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Opinion:
Dipak Gyawali



Interview:
Prime Minister Dr. Baburam Bhattarai



Viewpoint:
Dr. Tilak Rawal

New

Controversy on SRC Report

Oil Crisis: Populist Politics

SPOTLIGHT

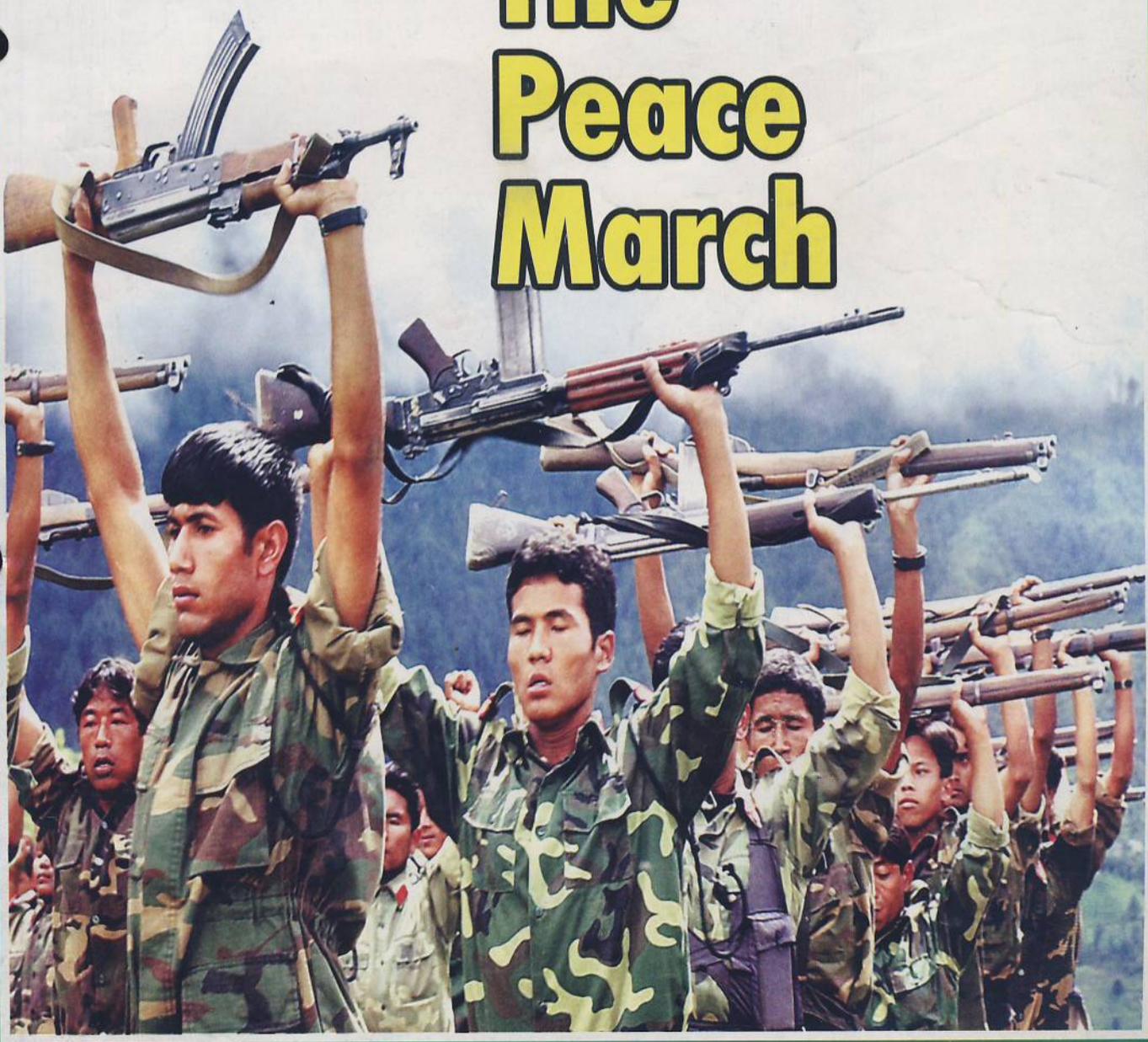
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FORTNIGHTLY

FAREWELL TO ARMS

The Peace March



Nepal
India
Bhutan

उही विश्वास, त्यही खुशी थप सुविधाका साथ

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From The Editor

Five years after signing the Comprehensive Peace Agreement, the process of discharging the Maoist combatants from their cantonments has indeed begun. Over 6,000 combatants have already decided to leave the cantonments. This is a good sign in the peace process. However, it is yet to be seen how Nepal's political parties will complete the remaining task, the most difficult, in the process, that is, of integration. We have decided to analyze the entire process of discharge of the Maoists ex-fighters and implications in Nepal's future peace process as a cover story for this week. The comprehensive analysis discusses pros and cons related to the peace process and insurgency in Nepal's history.

Along with regular columns and thoughtful articles on contemporary issues, including the recently published reports of the State Restructuring Commission, we have also covered political developments and projects which are serving the poor people of Nepal. A deadlock has followed the decision of the government to legalize the land deals endorsed by the People's Court. We have interviewed prime minister Baburam Bhattarai for this issue. Despite the government's efforts to maintain the supply of petroleum products, scarcity of petroleum products is yet to go away. That is another topic for this edition. Following the pressure from the students, the government reduced the prices of petroleum products. As the scarcity continues and the government is in no position to provide subsidy to Nepal Oil Corporation of over Rs 1.5 billion a month, Nepalese are certain to face more ordeals before the resumption of regular supplies.

Keshab

Keshab Poudel
Editor

NEW SPOTLIGHT FORTNIGHTLY

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Sri Lankan Embassy Celebrates National Day

Embassy of Sri Lanka in Kathmandu celebrated Sri Lanka's 64th National Day on 4th February 2012. The Embassy held two functions to celebrate the event in Kathmandu. The morning celebrations were held at the Embassy premises with the hoisting of the national flag by Thosapala Hewage, the Ambassador of Sri Lanka to Nepal and singing the national anthem, followed by the traditional lighting of the lamp ceremony. Sri Lankan community in Nepal participated in the event.

Religious observances by Buddhist, Hindu, Christian and Islamic faiths were an important part of the ceremony. Vice president Paramanda Jha was chief guest in a reception programme organized at Hotel Soaltee Crowne Plaza, Kathmandu, in the evening. Prominent politicians of Nepal, resident Ambassadors and



members of the Diplomatic corps, members of business community and other prominent personalities, including Subas Chandra Nembang, Chairman of Constituent Assembly, who attended the program.

According to Sri Lankan Embassy, as a British crown colony, Sri Lanka was known as Ceylon and it achieved independence in 1948. In the year 1972, the official name of the country was changed to "Republic of Sri Lanka" and in 1978 the Official name was changed to the "Democratic Socialist Republic of Sri Lanka".

Carter Center Lauds EC Work

The Carter Center has commended the Election Commission for registering more than 10 million Nepali citizens and encouraged the EC to undertake additional efforts to reach out to those who have yet to participate in the process.

In a recent statement, the Carter Center said the EC had registered approximately 93 percent of its internal target for this phase of the process, but has reached only approximately 69 percent of its overall registration target.

"However, this overall registration target should be revised when 2011 census data becomes available," the statement read.

Pakistan For Regional Peace, Stability

Charge'd Affaires a. i. of Pakistan Ahmar Ismail said that Pakistan and Nepal enjoy cordial relations, which date back to several decades. Addressing the topic of regional peace and security in South Asia, chage'd affaires Ismaili said without peace in and around the region there can be no lasting stability and without stability, the region cannot achieve the goal.

"Pakistan desires a peaceful environment in the region. The biggest impediment, however, on the path of lasting peace in South Asia is the

Kashmir dispute. The Kashmir dispute has not only remained a stumbling block in the friendly relations between Pakistan and India but it has also forestalled the greater intra-regional economic and social interface, which is so vital for the betterment of billion plus population of the region," said Pakistan's charge'd affaires Ismail addressing the program on February 5. "Pakistan has always extended its moral, political and diplomatic support for a just and peaceful solution of the Jammu and Kashmir disputes. We are engaged in a sincere and purposeful dialogue with India and 'out of box' thinking to resolve this long outstanding disputes."



"As for the ongoing peace process in Nepal, the constitution drafting process has reached a very crucial stage and Pakistan wishes to see concrete results within the stipulated timeframe. We

believe that the progress achieved towards reintegration and rehabilitation of the PLA combatants is a significant step towards bringing about peace, progress and prosperity in Nepal"

Addressing a gathering of Nepalese journalists, intellectuals and scholars, the Charge'd Affaires said Pakistan has extended all kinds of support to Nepal in the constitution drafting process including exchange of constitution drafting experts from both sides. He expressed the wish to see early conclusion of the peace process and finalization of the constitution.

Japanese Aid For Reproductive Health

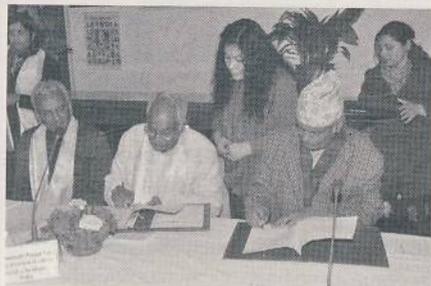
The Government of Japan has decided to extend financial assistance of 635,165 US Dollars; equivalent to approximately 51,384,848.5 Nepalese Rupees to the Adventist Development and Relief Agency (ADRA) Japan, in Japan's Fiscal Year 2011 under the Grant Assistance for Japanese NGO Projects Scheme of the Government of Japan. ADRA Japan, in close coordination with ADRA Nepal, will implement Strengthening Reproductive Health Service Project through improving Health Facilities and Capacity Building for Medical Service Workers in Dailekh District.

A Grant Contract relating to this project has been signed and exchanged between Kunio TAKAHASHI, Ambassador of Japan to Nepal, and Ms. Mai OGAWA, Project Manager, ADRA Japan.

The grant will be utilized to improve neonatal and maternal health care service by upgrading health facilities and promoting capacity development among medical service workers at Dailekh District in Mid-Western Nepal. According to ADRA Japan, the situation of neonatal and maternal health care services is extremely poor in the targeted area due to lack of skilled medical workers as well as well-equipped medical facilities.

Nepal, Indian Academies Sign MoU

Nepal Academy of Nepal and Bharatiya Sahitya Academy of India have signed a Memorandum of Understanding to further enhance



mutual understanding and friendly relationship between the academicians, writers, poets, scholars and intellectuals of the two countries through the exchanges of delegations relating to various literary and cultural issues, and translation of publication and literature on a reciprocal basis.

