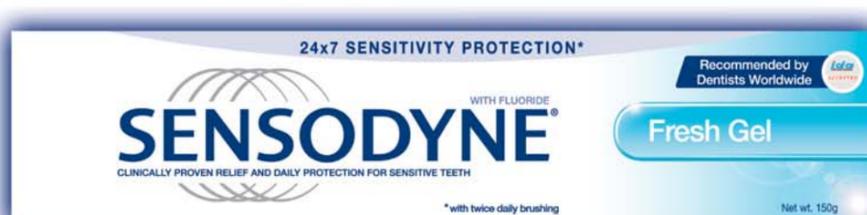


Yantrick's Verdict: For those that believe bigger is better, there is no current tablet like the P501. Everything about the SM-P901, its size, build and performance exude class. It is the tablet that everybody wants but, at Rs 90,000 (approx), one that only a few can get.



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Nothing but contempt

Under the new draft bill, it would not be possible to write this column

BINITA DAHAL

The Contempt of Court Bill submitted to the legislature parliament earlier this month by the NC-UML ruling coalition has come under fire from lawyers and journalists. Minister of Law and Justice, Narhari Acharya, who is the chief architect of the Bill, defends it saying it will streamline and clarify current rules on coverage of the judiciary.

The Bill has defined what constitutes contempt of court: insulting the judgement of a court or judges, obstructing the implementation of justice, influencing cases that are subjudice, and recording of courtroom activity without permission from the court. Anyone found guilty of contempt of court can be sent to jail for one year and fined up to Rs 10,000, or both.

Critics are suspicious of the Bill because it came after strong media criticism of Acharya's support for the nomination of eight new judges to the Supreme Court in May, some of whom were allegedly tainted. Acharya, who is also one of the members of the Judicial Council, is said to have prepared the draft of the bill on contempt of court in consultation with fellow members and several other judges.

A Contempt of Court Act, media freedom activists say, would seriously curtail freedom of expression guaranteed by the constitution. The Bill appears to have been hurriedly drafted with the intention of rushing it through the legislature to muzzle the media. Most countries have Contempt of Court laws, but if it is used to restrict the ability of journalists to write on the wrongdoings of judges, then the reputation of the judiciary itself will suffer. In a country where there have been



frequent exposés of corrupt judges, stifling such investigative reports would undermine democracy.

In any democratic framework, the judiciary can be subject to the same level of scrutiny as the parliamentary and executive branches. Section 4 of the Bill in particular must be reviewed before it is passed by parliament. It says undermining the public trust of the judiciary can lead to a contempt of court charge. This provision is vague and can be misused against anyone. It says spreading misleading information

about court proceedings can come under contempt of court, but 'misleading' is not defined thus opening up the media to selective witch hunts.

Section 4 (d) provides excessive protection to judges and could inhibit the media from exposing instances of judicial corruption. Similarly section 4(h) says that media houses can be charged if they publish any information on restricted cases. But it has not defined on what grounds the court can restrict cases. Under these rules, this column would be

considered a contempt of court.

Section 13 which defines the sanction must be reviewed. The objective of the Contempt of Court Act should be to uphold the authority and impartiality of the courts, but this is not protected or commanded. Rather it is earned by safeguarding the fundamental rights of citizens. The role of media is to expose biased verdicts with evidence, not to protect the dignity of court. The respect towards judiciary and justices must come spontaneously, they shouldn't seek enforced silence

from the media.

Another provision in the legislation is the one-year prison term for infringement which is excessively severe. The purpose of the imprisonment and fine in the contempt of court is symbolic: a warning not to abuse freedom of expression. The court and the justices cannot take advantage of charges of contempt of court to ensure their dignity by forcing journalists not to write.

Journalists must be accountable for what they write but shouldn't be threatened by justices in the name of maintaining the dignity of the judiciary. They must own respect but what they are doing is seeking forceful respect through the new act. If the parliament passes the proposed bill on the same grounds, that will contravene many provisions of existing national and international laws.

The main question is the timing of this Bill, closely following the controversial appointment of new justices which came under severe criticism in the media. Discussions on the bill must continue, as should consultation with the stakeholders and it should be reviewed in the context of contemporary laws on freedom of expression, the right to information and other international human rights provisions. 🇳🇵



Binita Dahal is a reporter at BBC Nepali Service.

nepalitimes.com

Contempt of freedom, #714
When the hammer comes down, #715
Muzzling the media, #713

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Commissions of convenience

"We can't live as victims forever, we need closure. If the sacrifice of our relatives is recognised it would help the healing process."