Vice chancellor of Nepal Academy Ganga Pasad Uprety and vice president of Bharatiya Sahitya Academy Dr. Vishwanath Prasad Tiwari signed the memorandum of understanding in the presence of Indian ambassador to Nepal Jayanta Prasad.

According to a press release of the Indian Embassy, several activities for the Nepal India literary exchange programme will be organized specially on language, literature and culture for enhancing the close and friendly relations between the people of India and Nepal.

British Council Initiative on equality and diversity

For the first time the British Council initiated an event dedicated to "Equality and Diversity."

"As the UK's international organization for educational opportunities and cultural relations, our work involves providing opportunities between the peoples of the UK and Nepal to develop relationships and so build trust between our two nations. Engaging positively with the diversity of the peoples of Nepal is an inevitable part of this and doing so with equity is in line with our core values," says Council's Press release.

The British Council is taking a lead in organizing this type of event not only to share good practice from within the British Council as an international organization but also to create a platform for other organizations (national and international) to showcase policies and best practices as well. The aim is to create a learning platform for all and to make this an annual event.

India Firm On Deepening Ties With Nepal: Envoy Prasad

India has underlined its commitment to Nepal's economic development and the two countries will take into account each other's concern, sensitivity and interests.

Indian Ambassador to Nepal Jayant Prasad said India has long been a partner of Nepal and is committed to deepening and diversifying its development partnership.

"We hope to do so with respect to each other's concern, each others sensitivity and each others' interest," he said.

"Nepal is in the process of integrating the Maoist combatants into the security forces and writing a new constitution which is a challenging task," he noted while addressing a symposium on the theme 'Potential Areas of Nepal-India Cooperation' organised by Nepal-India Friendship Society.

Chinese Reception Marks Tibetan Losar

Chinese Embassy in Nepal held a reception to celebrate the Tibetan Losar in Kathmandu. Ambassador Yang Houlan delivered a speech at the reception to extend New Year wishes to all of Tibetans in Nepal on February 1, 2012. More than 700 people including Tibetans in Nepal and Embassy staff attended.

In his speech, Ambassador Yang highlighted the achievements and significance of Premier Wen Jiabao's official visit to Nepal, introduced to those present the rapid development and progress in economy and society, living standard of people, culture and religion and other fields. Yang expressed his heartfelt thanks to Tibetans in Nepal for their support to the development of China-Nepal relations and the steady development of Tibet, and he hoped they could make positive contribution to promote China-Nepal friendship and cooperation, and Tibet's stability, unity



and prosperity.

Ambassador Yang said that the Embassy would continue to adhere to the People Oriented Principles, fulfill its duties and provide services for the majority of Tibetans.

During the reception, performances of traditional Tibetan dance and music by an art group from Nyingchi, Tibet won applauses and cheers, and the reception was filled with cheerful festive atmosphere. Tibetans attending the event said that the reception made them feel the warmth of the motherland.

Israel celebrated Tu Bishvat festival

On the occasion of the Jewish Festival for Nature – "Tu Bishvat", the Embassy of Israel in Kathmandu organized two major events marking the importance of Nature lives. Nepali Congress leader Dr. Ram Sharan Mahat spoke on the importance of Nepal-Israel relations.

Similarly Ambassador to Israel to Nepal Hanan Goder says Tu Bishvat is a holiday that symbolizes the rebirth of nature. This year, it falls upon the dusk of February 7 through the dusk of February 8, 2012.



The celebration started on the evening of 7th February with a gathering of MASHAV Graduates – Nepalese professionals who had been to Israel for different short and long term courses in different sectors of agriculture, education, health and community development under the semi and full sponsorship of Government of Israel. This event will be marked by screening of a short documentary on "Reviving the Kishon River" of Israel.

On the 8th of February, the Embassy together with Dhulikhel Hospital Kathmandu University Hospital organized the Tree Plantation program at Dhulikhel Hospital premises. Around "Trees are the roots of all living" says Hanan Goder, Ambassador of Israel to Nepal. ■

"Rastriya Banijya Bank Will Take The Leadership Of Financial Institutions"

-KRISHNA PRASAD SHARMA

Chief Executive Officer, Rastriya Banijya Bank (RBB)

Where are you planning to take the bank in your four years' tenure?

The plan I submitted for the overall improvement of the bank has already been accepted by the government and the management committee has also accepted my four years' work plan. Currently, the Bank has 1 hundred and 34 branches in various 64 districts of the country. Every branch is computerized and is providing ATM, mobile banking, SMS and E-banking services.



The Bank has NRs 75 billion deposit, Rs. 36 billion loan and we have invested Rs. 19 billion. In four years, we have made a goal to increase the deposit by 50 percent, and we are also planning to increase the loan and investment amount by 66 percent. Then, to make an annual profit of NRs 2 billion, the management will work day and night.

Will your work plan be successful as the bank has many unnecessary employees and amidst pressure on the management from political parties and worker unions?

There are more employees in the bank than it requires, there are no two doubts about that. But, if we keep in mind the expansion of the bank, then the current number of employees will be needed.

In the financial sector, the presence of government banks is very low, can you end this?

In Nepal's financial arena, the government banks have not been influential. With the expansion of private banks, the role and work area of the government banks are shrinking.

But, in the years ahead, Banijya Bank will establish itself in the leader's role. Then, the financial sector will take a new direction.

Where have the talks of merger with NIDC development bank reached?

As both are state owned banks, the government also wants us to merge. We are also working accordingly. The Bank cannot immediately undergo merger with private financial institutions. We will seek new alternatives after the two organizations, whose talks are ongoing, actually merge.

How is the bank's bad debt situation?

Financial summary of the bank has been affected due to the previous bad debts. After the introduction of financial sector improvement program, bank's bad debt has been less than one percent.

"One District One Product' Will Be Implemented Throughout The Nation"

BHAWANI RANA

Vice-president, The Federation of Nepalese Chambers of Commerce and Industry (FNCCI)

How has been your experience after being elected the vice president of FNCCI?

I was involved in the FNCCI from the past. Previously, I was the president of women committee only, so my responsibilities were limited. But now they have expanded as I have to look after all the district and municipal chambers and it is a challenging job. There are new issues in the districts/municipalities every day, and it is difficult to face up to such issues.



What is FNCCI doing for the empowerment of district and municipal chambers?

Not all the district and municipal chambers have the same level of experience and capability. So, we have classified them. Some chambers are independent whereas others need help.

We are introducing one district one product for the empowerment of all the chambers. In the past we organized One Village, One Product and now we are expanding it and moving ahead in a new way.

FNCCI previously also announced a plan to make one hydropower project in one district. What are the reasons that this one district one product plan will not fail like that?

One district one product is not only the program of FNCCI. The government is also giving it a high priority. The current government has understood that without economic prosperity, there will be no political stability. So, in such a scenario, both government and the private sector will work together. Hence, the work will go ahead as planned.

How is FNCCI helping the Investment Board?

We are also working to lure in the foreign investments and to make investment friendly climate in the country. We are organizing a lot of programs here and abroad to attract investments.

What is the team spirit in FNCCI as it has already been a year since the new leadership came?

Everybody has responsibilities inside FNCCI. We have the feeling to do something for the nation's economic prosperity.

Although there are differences in thoughts, we all have the same goal, so it is not difficult to work together. We have to understand that FNCCI is greater than a single individual and work accordingly.

(Karoobar Daily)

Compiled by Debesh Adhikari

Global Bank, IME To Merge

Global bank, which has majority of shares of IME group, and IME Financial Institution have decided to undergo merger.

Both institutions decided to merge after the Rastra Bank encouraged them for unification as both the institutions have investments from the same group.

"Both the banks' management committees have already signed a memorandum of understanding (MoU) for merger," said chairman of the Global Bank Chandra Dhakal.

Global is a 'Class A' bank while IME is a 'Class C' financial institution.

The merged institution will be named Global IME Bank, according to officials of IME Financial Institution.

(Nagarik)



Is Fascism Loktantra's Denouement?

By DIPAK GYAWALI

'Fascist' as a pejorative epithet is the currency of current Loktantrick political discourse, surprisingly not among the communists as in the past but among the liberal democrats. When a media organ of the Maoist prime minister's party labels prominent civil society activists as "chief enemies of the people", implying the inciting of its robotic cadres to physical action against them, it is not surprising that many would have flashbacks to the horrifying events seven decades ago in Hitler's Germany. As the Loktantrick demigods show themselves to have feet of clay, as their parties get exposed as criminal syndicates, as the November 2005 Delhi-cobbled Loktantrick architecture's fraudulent foundations get exposed, and as dark uncertainty looms over the political firmament, it is not surprising that thinking political animals have nightmares. Even then, does political economic analysis justify the fears that the country is heading towards a fascist finale?

A decade ago, I once ran into a prominent (and rather extreme) left commentator rummaging through my office library. Intrigued, I asked him what he was looking for, and he told me he was looking for anything on fascism in the past issues of the left-leaning *Economic and Political Weekly* out of Bombay that we subscribed to. Knowing how he used to rant against the 'fascist Girija government', I assumed he was writing his usual polemical column along these lines and told he would be better off studying Karl Polanyi's seminal 1930s essay *Essence of Fascism*. He did not tell me then, but as chair of the regional advisory panel of New York's Social Science Research Council I later learned that he was writing a piece on fascism for SSRC-sponsored effort to produce a social science dictionary in Nepali. His essay never made it through the peer review process. He was incapable of going beyond communist catechisms and leftist slogans to examine the political economy that lay behind the rise of fascism in 1919 Italy and its collapse by 1944 in World War II. (The SSRC effort was eventually rescued from extreme leftism by the Social Science Baha in its 2004 volume *Nepalko Sandarbhamasamaaj Shashtriya Chintan*.)

The last two decades of Nepali history have been bracketed between two Nepali Kangress acolytes representing two generations and two very different trajectories: Girija Koirala at the start of 1990 post-Panchayat multi-party experiments, and Baburam Bhattarai as the current Maoist prime minister under Loktantra. (Yes, it seems both he and his current deputy Narayan Kazi Shrestha were part of the Kangress student wings, but both fell out with the Kangress leadership for reasons of personal animosity and sought solace – and stridently radical

identity – in an ideology at the diametrically opposite end of the political spectrum.) But neither of these two personalities nor their tendencies can be properly labeled 'fascist'.

Girija Koirala, as the supremo of the democratic socialist Nepali Kangress, was neither a democrat nor a socialist at heart: like Hitler and many such despots he was deeply authoritarian, expecting unquestioning loyalty and obedience from his followers, intolerant of dissenting views from his peers, but, as we now know, bereft of any nation-building vision. Indeed, as we shall see below, a wee bit of 'fascism', i.e. the reification of nationhood that characterizes it, might just have rescued him and the Nepali Kangress he led from crass nepotism and national irrelevance it has descended into.