TRISHNA RANA

For war victims and human rights activists gathered at the Supreme Court on the morning of 10 July for the hearing on their writ petition, it was to be a tedious and frustrating day. More than 200 victims had filed a petition demanding amendments to the Commission on Investigation of Missing Persons, Truth, and Reconciliation 2070 Bill tabled in parliament in April.

But hopes of a speedy hearing were crushed as the bench of three justices postponed the case citing lack of time, without an alternate date. The court's indifference left victims and human rights activists wondering once again if the government is trying to intentionally delay the process.

"Yes, it's not possible for the state to meet all the demands of victims or provide compensation for all our loss. But it can prepare good policies and programs, provide education to war-affected children," said Suman Adhikari, one of the petitioners whose father was executed by the Maoists in 2002. "If the government makes an effort to win our hearts and shows a genuine desire to pursue justice, then we victims might agree to lessen the punishment for those accused. But pressurising us into granting amnesty is not acceptable."

The final bill is a result of eight exhausting years of political wrangling, court battles, and false starts. As it stands now, the draft not only makes a



JOB DONE: Janak Bahadur Raut (far right) and Suman Adhikari (second from right) with other members of the government taskforce before submitting their report on the TRC to the Ministry of Peace and Reconstruction in April.

mockery of justice but brings the process back to square one.

It has provisions allowing the Commission to initiate reconciliation between victims and perpetrators even in cases of serious human rights violations without the mandatory consent of victims. It restricts prosecution in cases that are mediated to giving the attorney general, a political appointee, and the Ministry of Peace and Reconstruction the power to decide whether to recommend prosecution.

The draft is similar to the one that the Baburam Bhattarai government tried to pass in March 2013 through an ordinance which was eventually ruled unconstitutional by the Supreme Court in January 2014, and lawmakers were ordered to make sweeping changes.

There was a glimmer of hope in March when the government set up an 11-member taskforce

to recommend a TRC bill in line with the Supreme Court's verdict. For the first time, the team included victim representatives Suman Adhikari, Manjima Dhakal, and Janak Bahadur Raut (see p17).

But in a tactless move, the Ministry of Peace and Reconstruction also included in the taskforce, former police superintendent Chuda Bahadur Shrestha, accused in the murder of five men in Dhanusha in 2003. Shrestha resigned after victims objected.

The members were also told to sit behind closed doors and complete the report in 10 days. "We were actively discouraged from holding discussions with victims and other stakeholders. The official reasoning was that since consultations had been done numerous times in the past, the conclusions were going to be the same," explained Raut. But

the team insisted on holding the meetings to give survivors and victims' families a sense of ownership.

As issues of representation and identity take on greater significance in Nepali mainstream politics, questions about who speaks on their behalf have become key concerns of conflict survivors. Unfortunately, the bill requires neither the recommendation committee nor the commission itself to include victim representatives.

Said Adhikari: "For non-victims, the conflict was like watching a film. People are killed in movies all the time. The ones who suffered, naturally, are the ones who know about the pain and where it hurts the most. Others, no matter how empathetic, can only work through assumption."

Eventually, the taskforce report was discarded and the

government set up another six-member committee with officials from the PMO, Law Ministry and the Ministry of Peace and Reconciliation. Undermining all previous efforts to create a victim-centric TRC and disappearance bill that met international standards, three politicians from the NC, UML and UCPN (Maoists) ultimately decided the fate of Nepal's transitional justice mechanism in April.

"It's unfortunate that the process is now stuck in court again. But I think a common ground exists for all of us – victims, politicians, security forces – to reach a compromise. Those responsible for serious war crimes cannot be given amnesty, but those who committed lesser offences can be given shorter sentences or even pardoned if they are willing to own up to their crimes and ask for forgiveness," said Dhakal.

The existing draft bill fails to meet international standards of prosecution and reparation. However, the larger and more central goal of a TRC is to reach to the heart of the conflict so as to ensure non-repetition not just of the crimes, but of the oppression and prejudice that led to violence in the first place.

For this to happen, justice mechanisms have to go beyond the narrow, legalistic approach to seeking truth and must include provisions that promote institutional reform and bring about changes in domestic laws. Our bill is silent on both counts.