Maoist Leaders

The Maoists under Baburam and Prachanda are undoubtedly totalitarian, but not fascist. Like the National Socialist Nazis, they focus on capturing state power through direct and indirect violence or, if counter-violence seems too overwhelming, by other strategic means. They believe the state should regulate every realm of social life, have said they do not believe in pluralism (and won't allow incorporating it into the constitution), and would crush all autonomous institutions that stood in the way. However, the ecumenism of Marxian thinking that their party and cadres are beholden to – the one that says 'proletariats of the world, unite!' – would ultimately defeat any 'national socialism' they could concoct and will prevent their totalitarianism from becoming fascist. Given that they have been instrumental in chipping away at the 'flower garden nationalism' of Prithvi Narayan Shah that this nation was founded on to unleash an unworkable ethnic fragmentation, which is the direct opposite of 'class consciousness' that their party must promote, they will instead wither away like the former Soviet Union unless they quickly reach totalitarian rapture.

What would Polanyi's political economy make of all this? His analysis showed that foisting an autonomous market system onto society, thus subordinating the latter exclusively to the profit motive, would lead to an unstable social order. If economy was no longer embedded in society but above it, all other forms of social organization that humans could identify with and owe allegiance to would be obliterated. In its relentless march, the autonomous market would eventually colonize and strip humans of their social assets to create labour useful to its 'satanic mill', much as living trees would be stripped of their bark and branches to become saleable lumber. A social system that puts everything on the competitive auction block and does not value cooperation is a sick society that would soon face a reaction.

The crash of the self-regulating market in 1929 brought forth three such major reactions: the American New Deal, Stalinist communism and Hitler's fascism. The first gave the US an organic wholesomeness (which Barak Obama is trying to replicate in its current phase of crisis), while the other two led to untold global misery. The New Deal combined socialism with democracy following the Aristotelian dictum of 'production for use' and not just 'production for gain'. Stalinists subjected the economic to the political but destroyed capitalism by limiting democracy. Fascists, on the other hand, subjected the political to the economic, but revived the economy by de-humanizing the individual and destroyed democracy to preserve capitalism. To quote Gregory Baum,

"Polanyi recognized that the fascist movement was a violent reaction not only against unemployment and material poverty, but also against social disintegration and loss of identity produced by the free market system.... In fascism, people willingly defined their collectivity in terms that suppressed their own personal freedom and repudiated the human dignity of outsiders."

Nepali society's reaction to its encounter with the market system can be seen in three phases: the first was retreat and isolation under the Ranas, the second was the Panchayat's controlled market osmosis, and the third is still awaited as the country finds its balance between the Washington Consensus opening of the market in the 1990s and the Maoist reaction. Only this time it is going to be more difficult: Nepali youth have been 'proletariatized' as never before in the Gulf leading to unprecedented rural social breakdown, the Leninists have ingrained the politics of envy (against the entrepreneurs) and hate (of all ethnicities against others), and traditional forces championing nationalism and cultural values have been pushed to the margins. These portend a fertile soil for fascism but not for the totalitarian communists: rather they point to the authoritarians who opposed the communist-dominated CA's declaring a three-pillar economic development for Nepal, giving space to communities and cooperatives as alternatives to the unbridled market. It is here that danger lurks as the majority socialists and moderate communists fail to create a New Nepal. ■

PMBHATTARAI

Continuing Lead

It is too early to predict but Prime Minister Baburam Bhattarai seems confident about continuing to lead the government

By A CORRESPONDENT

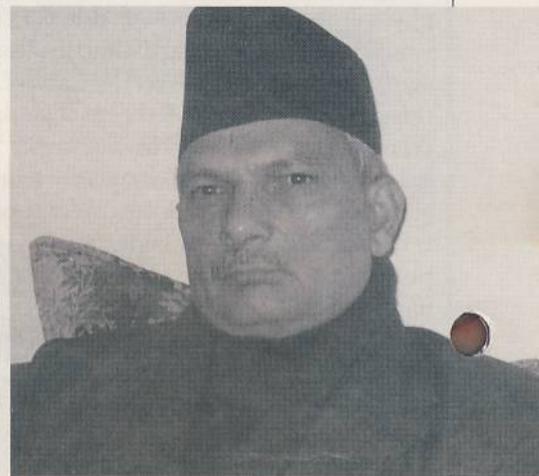
When Prime Minister Baburam Bhattarai met a group of journalists at his residence in Baluwatar last week, he did not seem to bother much about any challenge to his chair. In his almost two hour long meeting, Prime Minister Bhattarai was very confident about promulgating the new constitution by May 27 and concluding the peace process.

"I don't have any doubt about the promulgation of new constitution and conclusion of peace process before May 28," declared Prime Minister Bhattarai. "There is no way before the political parties other than to bring the constitution."

Prime Minister Bhattarai may have reason to express his confidence. As one of the most difficult parts of the peace process is moving ahead and political parties are sitting together to settle the constitutional issues, Bhattarai sounded like he had a valid reason.

But whatever be the mood of Prime Minister Bhattarai and his speech, his party chairman Pushpa Kamal Dahal Prachanda seems to have lost his patience. Addressing a press meet along with his two colleagues Mohan Baidya and Dr. Baburam Bhattarai, Maoist leader Pushpa Kamal Dahal Prachanda said that his party is ready to accept the leadership of Nepali Congress in the coming national government. "We can support national government under a leadership of Nepali Congress," said Dahal.

Replying to a query, Dr. Bhattarai also said he is ready to sacrifice everything for peace and constitution. "If somebody can complete the peace process and constitution writing, I don't want to create any hurdle. I can even resign if such a government can be formed," said Prime Minister Bhattarai.



PM Bhattarai

However, Nepali Congress leader Sushil Koirala came to rescue prime minister Bhattarai. "Nepali Congress's priority is not a government but constitution and peace process. "We will go to power only after promulgation of constitution and completion of peace process," said Nepali Congress leader Sushil Koirala.

Koirala's statement is a blessing to prime minister Bhattarai who is facing difficulty within his party. As Madheshi Front leaders in no mood to change the leadership and it is still a long way to go before promulgation of constitution and conclusion of peace process, India's JNU educated prime minister Bhattarai seems to have no alternative.

Announcing the good governance package and economic development plans, prime minister Bhattarai has already tried to woo commoners as well as Nepal's development partners showing that he means business. As scarcity of petroleum products, long hours of loadshedding and growing incidences of corruption continue to make headlines, what Bhattarai says sounds more like rhetoric and a political gimmick. ■



Petroleum Politics

By DR. TILAK RAWAL

Political situation of Nepal has not improved despite repeated promises made by top leaders of this country that they would do everything possible to conclude peace process and prepare new constitution. The dispute resolution committee of CA has not been able to make any progress on major disputed issues, which has compelled leaders to revise CA's calendar of operation time and again. Bhattari led government is continuously suffering setback in that major decisions made by it have to be taken back in the face of growing resentment by people. Some examples in the case are government's decision seeking to legalize Maoist's property deals carried out during the conflict period, decision to restrict information of public importance and decision to hike prices of petroleum products. Strong protest on the property issue from the opposition parties that have stalled the House, from journalist on the information issue and forceful demonstration by students against petroleum price hike has left the current dispensation with no choice but to reconsider its decisions made without proper homework. In the mean while, the apex court of this country has stayed several controversial decisions of the government. Petroleum prices have been rolled back a bit and Dr. Bhattari has indicated that restriction on information will be lifted and decision on property dealings could be withdrawn. He has shown unprecedented flexibility in withdrawing decisions made by his cabinet some of whose members do not hesitate a bit in disassociating themselves from the collectively made decisions. The born sick State Restructuring Commission has completed its assignment creating confusion and problems more than anything else. Anyway, not much was expected of the badly divided Commission whose members were chosen as per the quota allocated to different parties. Notwithstanding these deficiencies in managing state affairs and lack of desired progress on the political front, one can find some semblance of positive progress in certain areas to derive solace from. The departing process of some seven thousand Maoist combatant has begun and Prime Minister is reported to have instructed Nepal Army to make necessary arrangements to integrate six thousand five hundred combatants into it. Hope the disgruntlement of disqualified fighters and YCL men demanding parity with Maoist combatants does not endanger peace process. Further, after the party's central committee meeting that ended on fifteenth January, Maoist trios are seen sharing common platforms and heard airing not so divergent views. Not so disappointing is the situation in NC where the two leaders (Koirala and Deuba) have decided to come together after intense work in their respective groups. Hope the solution of the problems existing in NC ever since the election of Koirala as its president some two years ago is found. Equally encouraging is to see Khanal and Oli, chairman and top leader respectively of UML party, together. Whatever could be the reason behind the recent togetherness of senior leaders of our top parties, people are happy about it because inter and intra party feud has already done immense harm to the country and the economy.

Looking at the pitiable supply situation of necessities such as drinking water, electricity and petroleum products, and this scribe has written and spoken on different occasions urging those at the helm to do something meaningful to ease the

situation. The situation, however, is deteriorating day by day. Acute shortage of Petroleum products, even after substantial price hike, has irritated everyone, students to housewives. The poor manageability of the current dispensation led to interception by locals of vehicles carrying cooking gas. Our rulers should be happy that furious students have withdrawn their protest programs after some roll back in prices and promise that 33 percent concession will be granted to poor, students and farmers on kerosene and cooking gas. However, in the absence of a readily available formal classification of some eg. the poor one is tempted to question

the implementability of the scheme. Supply and pricing of this political commodity needs to be examined in the context of emerging international scenario as well. Oil supply on the global market is likely to decrease as a result of embargo imposed on Iran, third largest exporter of oil, by US, which is likely to be followed by EU and other allies of it all over the world. China may continue to buy about 10 percent of its requirements from Iran but is not likely to increase its purchase

The embargo on Iran, therefore, is sure to make things more difficult for a country like Nepal whose currency is depreciating against major currencies of the world, making import dearer.

in a dramatic way to free oil from other sources on the global market. Further, it may not like to antagonize US much after the standoff in the UN Security Council on Syria. India will also not do anything to jeopardize its growing

economic and political relationship with US. The recession in EU, expected to grow by 0.3 percent in 2012, is not likely to reduce the demand for oil significantly nor will Saudi Arabia make up for the deficit resulting from the sanction. The embargo on Iran, therefore, is sure to make things more difficult for a country like Nepal whose currency is depreciating against major currencies of the world, making import dearer, and where total export earnings fall short by about 10 percent to foot the petroleum import bill. Hike in petroleum prices have been followed by increase in prices of both edibles and non edibles, which is bound to fuel inflation currently at little above 8 percent level. Choice before us is to either synchronize our prices with global market prices and ensure stable supply or keep prices artificially depressed and face a chaotic situation as the current one: long queues of vehicles waiting for their turn to get some gasoline and hundreds of people with empty cooking gas cylinders in their hands to get filled ones is a common sight on the streets of Valley these days. Administered prices have to move both ways, up and down, in tune with international prices. It may be recalled that when global prices of crude fell from \$ 147 to \$ 33 per barrel during recession some years ago, consumers here did not benefit much because there was no corresponding slash in prices here. An integrated approach will have to be taken to solve the problem, which probably may require coordinated efforts of different government agencies to make funds available and do away with much called for tariff on oil and to check leakages and rampant corruption. Some progress on these fronts could go a long way in satisfying the agitating consumers who desperately want easy availability of petroleum products more than anything else. This is the right time to confront the problem in an integrated manner if the idea at all is to stop the recurrence of the present situation characterized by high price and scarcity of the commodity in question.

Dr. Rawal is CA Member and Former Governor of NRB

SRC REPORT

Burning Issue

Following submission of its report, the State Restructuring Commission has drawn criticisms from several quarters

By A CORRESPONDENT

As soon as the members of the State Restructuring Commission submitted their report to prime minister Dr. Baburam Bhattarai, people from various ethnic groups, geographical regions and districts started to burn down the document.

The first ones to oppose the document were members of the Sherpa communities from the Himalayan region. They blocked the road to the Prime Minister's office to prevent the members of the commission from presenting their report.

Led by Constituent Assembly member Lucky Sherpa, a group of Sherpas chanted slogans against the members and criticized the commission for rejecting the Sherpa and Jadan Autonomous State in two Himalayan regions.

"The Commission's document is unacceptable for us. It cannot deny our right to have an autonomous state in our region. Our state has the capability and identity as required to form the new state," said CA member Lucky Sherpa.

Although the 9-member committee was divided over the numbers and names of the states, the majority members (six) led by convener of the commission Madan Pariyar proposed 11 provinces with one virtual state for Dalits. Another three members as a minority proposed six provinces and put open the names of the provinces.

Although majority members led by convener Pariyar used every method by declining to present the views of minority, minority members drew the conclusion that Nepal can sustain only five provinces. According to a member, the majority members were guided by the interest of the donors they have been

working for. "Convener and other members even declined to listen to us and took all the decisions in the name of the majority."

Sherpa led the front, followed by the youth from the far western region. Although his party endorsed the majority report submitted by the commission, UCPN-Maoist leader and



SRC Press Meet

Minister for Commerce and Supplies Lekha Raj Bhatta condemned the report and asked the people from far west to burn it. "The commission members undermine the spirit and sensitivity of the people of far-western region. It is unacceptable for us to be part of other provinces," thundered Bhatta. "In a symbolic gesture, we will call an hour's bandha next week and then a full day bandha in the far west. We will take harsher steps in the future in case our demands go unheard."

Although deputy prime minister Bijaya Kumar Gachchhadar called for endorsement to the report, another leader and Minister for Information and Communications Jaya Prakash Gupta criticized the report terming it as malicious against Madhesh. "We cannot accept any split in Madhesh. It should be one Madhesh," said Gupta.

Tharu leader Laxman Singh Tharu declared that those who tried to split Tharuhat will be punished. "Tharu community will punish those members in the commission who declined our right to have a separate state."

Similarly, a recently held all-party meeting in Chitwan called to boycott the members of the commission. "They tried to break our hearts and minds. The division of Chitwan is unacceptable to us," said a Maoist leader.

Speaking at a press conference in Itahari Chairman of LMM Bir Nembang accused the political leaders of trying to kill the identity of Limbuwan. "We have been holding negotiations with pro-Limbuwan groups associated with the three major parties —UCPN (Maoist), CPN-UML and Nepali Congress (NC) — to take to the streets against the SRC report," said Nembang. "No power can stop the agitation."

Meanwhile, leaders of five political parties including UCPN (Maoist), NC and UML burnt copies of the report submitted by SRC in front of the Far Western Regional Administration Office in Doti. President of NC Doti district chapter Bir Bahadur Balayar said the report submitted by SRC is not acceptable to them and that they are in favor of an integrated far western region.

"Even if our central leaders accept the report, we will not accept it," stated Balayar.

Highlights of the report

The report submitted by a majority of the State Restructuring Commission—backed by Malla K Sundar, Bhogendra Jha, Stella Tamang, Krishna Hacchethu, Surendra Mahato, and Convenor Madan Pariyar—that proposes an 11-state model—has 19 Articles. However, a separate report was forwarded by the minority group that pitches for a six-state model and has 17 articles.

The minority faction—comprising Ramesh Kumar Dhungel, Sarbaraj Khadka and Sabitri Gurung—stresses that there should be six provinces and a three-tier structure—federal level, state level and local bodies. ■

SRC Report Win-Win Document

By Dr. MADAN PARIYAR



I am happy that our committee has been able to present the report to the government as per the schedule. I cannot claim that our report is perfect. I cannot deny the fact that there might have been certain lacunas. One thing I can claim, however, is that this report will help in restructuring the state in future and settle much of the controversy over it. Although state restructuring is a very complicated issue, we got less than three months to prepare the report. One of the positive aspects of our committee was that we were able to present one report. We tried our best to bring a consensus document but three of our colleagues tabled separate reports. We agreed on many issues. Differences were very few. Fundamentally, there was a consensus on most of the issues. There were agreements on certain issues and there were differences on some particular issues. For instance, we had consensus on women's rights and dalit's rights. We put our views in accordance to the terms of references given to us. There are many positive suggestions in our report. If one is biased, the document is merely a bundle of papers. We were able to present our views looking at the aspirations of the people. For instance, the report decided to restructure the state in accordance to the identity and capability of the provinces. Majority of us believe that there is the need of a province on non-geographical basis for dalits. This document will provide a win-win to all. We have also suggested that the local bodies should come under the purview of the provinces. Instead of three tiers of the government, we have proposed three tiers with the local bodies under provinces. This is because there cannot be three separate entities in the state as powerful as provinces and the center.

People are criticizing our document on the basis of hearsay. People will realize there are more important things in our report. As the prime minister has already handed over the document to the Constituent Assembly chairman, it is the property of the CA now. Our document is a value addition in the process of state restructuring. Our commission is a mixed group of people in terms of ethnicity, resources and expertise. Due to this balanced composition, we were able to produce a balanced report.

We have crafted the provinces on the basis of their identity and capacity. We don't have any bias towards or against any particular group, geography or ethnicity. We consider identity along with the capability of the state as the main factors. So far as the division of the state boundary is concerned, all the provinces of Nepal share the border with Nepal's provinces. Dalits are one of the backward, oppressed and excluded communities in Nepal. According to National Census 2001, Dalits comprise 13 percent or 3 million population. This may have increased in the recently conducted census in 2011. They may be over 6 million. They are scattered across the country. We were unable to form one province for them. So we decided to have a state or they will be protected in all states. So far as the divisions of the state are concerned, they will be functional in future.

Dr. Pariyar is a Co-ordinator of dissolved State Restructuring Committee as told to NEW SPOTLIGHT.



Sherpas Can Sustain Their Own States Too

By LUCKY SHERPA

The recently presented report of the State Restructuring Commission is unacceptable to us as it denies an autonomous Sherpa State and Jadan state. Although the State Restructuring Committee of Constituent Assembly agreed to include Jadan and Sherpa Autonomous states in eastern and far western regions, I don't understand why the commission decided to omit it. Like all other communities, it is unacceptable for Sherpa without an autonomous state with right to self determination. Sherpa state has both economic viability as well as identity. Nepal's Himalayas are generating enormous amounts of revenue and there are potentials for the construction of hydroelectricity projects here. Hydroelectricity, herbs and tourism will generate enormous resources to sustain our province. We don't want to be a part of any other province. This is a clear stand of all the Sherpa community.

Our people have already obstructed the presentation of the program. It was our symbolic gesture or opposition against the commission report. We are going to burn the copy of the report presented by the commission. This commission has

not given any mandate to touch the report finalized by the State Restructuring Committee of CA. The mandate of the commission was just to go through the report and improve it by working under it. We have already expressed our views to the leaders of different political parties and chairman of Constituent Assembly.

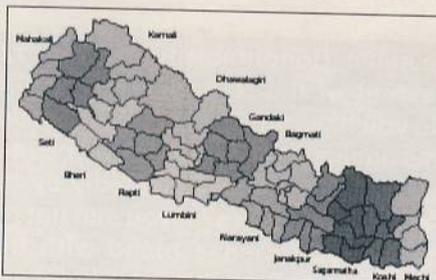
There is a conspiracy against the Sherpa Autonomous state. If the state

denies our rights, we are ready to take necessary steps to establish our rights. If all other communities have states, why can Sherpa community not have one? It's a bias against the Sherpa people. We have our own culture, language and values. Our people will take revenge against those members who hatched a conspiracy against our provinces. We know who conspired against our demand. We will take revenge against them wherever they go. We will launch a series of programs against the document. Our first phase program will be peaceful and we will hold various rallies in capital Kathmandu. In the second stage, we will hand over a memorandum to the concerned officials and CA chairman. If the state does not listen to our peaceful agitation, we will rebel against the state.

Sherpa Autonomous State is a reality now in Nepal. Our community has already started to work for it. We have land, resources, people and other necessary elements to sustain our own state.

The members of State Restructuring Commission are arguing that Sherpa State does not have economic capacity. If that is so, what economic capacity do other states have? Given the opportunity, Sherpa Autonomous State will also build its own capacity in a short span of time. Our Sherpa entrepreneurs and local people have already shown that they are more capable than others. For centuries, Sherpa communities had been oppressed and were denied their basic rights.

Sherpa is a CA member. Based on media interaction.



Paid For Secession



By YUBARAJ GHIMIRE

Information Minister Jay prakash Gupta has issued a political threat, or come out with a sort of political prediction with an implied message that the Madhes region will not be part of what we call Nepal at present. Gupta has almost repeated what Sharad Singh Bhandari said four months ago, and paid the price for it by losing his position as the Defence Minister of the country.

Gupta may not know, and the people of Terai in particular know, Gupta does not command that support required to inflame the fire of secession in a region that has people's loyalty to Nepal as firm as people in any other part of the country. Gupta, a man in the cockpit of power centre all through between 1990 and 2005, is trying to exaggerate the problems in Madhes to suit his political purpose. He, like a handful of 'intellectual propagandists', is trying to project Madhes as Katmandu's 'internal colony' and appropriate the position of a 'messiah' (savior) for himself.

Gupta, unfortunately, is a Minister and draws the salary and other benefits from the state coffer to launch his campaign against integrity and sovereignty. He lacks moral courage to announce that he has no respect for a sovereign territory called Nepal. He takes oath to defend its integrity but acts otherwise. But given Prime Minister Bhattarai's recent statement that betrayed his lack of commitment for Nepal's sovereignty and existence as an independent nation, Gupta must have felt more comfortable expressing himself in the manner he did. In that sense Gupta's choice of timing was much appropriate from his tactical or strategic point of view.