Said Raut: "Long-term reforms like amending security policies and regulations are a must if we are to make sure there is no repeat of past mistakes. Improvements within political parties and state institutions are also required so that these organisations are better suited to serve the people and our future generations can feel that they have access to justice."

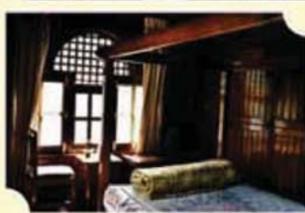
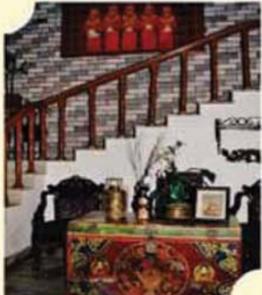
A successful Commission is one that listens and documents the experiences of mistreatment, sufferings, and struggles of people during war even if they are not direct victims.

It might be hard to verify each and every violation making prosecution impossible, but as experiences of other post-conflict countries have shown, sharing the pain of the past with the larger community can be a means of healing itself.

Said Manjila Dahal: "We can't live as victims forever, we need closure. If our stories are heard, if the sacrifice of our relatives is recognised and if we are made to feel like their contribution led to change and prosperity in the country, then it would help our healing process." 🇳🇵

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The tale of two commissions, #702
True reconciliation, #661
Irreconcilable truth,
East-West blog by Kunda Dixit



PICS: BASIL EDWARD TEO

MANJIMA DHAKAL, 23, is a reporter at *The Rising Nepal*. Originally from Hamdi in Gorkha, Manjima was seven when her father Rajendra Prasad Dhakal was disappeared from Tanahun district by the police on 8 January 1999. An active member of the Maoist party, Dhakal was a lawyer and chairman of the Gorkha District Bar Association, and it wasn't the first time he had been detained.

In 2009, the Supreme Court finally named police inspector Kush Bikram Rana as one of the prime culprits and provide the family compensation and education. Except for compensation for legal fees, Majima says none of these measures have been implemented.

As the eldest of three children Manjima

had to protect her siblings from a tragic past and she has been active in the fight to uncover the whole truth about their father's disappearance.

There is a sense of vulnerability, frustration, and hurt in Majima's voice as she says: "Many in Nepal have turned the transitional justice process into a means of livelihood and the longer it is drawn out, the better for them. But I want this to get over with as soon as possible because we have lived with mental anguish for far too long, not knowing what happened to our father."

nepalintimes.com

Interviews

Justice bearers



JANAK BAHADUR RAUT, 39, is chairperson of Conflict Victims' Society for Justice which works with survivors from both sides of the war. On 15 April 2005, Raut was detained by security forces on accusations of treating Maoist combatants at his health clinic. He was kept blindfolded, subjected to electric shock and other forms of physical and mental torture for 18 days at Shivadal Barrack in Goringhne.

"The government still does not have proper documentation on the number of victims who were tortured during the war," admits Raut. "When we ask why, officials tell us 'There

were so many people who were beaten and tortured, how are we supposed to keep track of all?"

It took Raut more than two years to recover from his injuries and trauma, and he is still weak. Raut filed a case at the district court in 2007 and in a hearing on January 2008, the court convicted Colonel Kumar Lama, ordered disciplinary action against him, and asked the government to provide compensation. In 2013, Lama was arrested in the UK under the universal jurisdiction on torture. The Nepal government has been trying to get him released through bilateral negotiations.



SUMAN ADHIKARI, 38, heads the Conflict Affected Orphans Society and has been actively campaigning for justice for more than a decade. His father Muktinath Adhikari was the headmaster at Padmini Sanskrit Higher Secondary School in Duradanda, Lamjung district. Muktinath was murdered by the Maoists on 16 January 2002 on suspicions of being an "informer" and for not donating 25 per cent of his Dasain bonus to the party.

The harrowing photo of the teacher's lifeless body tied to a tree has become emblematic of the brutality faced by thousands upon thousands of Nepalis during the 10-year conflict. Immediately after the murder, the Adhikaris lodged a complaint with the district police, but there were no investigations. In 2011, the family filed a First Information Report against three suspects (Devendra Poudel, Sadharam Ghimire and Dhruva Adhikari). A day later, Poudel was made the coordinator of the District Peace Committee of Lamjung.