He would be seen as the prominent lieutenant of Dr Bhattarai in the mission 'wipe out Nepal'. Secondly, Gupta faces corruption case in the Supreme court, and the judgment coming in the next couple of weeks, has 50:50 chances of his being declared innocent or guilty. In the scenario, Gupta's political career will end in Jail. Gupta had resigned from the constitutional council following demands made by civil society and human right activists that a person facing a corruption case in the supreme court should not be occupying a space in a body that will have role in the selection of judges.

Now, he is trying to build a case to have himself declared a 'political martyr', some one being framed up just because he belonged to certain part of the country. Some one who learnt his political A B C from B P Koirala who always discouraged sectarian politics and rejected it all through saying it will weaken the nation's sovereignty also shows the degeneration that Nepali politics has gone through, especially in the post

2006 period. He is clearly exhibiting the psyche of a guilty already, even before the court has handed down its verdict.

But it is a real test case for the Legislature parliament and the constituent assembly as well. Can some one openly advocating secession continue in the council of ministers? Will Prime Minister Bhattarai follow what he did in Sharad Singh Bhandari's case, or treat the Gupta case in altogether different way? Bhattarai's failure to act will only lead to two conclusions: either he is politically impotent or he is out to finish Nepal as a sovereign nation. It is also a challenge for the Nepali Congress, Maoists and the UML to prove that at least on the question of National sovereignty, they are one, and will not let Gupta to continue in the ministry.

Miserably, House Speaker Subhash Chandra Nembang has proved himself to be insensitive towards the cause of nationalism and democracy. He has demonstrated through his behavior and silence that the House is least bothered when ordinary people's life and

dignity is in peril. He has, through his silence, protected the position and status of criminals in the House feigning that absence of rule or law has come in the way of his taking action against the likes of Balakrishna Dhungel.

Ordinarily, it is believed that every 'honourable member'

of the House is a patriot unless proved otherwise. But when he member makes a statement in detriment to the national integrity and nationhood, the House has every reason, and duty, to have it discussed, and the guilty punished. What purpose will a constitution swearing by the people and for the people serve if ministers are to freely warn that Nepal's split is round the corner?

And once again, Honourable Ram Baran Yadav, the first president of the Republic Nepal, C/O Shital Niwas, do you have any responsibility or duty when statements against the country's independence and the sovereignty are made repeatedly by the Prime Minister and the Ministers? If you can not rise to the occasion, will you please plead with the Prime Minister to reinstate Sharad Singh Bhandari as well? ■



JP Gupta

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FAREWELL TO ARMS

The Peace March

With a minor hiccup, the much awaited voluntary retirement process of Maoist combatants is coming close to an end. Many issues related to the integration process like ranking, number and mode of integration are yet to be settled. However, it is almost certain that Nepal's third deadly insurgency of the last six decades, is gradually getting buried in Nepal's history. The Maoist insurgency, which was the largest in terms of destruction of state institutions, infrastructures, human casualties and involvement of the number of combatants, left many impacts in Nepal. However, given Nepal's history, its geographical location and level of economic development, one cannot say for sure that there will not be a repeat of another insurgency in a different facet in the coming days

By KESHAB POUDEL

More than 90 percent of civil wars in the 2000s occurred in places that had already experienced a civil war in the previous 30 years, concluded the World Bank's World Development Report 2011. According to the report, some 1.5 billion people live in countries affected by repeated cycles of political and criminal violence-causing human misery and disrupting development.

At a time when Nepal's political actors and civil society members are rejoicing at the discharge process for Maoist ex-combatants, hoping that the insurgency is coming really closer to an end, the World Development Report 2011 message is that sending combatants home is not the end to the cycle of violence.

In Nepal's case, Maoist violence was the fourth insurgency that occurred in the last few decades. Nepali Congress led two armed insurrections in 1961 and 1972 and CPN-UML led 1975 Naxal insurrection. Before Maoists, Ram Raja Prasad Singh led armed insurrection in 1985.

"To break these cycles, it is crucial to strengthen legitimate national institutions and governance in order to

provide citizens security, justice, and jobs- as well as alleviating the international stresses that increase the risks of violent conflict," writes the report.

However, Nepal is yet to make progress in these sectors. As in the past, many groups are waiting to raise questions over the legitimacy of the constitution even if it is promulgated by the elected Constituent Assembly and provides all kinds of justice, jobs, security. Similarly, Nepal's geo-strategic location continues to feel stress from both of its neighbors. Despite progress and improvement in economic relations, India and China are yet to settle their long border disputes. Long lasting peace is elusive even after the completion of the peace process and constitution writing.

"Weak and illegitimate institutions that are unable to provide citizens security, justice and jobs can lead to crisis in countries that on the surface appear stable," the report said. "Violence is spurred by both local and international stresses, youth unemployment, inequality between social, ethnic, regional or religious groups, economic shocks, infiltration of trafficking

networks and foreign security interference."

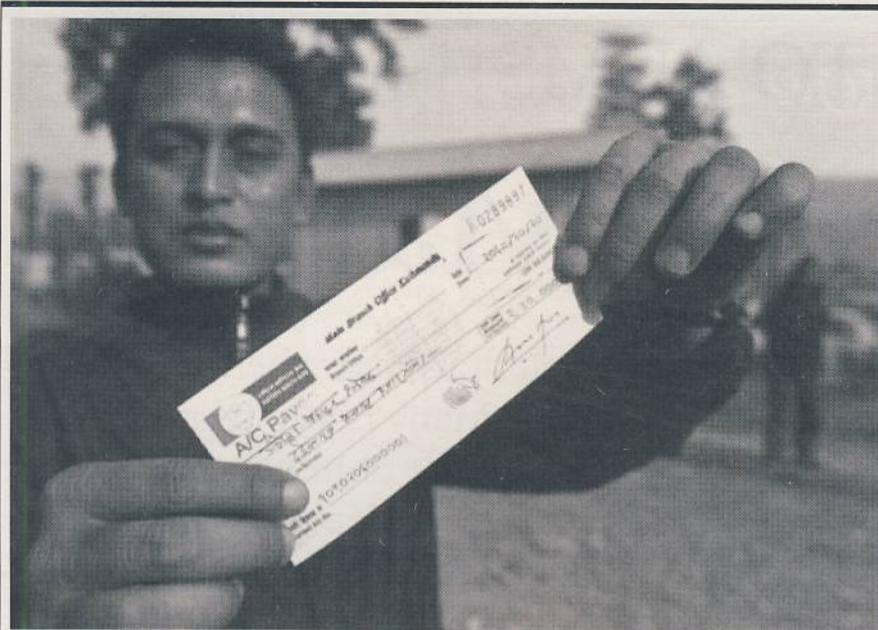
However, optimism is high among Nepal's civil society members. "Once the integration of Maoist combatants is completed and the constitution promulgated and everything will be settled," said civil society leader and former speaker of House of Representative Daman Nath Dhungana.

The completion of integration process is just an administrative decision. "I don't understand the reason why it did take almost five years to send Nepal's Maoist former rebels to join their families in a first step to their reintegration."

Integration of insurgents

Since 1950's revolution, Nepal has already faced a series of insurgencies toppling regimes and governments. Led by Nepali Congress, the 1950's insurgency toppled the 104-year long Rana Regime. The insurgents, involved in the revolution, were integrated in Nepal Police.

Led by Nepali Congress leader Subarna Sumsher Rana, the second insurgency started in 1961 following the Royal takeover and concluded in 1962



Discharged Maoist Combatant Photo: reportersnepal.com

after India-China war. Nepali Congress leader Bharat Sumsher Rana, who was in the rebellion, said in his book *Rebel Bharat Sumsher* that over 3000 combatants returned home and some joined the Indian para-military force.

B.P. Koirala launched another rebellion from India in 1972 but it did not last for long as there were very few regular combatants. They did not require integration. Nepal's communists launched the Naxalites movement in 1975 and Ram Raja Prasad launched another rebellion in 1985. They had few regular combatants too.

The Maoist insurgency, 1996-2006, which came to an end following the abolition of monarchy in Nepal and turning Nepal into a federal, secular republic in 2006, was the first insurrection launched with recruitment of a large number of regular combatants.

All these violent insurgencies were launched from across Nepal's southern border. The armed insurrections of 1951 and 2006 concluded following agreements in New Delhi.

Although Maoist insurgency is now nearing a closure, many armed outfits in terai and some armed outfits in hills are still active, threatening the rulers. Given Nepal's past experiences, there is no solid ground to show that this is the end of the era of violent insurgencies which Nepal has been facing in the last six decades of its history of modernization.

"Violence happens where states and

sub-national governments do not provide security, access to justice, and markets do not provide employment opportunities, and communities have lost the social cohesion," the World Bank's report says.

Rehabilitation is crucial

Experts argue that the rehabilitation of more than 19,000 former rebels is crucial for the stability of Nepal which is wedged between India and China. "I am happy because the departure from the camp will help move the peace process forward," said Udaya Bahadur Chalaune, 34, a rebel commander in the jungle camp of Shaktikhor.

However, their future has remained a major sticking point in the peace process, which ended the decade-long conflict in 2006. More than 16,000 people were killed in the decade long insurgency.

"Of course, we are able to sort out a major hurdle. But the most complicated process, the integration of combatants in security agencies, is yet to be settled," said Bhim Rawal, member of the committee and CPN-UML member.

The 27 Maoist camps set up in 2006 were monitored by the United Nations until January last year, when a government committee took over. The Maoists and other political parties agreed in November 2011 to integrate some fighters into the security forces and provide education, training and financial aid to the rest.

Voluntary Retirement Scheme

Balananda Sharma, convener of the

secretariat under the Special Committee, said the process of giving voluntary retirement to 7,365 will complete in two weeks. "Despite some disturbances, the process is going on as planned," said Sharma. "In some cantonments, the process was disrupted because of absence of combatants."

Now the combatants can leave the cantonments any time they wish before February 13, said Sharma. "We have told them they will not get monthly allowances and ration from February 13," said Sharma when asked how long they will be allowed to remain in cantonments after they are given voluntary retirement.

In a peace deal signed on November 1, the major parties agreed to provide cash packages. The government is providing 50 percent of the proposed package to the retiring combatants in the first phase. As per the agreement, division commanders and division vice-commanders are entitled to Rs 800,000, brigade commanders and vice-commanders to Rs 700,000, battalion commanders to company vice-commanders, Rs 600,000, and platoon commanders and below, Rs 500,000. They have been given account payee checks that they can deposit in their accounts in Nepal Bank Limited, Nepal Banijya Bank and Nepal Agricultural Development Bank.