Says Adhikari: "The state tells us not to talk about justice because it will derail the peace process. What kind of peace is it where the victims cannot raise their voices? This will only sow the seeds for future conflict."

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Prakash raising livestock

Himalkhabar.com, 15 July

हिमाल
अन्नपर्वत

The controversial son of Maoist Chairman Prachanda, Prakash Dahal (pic, above) has now turned into a livestock farmer. Prakash bought a pig farm from Maoist leader Gopal Kiranti in March, and had previously also bought a dairy farm in Chitwan.

Prakash says his latest foray into livestock farming is aimed at

encouraging Nepali youth to look for jobs within the country, and not leave for work abroad.

"I would like to request all the youngsters who toil in Gulf countries to work hard in Nepal," said Prakash, who has in the past, been in the news for all the wrong reasons.

When the Baburam Bhattarai led government sanctioned Rs 20 million for an expedition team to Everest that included Prakash in

2012, the decision was bitterly criticised. The same year, Prakash eloped with Maoist student activist Bina Thapa Magar who was also a member of the same expedition, leaving behind his wife and son in Kathmandu.

Maoist leaders Prakash Adhikari, Ranjit Tamang and Indra Bhushal are Prakash's partners in the business.

Prakash was actively involved with the party for 15 years but doesn't hold any post today. "I realise I have made mistakes in the past, and I am now working to correct those and change myself," wrote Prakash in a Facebook status. In the same post, he claims all his family property were spent on the building of the party and he had to borrow money for his business from his maternal uncle.

"I do not have any responsibility in the party, neither am I in a position to do anything," he writes. But in a conversation with this magazine, Prakash said he would like to take forward his political career and business together. Prakash says his next venture is beekeeping and plans to buy some hives soon.



Constitution
Bank note: Rs 50 million

Property

अन्नपूर्ण पोष्ट

Basu Kshitz in Annapurna Post, 12 July

QUOTE OF THE WEEK



“Give us what we asked for in the budget, or else we'll make you pay through your teeth.”

NC CA members to Finance Minister Ram Sharan Mahat, in *Jana Aastha*, 16 July

More deliveries

Khem Raj Rijal, Gorakshya National Daily, 10 July

गोरक्ष

In remote Goltakuri, Dang, they do not have transportation throughout the year and even drinking water is difficult to manage. But in the last 12 months, 120 pregnant women delivered their babies at the tiny sub-health post, exceeding the number of institutional deliveries at the Rapti Zonal

Hospital in Tulsipur.

"This is because we are experienced and people have immense trust in us," says Kaushila KC, a maternal and child health cadre at Goltakuri. Relentless campaigning for infants' health has also increased the number of attendees at vaccination camps.

Every year, almost 200 women give birth at the sub health post in Goltakuri. Complicated cases

are referred to private hospitals that are better facilitated.

Women who give birth at health posts are given a 'golden bag' which consists of two sets of clothes for the baby, one for the mother, and a mosquito net. They are also given travel expenses up to Rs 500 and other token financial incentives to come for routine checkups.

Laxmi Chaudhari, a local who brought her daughter-in-law to give birth at the health post, says villagers are satisfied with the service but laments how the government remains far and inaccessible, particularly when it comes to addressing problems

faced by the residents of Goltakuri.

"We don't have enough equipment here – there's only one bed. So we can't have as many deliveries as we'd like," says ANM Yamkala Budhathoki, before returning to give saline water to a patient.

The District Public Health Office in headquarters Ghorahi has plans to upgrade facilities at Goltakuri SHP. DPHO Chief Keshab Raj Pandit says he wants to contract more health workers at Goltakuri, so that the 24-hour maternal services there can be better implemented. KC and Budhathoki have also been requesting for funds to build more buildings because the current SHP offices are small and cramped.

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REMOVING OBSTACLES

Laxman Biyogi in *Nagarik*, 14 July

नागरिक

The government has said it will take action against individuals and groups opposing infrastructure development. In his budget speech on Sunday, Finance Minister Ram Sharan Mahat announced a special program to deal with those who create obstructions to energy, hydroelectricity, and infrastructure projects.

Acquiring land for transmission lines and highway has become a big problem in the past few years and projects of national pride have been delayed. Various individuals, political parties, and 'development' organisations have obstructed hydropower and infrastructure projects. The construction of transmission lines

sections in Thankot-Bhaktapur and Khimti-Dhalkebar, the Kathmandu-Tarai fast-track, and North-South highways have been delayed for years because of disagreements over property evaluation.