All retiring combatants living in the cantonments are supposed to leave for their homes within the next two weeks to start civilian lives. The government plans to downsize the number of cantonments from current 28 to 14 for relocating the remaining 9,705 combatants choosing integration.

Challenges for coming days

One of the crucial challenges included decisions on the former rebels' ranks and training and their new relationship with the security forces.

The integration process is likely to start only after the parties reach an agreement on the senior most rank to be conferred on the combatants. The seven-point deal signed on November 1 commits to integrating 6,500 combatants at the most by forming a new directorate in the Army and says that rank would be determined by the security body concerned after the selected combatants complete the bridging course. Those Maoists wishing to join the security

forces will remain in the camps for now.

Authorities say the role of the integrated Maoists will be restricted to non-combat operations such as the construction of development projects, emergency rescue operations and patrolling forests. Terms of their joining the security forces are yet to be agreed upon.

Disputes in integration

The Maoists have been demanding the second-in-command of the new directorate and are stressing that the bridging course should be agreed at the political level. "We are fully committed to conclude the peace process. That is why we have started the voluntary retirement process," said Maoist leader Janardan Sharma. "We will now start holding talks with other parties to settle differences on rank determination. The process will not be delayed or obstructed because of us," he added.

The NC and UML are highly likely to press the current government to start the process of referring the fighters opting for integration to the Nepal Army within February 12. Prime Minister Baburam Bhattarai has already stepped up consultations to issue a formal direction to the Army to start the integration process.

According to leaders involved in cross-party talks, Maoist Chairman Pushpa Kamal Dahal is confident that the process of army integration would accelerate in the near future.

Disabled combatants

Pabitra Khadka, 23, who still has bullet fragments lodged in her, said it would be difficult for her husband, who has battle injuries, and herself to afford to continue receiving medical treatment once they leave the camps. They plan to move back to their village in west Nepal and work on the family farm they left when they joined the Maoists eight years ago.

Bhola Aryal, 30, who lost his right arm while fighting the government army, said he was planning to pool the money with his friends and begin a small business.

"I have only one arm, so I can't work in the fields. So some of us from the same village decided to open up a business with the money," Aryal said, adding that he was worried about medical costs because he has to routinely visit doctors.

Like Khadka and Aryal, there are 2500 disabled combatants. Out of them, there are 491 disabled who need assistance. Despite assurance from their



Maoist Combatants with family *File Photo*

commanders that the government is considering to announce certain package to them, they are creating trouble. "We need to provide special care to 1000 combatants who cannot walk and move alone," said Maoist commander Chandra Prakash Khanal Baldev.

The Ministry of Peace and Reconstruction had prepared a package for the injured, disabled and pregnant fighters, besides their children. The government would come up with a package for the disqualified fighters, who had to leave the cantonments without any incentive.

Meanwhile, Finance Minister Barshaman Pun has said that the government is preparing a separate relief package for the disabled combatants who have demanded future security after retirement. He said that the peace ministry would soon come up with the package.

"The beginning of the voluntary retirement is positive news, but it is a partial and half-hearted attempt. The Maoists should now submit the list of combatants opting for integration into the security forces and they should take the peace process to an irreversible point by handing over the weapons to the government," said Nepali Congress leader and Special Committee member Ram Sharan Mahat.

Cheque grabbing

There are also reports of rampant seizing of cheques issued to the retired PLA fighters by demanding a certain percentage to the party. Nepali Congress

leader Ram Saran Mahat revealed that the Maoist commanders have been seizing cheques issued to the retired PLA fighters.

Mahat claimed that several members of the Special Committee (for supervision, integration and rehabilitation of Maoist combatants) have received such complaints on phone, including himself.

Sources claimed that the PLA commanders had made secret deals with the combatants, who had been outside the cantonments for long — to provide 50 per cent amount to the commanders as commission. The cheques are being seized due to the secret deal.

Amid allegations that some commanders have seized the cheques issued to combatants opting for voluntary retirement, the Maoist People's Liberation Army (PLA) has vowed to conduct an investigation and return them to the concerned combatants.

"If the cheques have indeed been seized, we will return them to the concerned combatants. We will conduct an investigation into the allegations," said PLA Chief Nanda Kishor Pun after a meeting with Maoist Chairman Pushpa Kamal Dahal at the latter's residence recently.

Although some steps have been taken, there is the need to go on a long march before achieving durable peace in Nepal. ■

“Another Breakthrough Soon”

DR. BABURAMBHATTARAI

As the political stalemate continues, PRIME MINISTER DR. BABURAM BHATTARAI'S government has come under attacks from all around, both from within his own party and outside. Yet Dr. Bhattarai is confident that the present government will complete the peace process and constitution writing. The situation may be tense, but prime minister Dr. Bhattarai seems to be in a relaxed mood. After meeting a delegation of journalists, prime minister Bhattarai spoke to KESHAB POUDEL on various issues at his residence in Baluwatar. Excerpts:

How likely it is to promulgate the constitution by the deadline?

I am certain that this CA will promulgate the new constitution by May 27. This is not my guesswork or personal calculation. It is based on my firsthand interactions with major political parties. Even RPP-Nepal leader like Kamal Thapa wants the new constitution. Nobody wants the dissolution of CA without writing the new constitution.

How do you evaluate your tenure?

I have done what I pledged to do before taking the responsibility. The constitution writing process is on the right track and the peace process is close to conclusion. To accelerate the development process, I have announced good governance and economic development packages. The recently announced good governance program will improve the delivery system of the government and provide basic services to the people. The governance program has several components directed to improve the delivery system and make the administrative units accountable to the people. My aim is also to reduce the level of corruption. By making current vigilance center more effective, I want to reduce corruption.

How is the response by Nepal's development partners?

Nepal's development partners are very supportive to the program. Everybody wants to see an accountable system in place and everybody wants to see an effective delivery system. These are the prerequisites for the overall development of the country.

Do you see any breakthrough in peace building and constitution writing?

Certainly, you will see a breakthrough in constitution writing very soon. The peace process has already moved ahead following a month's disturbance. The government has already started handing over of the money to discharged combatants.

If that is so, why are the media talking about the differences?

Of course, we hold different ideologies, but there is a consensus among us to secure a new constitution. Every political party has its own ideology and agenda. Thus, they have been pursuing their own agenda. Everybody agrees that there is the need to have a constitution to shorten the transition. We have already agreed on a number of issues like elections process, fundamental rights, legislature and tires of government. There will be agreement on the forms of government and restructuring of the state.

Given the differences on state restructuring and forms of governance, what kind of a constitution will CA produce?

The new constitution will be neither the people's constitution as demanded by my party nor the constitution demanded by Nepali Congress or the 1990's parliamentary democracy. The new constitution will be moderate and address both the agenda. I am confident that the new constitution will be promulgated despite our differences over many issues. *There is no option before us.*

Till now there is no sign of such a consensus around the corner, how can we expect political agreement?

Mind my words, there will be a consensus at the final stage. I can again assure you that the new constitution will be promulgated within four months. In overhauling the entire process, it is normal to see some kinds of disagreement. The coming two weeks are crucial in the history of Nepal.

What do you mean by that?

I have told you that there was a breakthrough in the peace process with the start of the discharge of combatants choosing voluntary retirement. We are also formulating the Truth and Reconciliation Bill and Disappearance Bill to heal the wounds of the conflict. Similarly, the party is closer to finding the form of government acceptable to all.

Rights groups have been saying that there are provisions of blanket amnesty in the TRC Bill. What do you comment on that?

I don't think there will be anything which will be against the international human rights standards. After formulation of the act, the transitional justice system will come to an end. The law will not leave anybody involved in humanitarian crimes. We fought against oppressive regime and we know the importance of human rights more than anybody else in Nepal.

How is it possible to hold the local elections?

So far as holding the local elections are concerned, all political parties want to hold them as soon as possible. Even the Election Commission said it can hold the elections within three months. Now we are considering holding the elections in November 2012 and we will constitute an all-party mechanism to carry out the development activities.

How can you think of that at a time when major political parties are obstructing the parliament and your party leaders are also calling for rebellion from the streets?

These are just political gimmicks for political pressure. In other words, these are rhetoric. In reality, all of them are sincere to bring the constitution and complete the peace process. It is natural for them to put pressure to have constitution with their own ideological orientation.

This means you are still confident that the Constituent Assembly will promulgate the new constitution?

We don't have any option other than to promulgate the new constitution through the Constituent Assembly. I think it is the CA which will write the new constitution with the consent of the political parties.

There is also news that your government will fall soon?

It is just a rumor and it has no truth. I will continue as the prime minister till the completion of peace process and promulgation of new constitution.

What about the recent controversy to regularize the decision taken by People's Court?

We are ready to withdraw the decision. This is not a major issue. We have not made any efforts to regularize People's Court.

What about the formation of the national unity government?

I have been demanding this for a long time. Following completion of the constitution writing and peace process, the process to form a national unity government will begin. After all, politics is all about power sharing and this is the most important part of any post conflict situation. I held the view that there is the need to have a national unity government till the completion of peace process and constitution writing. I think the time has come to constitute such a government.

The rumors have it that your government will be replaced by such a government?

This government will turn into a national government. Some wish that I should resign but I believe all these issues will be settled within a couple of days in a package.

How do you assess the law and order situation in Terai?

The process of restoring the peace and law and order in Madhesh has already started. Compared to past few years, the law and order situation has been normal now. The government has already negotiated with major underground armed outfits of Terai. We have already signed peace agreements with several such outfits. The armed struggle in terai will settle soon. I don't think there is anything to worry about.

Media is widely covering your recently reported remarks that you suggested for merger of Nepal? How do you react?

I have never used the word merger. What I said is that if Nepal cannot make economic progress, the country will submerge between them. My interpretation was misunderstood. I still believe that Nepal needs to make a high economic progress to remain an independent, strong, nation. Otherwise, we will be submerging in the development and prosperity of our two neighbors.

How do you see Nepal's geostrategic location as defined by King Prithivi Narayan Shah?

There is no doubt that Nepal's geostrategic location is very delicate and sensitive. Although King Prithivi Narayan Shah was a feudal representing the reactionary forces in Marxist terms, he was a visionary legend of Nepalese history. His Dinya Upadaesh was a master piece and only a statesman and thinker can deliver such statement. He was a legend, philosopher and great statesman of that era.

How about his statement Nepal is a yam between two boulders?

His argument that Nepal is a yam between two boulders is no more valid in the changing context. He was absolutely correct during the period. Nepal remained independent at that time due to his policy. The relations between India and China have improved a lot and they are no more strategically competitive powers in Nepal. Thus, Nepal needs to play a role of bridge between them. I am saying that this is no more yam but a bridge between two economic powers.

Despite their improved economic relations, don't you see any strategic competitiveness?

Now the situation has changed and Nepal is now between two economic powerhouses of the world. Nepal needs to work as a dynamic bridge between them.