The government will now be able to take legal action against those who delay national international obstruction on any ground. There are plans to draft a law that will deal with land acquisition and property evaluation. The government will also amend the Environment Conservation Act so that pending projects will soon be able to begin their Environmental Impact Assessments.

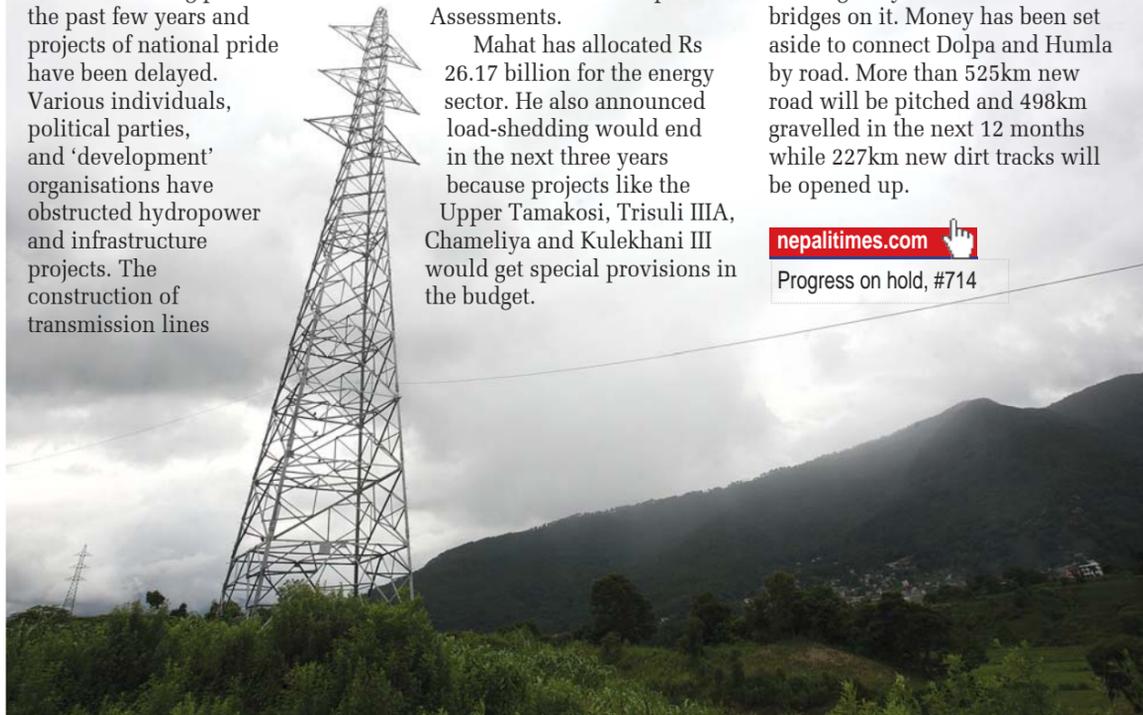
Mahat has allocated Rs 26.17 billion for the energy sector. He also announced load-shedding would end in the next three years because projects like the Upper Tamakosi, Trisuli IIIA, Chameliya and Kulekhani III would get special provisions in the budget.

Mahat also said the private sector would get subsidies for investment in hydropower. Private companies that complete construction in the next nine years will be exempted from income tax for 10 years and will have to pay only half the total income tax for the next five years.

The budget has set aside Rs 26 billion for infrastructure development. It has special provisions for a detailed project report for the Kathmandu-Tarai fast track to be completed within six months. It has allocated money to open up the tracks for the Mid-Hill Highway and also construct 20 bridges on it. Money has been set aside to connect Dolpa and Humla by road. More than 525km new road will be pitched and 498km gravelled in the next 12 months while 227km new dirt tracks will be opened up.