Is the government ready to provide subsidy to petroleum products?

There is no question to give such a huge subsidy in the



petroleum products. If we want smooth supply of petrol, we have to pay the actual market prices. The government is in no position to give subsidy of over Rs. 1 billion by just cutting the expenditure allocated in health, education, sanitation and drinking water. It is unjust to cut the development budget.

How will your government maintain the supply?

The government will introduce packages to the students and low income people. However, there will be no subsidy to the other commercial users. They have to pay as per the international rate. This will also help to reduce the loss in petroleum products. I mean there will be dual rates in LPG: for household use and commercial use.

If there are such provisions, why is nobody supporting the government on this?

I agreed to increase the prices of petroleum products with the consent from major political parties. NC and UML were frequently raising the prices of petroleum products and opposing subsidy. They now seem opposed to the idea to withdraw the subsidy. Of course, there is certain leakage in the distribution system. There is also the need to provide subsidy to poor and vulnerable population. Even our student wings joined the demonstration against the decision. This is a tragic situation.

How do you take the report of the State Restructuring Commission?

The State Restructuring Commission has submitted only one report. Although there is also a minority opinion on certain issues, this document is by and large a document of consensus of all nine members. I am hopeful that there will be consensus in the future in writing the new constitution. They have done what they could in accordance to the mandate given by the government.

Who do you blame for failing to provide relief to earthquake victims?

It is a gross negligence of the local administration which did not tell us the reality in early days. After realizing the devastation, the government has already decided to provide big compensation packages in the eastern part of Nepal affected by earthquake. Each household will receive Rs. 100,000 for renovation and construction works.



Ridiculous Environment Protection Policy Nepal Headed for Economic Ruin

By DR. AB THAPA

How stupid we Nepalese people, government and also the elected bodies would look like in the eyes of the international community once they learn that our government on the one hand is desperately calling international institutions for help to protect us from hazardous consequences of the global warming even by holding a highly symbolic cabinet meeting at a very high location "KALAPATHAR" close to the Everest summit itself in Himalayan mountain to draw the attention of the whole world, and ridiculously on the other hand we are now going to build just few kilometers away from the very place, where the historic cabinet meeting was held, on the site identified based on past surveys to be highly vulnerable to disastrous glacier lakes outburst floods (GLOF) consequent upon the global warming the giant Upper Tamakosi hydropower project, which will have installed capacity exceeding the total installed capacities of almost all existing hydropower plants built so far in Nepal-Kaligandaki A, both Marshyangdi hydropower plants and both Kulekhani hydropower plants combined together.

We are going to take the horrendous risk despite the fact that the small-scaled alternative of the NEA proposed project would have not only been safer from the GLOF but it would also have been far more suitable to match against the nature of the present demand for power in our country. The small-sized alternative project could have been implemented within a much shorter period to provide quick relief from the present acute power shortage crisis, and it would also be producing at almost one third of the investment by comparison with that of the NEA proposed variant even more energy during critical dry season periods if the seepage losses are not discounted.

Danger in Consequence of Global Warming

There are several rapidly growing glacier lakes near the project site in Tibet in consequence of the global warming. The great risk of glacier lakes outburst floods (GLOF) to high gated barrage and other structures of the NEA proposed Upper Tama-Kosi project should not be underestimated. We already have a bitter experience of the 1984 Digcho GLOF when the Namche hydropower built on the upper reach of the Dudh-Kosi river was completely washed away.

Let us not forget that the Kulekhani high dam was also on the verge of collapse just few years after the completion of its construction. It has been described in an article recently published in the journal "SPOTLIGHT".

The reconstruction cost could be too much if the barrage and intake structure of the NEA proposed Upper Tama-Kosi project would be

seriously damaged by big GLOF. Power supply would be suspended for a very long time which would have terrible consequences for the economy of entire country.

The Mini Upper Tama-Kosi project would be having only un-gated weir across the river. The GLOF would cause only limited damage to the weir. The damage could be repaired within a short period at a relatively small cost.

Less Energy in Dry Season

It is reported that the flat reach of the Tama-Kosi river serving as the floor of the reservoir of the NEA proposed hydropower project is made of 300 meters high porous fill materials lying over the original river bed. The fill materials had accumulated after a big landslide dammed the river. There is a great possibility of excessively large seepage of water from the reservoir. As a result of such seepage, there can be a significant

The fill materials had accumulated after a big landslide dammed the river. There is a great possibility of excessively large seepage of water from the reservoir.

reduction in electricity generation in dry seasons.

The mini Upper Tama-kosi project would not require the provision of a reservoir. The question of energy losses resulting from the seepage through the floor of the reservoir does not arise.

Hydropower Economics

Our electricity planners do not appear to take cognizance of the fact that the electricity price (as well as generation cost) varies not only with the seasons but it also widely varies even within a very short period of just one day. The cost of generation of electricity for the supply of peaking demand in the evening hours can be usually about three times more expensive than that of the off-peak hours.

Our country is reeling from acute shortage of electric power. Most of our industries are on the verge of collapse. People are facing great hardship due to long hours of load-shedding reaching up to 16 hours a day and it is expected to increase even further in days ahead. However, during the wet season months quite limited areas are affected by load-shedding lasting only for a very short period in the evening. Even such limited disruption in supply of power might have been to a certain extent the result of transmission lines congestion. It is quite obvious that the NEA is now facing acute shortage of base load energy which could have been produced at exceptionally low cost within a very short period.

Rationalization of Existing Projects

All the NEA owned hydropower projects, like the Kali-Gandaki, both Trisuli, both

Marshyangdi, both Kulekhani and others are capable to run at full capacity even during the dry season periods. They have been built at enormous cost to supply electricity to meet the demand for peaking. Obviously, the generation cost of such peaking energy is always very high. Unfortunately at present the full capacity of these hydropower projects built to generate high valued peaking energy has not been fully utilized during the critically important dry season periods. They are now operated to produce a very large proportion of cheap energy to meet the demand for base load. Thus, the reservoirs, high barrages, turbines, generators, transmission lines and civil structures provided to generate and transmit peaking energy have not been utilized to the full extent.

Too Uneconomic

A fifty percent proportion of the base load and the peak load capacities of the power stations operating in a power grid is normally considered to be optimum mix. It implies in our case that the overall firm generating capacity of our power grid should have already grown very high on top of the existing 450 MW firm capacity (400 MW peaking capacity and 50 MW base load capacity) in order to effectively use the additional peaking capacity of the NEA proposed 456 MW Upper Tama-Kosi project. Thus, it would be too uneconomic under present circumstances to implement a hydropower project suitable to produce excessively large peaking power such as the 456 MW Upper Tama-Kosi project.

Conclusion

Considering the nature of the present demand for electricity in our country and also the vulnerability of main project structures, the installed capacity of the Upper Tama-Kosi Project must be limited to just over 100 MW based on 95% probable dry season river discharge by targeting to generate mostly the firm energy to meet the demand for the base load. Even after such drastic reduction in installed capacity the total generation of electric energy during the dry season period would still be equal or even exceeding the generation by the NEA proposed 456 MW project (in case the significant proportion of the dry season flow is lost in seepage) despite the fact that the cost of such mini-project would be only about one third. As the demand for peaking energy grows in future the installed capacity could be raised with ease by providing additional structures if it is found after some years of operation and further observations that the GLOF and the geology of reservoir site would not pose serious threat to the safety of the project. ■

BUILDING NEW NEPAL

Through Aid & Growth

By DEBESH ADHIKARI

US ambassador to Nepal Scott H. DeLisi might be making all the headlines as he is recently named as the new ambassador to Uganda by US president Barack Obama, and will soon leave the country, subject to confirmation by the United States Senate.

However, even after the decision by the US president, DeLisi is still continuing to improve relations between Nepal and the United States, and is making an effort for the betterment of the Nepalese people.

DeLisi recently spoke at the program 'Last Thursdays' organized by Entrepreneurs for Nepal and Samridhi, and expressed his opinion about the development assistance by the United States to Nepal and the role that assistance is playing in fostering economic growth in Nepal.

The US ambassador stressed the role of private sector for the development of the country and kick starting the economy.

"Development may not create the jobs, but it is an essential precursor, a condition precedent, to building the enabling environment, developing the capacity, and nurturing the human resources that are essential to private sector-led economic growth," said the US ambassador.

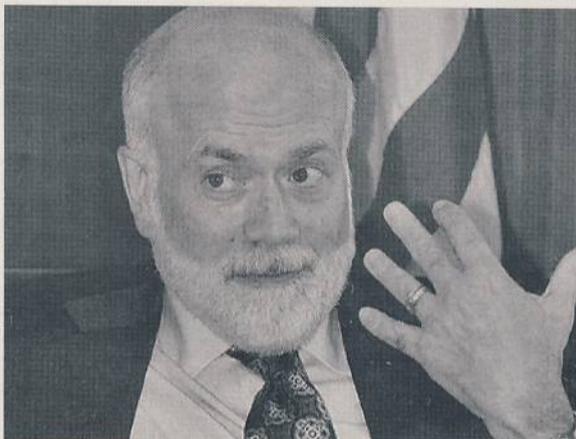
Economic growth has been Nepal's greatest challenge for some time now and the country is lagging behind amid political instability and a lack of successful development policy to achieve it. "For some sixteen years this nation has been consumed, with first an insurgency, and then the post-insurgency political drama that still is ongoing. At the national level, despite progress and some degree of policy direction and leadership in various sectors, there is no coherent or broad vision of how political and social reform, development policy, and economic transformation tie together," he said.

US Assistance to Nepal

United States has contributed much to Nepal for its development in the last

six decades. "The reality is that our six decades of partnership with the Government of Nepal have not only been a pillar of our bilateral relationship, but our programs have, contributed significantly to Nepal's socioeconomic development," said DeLisi.

US assistance has a great role in eradicating Malaria in Terai. Likewise, as a result from the partnership with the



US Ambassador Scott H. DeLisi

US government, Nepal has decreased the death rate of mothers during or shortly after pregnancy by almost half between 1996 and 2006, and there has been similar achievement in reducing the death rate of children under five.

United States invested approximately \$80 million (RS 6.4 billion) last via partnership with USAID. This assistance was targeted on key priority areas, including maternal and child health, agriculture, vocational education, anti-trafficking, and democracy and governance.

"We expect to make a similar financial commitment to Nepal's development this year," said the ambassador.

Although the contribution of Nepal for the global climate change is far less than half a percent, Nepal is still the 4th most-vulnerable country in the world to climate change. A \$30 million USAID multi-year program in global climate change is being organized to reduce economic, environmental and humanitarian impact of the climate change along with the \$ 6-8 million on

Disaster Risk Reduction activities, according to the ambassador.