nepalitimes.com

Progress on hold, #714



“Bloodbath”

ratopati.com, 16 July

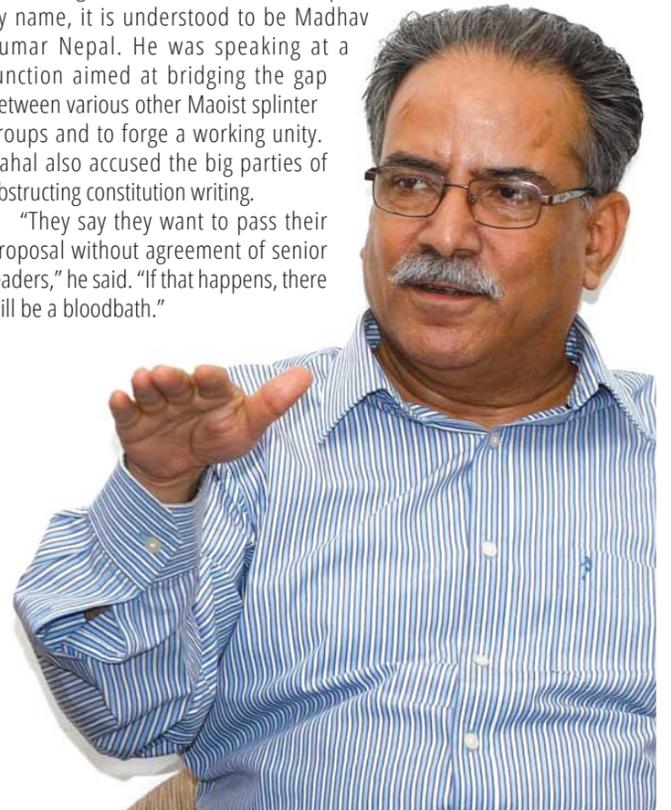
रातोपाटी

UCPN(M) Chairman Pushpa Kamal Dahal has accused the NC and UML of trying to adopt the existing five development regions into the new federal structure of the constitution. Dahal said the government is trying to extend the Panchayat-era demarcation of zones and development regions, and said this would disrespect the aspirations of marginalised communities.

“At the meeting of the Political Dialogue Committee, one UML leader wanted future provinces to be based on existing development regions. It is clear the NC and UML have abandoned the principles of autonomy and decentralisation. Those on the side of identity and federalism, like us, must unite and take steps against them,” said Dahal.

Although Dahal didn't mention the person by name, it is understood to be Madhav Kumar Nepal. He was speaking at a function aimed at bridging the gap between various other Maoist splinter groups and to forge a working unity. Dahal also accused the big parties of obstructing constitution writing.

“They say they want to pass their proposal without agreement of senior leaders,” he said. “If that happens, there will be a bloodbath.”



PICS: BIKRAM RAI

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Signs of the times

Now that the #WorldCup and the #UMLConvention are both over, the country can move on to the next point on the agenda, which is to speculate about Clown Prince Paras and the soup he has got himself into again in Thailand. Luckily, the Thais have a soft spot for royalty and ex-HRH can thank his lucky stars he wasn't in Singapore when caught with pot, because he'd be facing a firing squad by now. Meanwhile back home, Clown Prince Comrade Prakash, whose sowing of wild oats has been a source of great embarrassment for his awesome Dad, seems to have mended his ways and has taken to raising pigs.

We were happy to see that the Underfed Marxist-Leninists decided to reinstate portraits of their patron saints Comrade Karl and Comrade Vlad inside the Convention tent last week, but only after the departure of invited foreign delegates. The UML are finally true Euro Communists because of the €€€€ they get from party faithful in Europe.

To move with the times, the Marxbad-Leninbads debated whether to rebrand and reposition

the party by shedding the hammer and sickle flag. The comrades are in the horns of a dilemma: they have to distinguish themselves from the Baddies who have the same symbol, but on the other hand they have to show that they haven't dumped the dream of transforming Nepal from a Himalayan Shangri-la to a Communist Utopia.

The party took a great leap forward by staging a high-tec convention last week, although the drone it deployed at the inaugural ceremony very nearly decapitated the entire Bum Dev Clique as it lip-synced the *Internationale* from on stage. If the UML party symbol is to be changed, the Ass would suggest the following makeover to reflect its new technocratic image:



And while we are at it, we could also revamp the Nepali Congress flag. Everyone has forgotten

what the four stars stand for, so we have changed the flag to remind us of the constant infighting.



There is a great deal of soul-searching going on within the Cash Maoists after its election defeat, so here is a suggestion for a new party

mnemonic to reflect its fresh new outlook.



And how can we leave out the Dash Baddies and their constant threats to take the country

back to war? They too need a makeover to reflect their pyrotechnics

with this new icon.



The Ass

PAST PRESENT FUTURE

DIWAKAR CHETTRI

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