Similarly, United States is contributing in various other fields like agriculture, education, health etc. Some 70,000 young people have been trained under the Education for Income Generation (EIG) project, among them 84% of the graduates of its vocational education component are profitably employed, says the ambassador.

However, only the development assistance cannot do much good unless there are strong policies to back it up, along with a direction and a vision from the government. "We need the government to weigh the policy choices before it to ensure that development assistance can have a greater and more sustained impact on the nation's future and on economic growth," said DeLisi.

DeLisi also pointed out the current power crisis in the country and stated unless the power crisis is solved the US investments would be very difficult to lure. "Unless and until the government makes strategically considered policy choices to produce the energy that will fuel economic growth our efforts on the development front will not have the support they need to be broadly successful."

Likewise, United States is also ready to build up on the already established development partnership, according to DeLisi. "The decision to bring the Peace Corps back to Nepal is important in itself and a clear signal of our ongoing commitment to bolster our already strong development partnership," he said.

"We believe that our development assistance activities are an integral part of economic growth strategies for Nepal but, to be successful, we will all need to work together in defining and shaping the policy vision of the new Nepal."

Meanwhile, the US ambassador believes that Nepal's geographical location can be an asset rather than a liability and also stressed the need to get out of the sense of being a small island surrounded by two mighty oceans. "I was happy to hear Prime Minister Bhattarai recently recast Nepal's position in the region as a bridge, leading to new destinations, rather than as the proverbial yam, waiting to get squashed between the two neighboring boulders." ■

SOUTH ASIAN TRADE

Costly Non-Cooperation

By DEBESH ADHIKARI

Intra-regional trade in South Asia has been very low. Between 1995 and now, intra-regional trade in South Asia remained stagnant at around 5 percent of the total trade volume of the region. Due to this non-cooperation between the South Asian nations, billions of dollars are going out of the region.

Cuts International in association with The Asia Foundation and support from SAWTEE (South Asia Watch on Trade Economics and Environment) and other partners carried out a project titled 'Cost of Economic Non-Cooperation to Consumers in South Asia' to enquire into the potential benefits of increase in intra-regional trade to consumers in the region.

According to the researchers, the study was conducted in selected cities of five major South Asian countries—Bangladesh, India, Nepal, Pakistan and Sri Lanka and included a rigorous meta-analysis of past studies on economic integration in South Asia.

There are a lot of problems hindering trade in the region. "Intra-regional trade liberalization is very low. There are a host of barriers for trade, from tariff barriers to non-tariff barriers," said Minister for Commerce and Supplies Lekh Raj Bhatta.

He also stated that Nepal is committed to enhance the efficacy of regional trade.

There are many other regional economic blocs which are much younger than SAARC and are successful in raising regional trade to 50 percent or more. Long standing political tension and fragile diplomatic relations are cited as the main reasons behind lack of progress in implementing the South Asian Free Trade Agreement (SAFTA), states the report.

"With an integration trade of 5 percent, it is an area that requires attention," said Nick Langton, Country Representative, the Asia Foundation. "Trade in South Asia is highly politicized and comes with many baggages," he added.

According to the report, through an algorithm process, a total of 355 product categories are identified from the sensitive lists of SAFTA members which have both high intra-regional trade potential and high prospects for improving consumer welfare. Trade in these categories at preferential rates would help South Asian consumers to save a minimum of about US dollars 2 billion per annum.

"The region has low level of economic integration. Now, it has reached the level of 1950. We have poor connectivity, infrastructure, there is lack of business and structural weakness exists," said Poush Raj Pandey, Executive Chairman, SAWTEE.

"Along with the cost saving, intra-regional trade will generate many spillover effects, including expansion of production, generation of job opportunities, and improvement in competitiveness and productive efficiency. Above all, this scenario will help to raise the trade flow between South Asian borders to a minimum threshold level required for establishing trade channels with improved trade infrastructures and procedures," states the project report.

"We have no doubt that this region can improve trade. The region has underperformed, work is needed to understand the problems," said Edwin Laurent, Economic affairs division, commonwealth Secretariat. ■

OIL PRICES

Skyward

The government decided to provide NRs 2 billion loan to Nepal Oil Corporation (NOC) on February 2. Minister for Commerce and Supplies Lekh Raj Bhatta said the supply of petroleum products will ease within a week. When NOC announced to pay NRs 1.60 billion to Indian Oil Corporation (IOC) on February 3, petroleum supply was expected to be normal for at least a month, but uncertainty looms.

With America and the European Union agreeing to slap an embargo on Iran's oil exports, prices of petroleum products are predicted to sky rocket in the international market in the coming months.

Prime Minister Dr. Baburam Bhattarai recently said that the country could not afford heavy subsidy in petroleum products without cutting the development budget.

According to NOC, the total estimated loss for February will be more than NRs 1.2 billion. NOC is already facing a cumulative loss of well over NRs 20 billion.

Despite the government's announcement to provide loan to NOC, the Citizen Investment Trust (CIT), from which the government decided to provide Rs.2 billion, is reluctant to give any loan to the loss ridden NOC.

"We haven't received any loans from the government, and we have got no idea about the Rs. 2 billion loan either," said Suresh Kumar Agrawal, acting managing director of NOC. "If we receive Rs. 2 billion now, the scarcity will end within a week," he added.

But, CIT does not trust the NOC, although the government itself is staying as the guarantor of the loan. "We cannot give away loans whenever the government says, to provide the loan of such a huge amount we need to have a board meeting and take a formal decision. We haven't yet received any formal requests from the government," said CIT Chairman, Chandra Mani Adhikari.

With the adamancy of Indian Oil Corporation (IOC), which itself is bearing losses, to provide petroleum products only on the basis of volume of payment it receives from NOC, smooth supply of petroleum products seems far away.

For how long will the government be able to subsidize petroleum products which are used by only 20 percent of the population? It is clear from the Prime Minister's statement that it's impossible to subsidize petroleum products without cutting development budgets of the rest 80 percent of the population.

The price rise in petroleum products is imminent for the smooth supply as government cannot continue subsidizing forever.



By Debesh Adhikari

Nepal: Peace Process And Constitution Stalled Again – Analysis

By S. CHANDRASEKHARAN

There was a hope that with the Maoists in power, the peace process and the constitution making will be completed before end May as directed by the Supreme Court.

When Prime Minister Baburam Bhattarai began his term in August 28, there was a commitment to peace, constitution, good governance and economic prosperity.

After being five months in power, the commitment was reduced to peace and constitution. Following the central committee meeting of the Maoists, the Prime Minister finds himself to be increasingly isolated. It is a sad development to a promising beginning!

Nepal

Now it appears that even the PM's commitment to constitution making is in jeopardy. As late as January 28, he said that his party will use the 3 Ss- namely Sadak, Sadan and Sarkar to achieve a pro people's constitution. (Whatever this means).

We find that after the last central committee meeting of the Maoists in mid December, Prachanda is seen to be teaming up with the Baidya group to prepare for a people's revolt rather than going ahead with the peace process.

Ram Bahadur Thapa the General Secretary of the Maoists who has now identified himself fully with the Baidya group is said to have made a statement in a closed door meeting that the Bhattarai government should earnestly use the government (one of the fronts) for preparing the ground for revolt.!

Dahal the chairman in one of his closed door meetings is also said to have admitted that he made a mistake in compromising with the parliamentary parties on the issue of peace and constitution and that he would no longer enter into any such consensus!

The result- the Maoists have gone back on their commitments and the consensus reached after long hours of discussion on the issues relating to the contentious issues on the new constitution and even on the integration

process. They are not willing to close the camps of the ex combatants and there is no news yet whether those 7365 cadres who have opted for voluntary retirement would be allowed to leave with the cash given to them!

For the past few days the opposition has not allowed the parliament to function. The leaders of the two major non Maoist parties the Nepali Congress and the UML have refused even to meet the Prime Minister to discuss the latest controversy relating to the regularisation of land deals made by the Maoists during the conflict.

The latest Controversy: In early January, the cabinet had decided to distribute land ownership certificates for plots purchased, sold and transferred by the "Revolutionary Council" of the

were coerced to sell their land.

As part of the peace agreement, there was a promise by the Maoists that seized lands will be returned to the rightful owners.

The cabinet decision was therefore against the interim constitution, the CPA and the law of the land. This is the stand of the opposition and they have refused to allow the parliament to function until the decision is withdrawn.

The Supreme Court has also stayed the implementation of the cabinet decision.

It is not clear how the UDMF members in the cabinet agreed to the decision. Is it because that the decision involved only the mid western districts and not Terai? . Would they have allowed such a decision to be implemented in the Terai?

It is said that the Maoists are likened to a "freshly caged" tiger which tries to free itself through every possible gap in the cage and sooner or later it accepts the inevitability of confining itself to the cage, The cage in the Nepali context is the constitution and sooner or later they will have to come to terms with the law of the land, the existing realities and the constitution.



Political Leaders

Maoists during the conflict through the Revenue office.

The government planned to issue a 35-day notice to call the property owners to register the land transactions.

The decision may look harmless. But it has serious implications.

During the decade long conflict, the Maoists had through their revolutionary councils in the five districts under their control- Rolpa, Dolpa, Salywan, Jajakot and Kalikot authorised the sale, transfer and properties after collecting some fees from the beneficiaries. In all a total of 12,000 deals were made.

It could be argued that in the absence of any government administration, the land deals will have to be gone through and since the Maoists were in control, only they could approve the deal.. Fair enough, but what had happened was that in large number of instances, people

If the talk of going for a "people's revolt" is just to get better terms for their cadres in the integration process and in the constitution, their actions could be justified. But if they really mean it, there are going to be more complications and instability.

It is getting clear by now that the calendar, the constituent assembly had set itself for the new constitution has already slipped and it may not be possible to complete the draft before end May. There is already a report in the media that the interim parliament has already approached the Supreme Court for further extension.

It is difficult to guess the reaction of the Supreme Court. It may ask the government to find other means to complete the constitution.

<http://www.eurasiareview.com>

PROMOTING PEACE

GiZ Experiences

In the peace making process, Germany has provided a generous contribution

By A CORRESPONDENT

In the transition from conflict to calm, Nepal's peace process is moving towards its logical end. As Nepal's longest development partner, Germany has been supporting the country's efforts to achieve sustainable peace.

Government officials hold the view that GiZ support has a high importance. According to senior government officials, GiZ has worked in conflict affected districts in Western Nepal and had a significant impact in improving the socioeconomic situation in those districts. After the signing of the Comprehensive Peace Accord, the German government was keen to support the peace process and responded quickly to the new situation.

Produced by GiZ, BMZ, Federal Ministry for Economic Cooperation and Development, kfw and zfd, five documentary films display the German contribution to the peace process of Nepal. 'Promoting Peace' films tell the stories, especially of the last five years.

In these years, Nepal's development partners have contributed a lot to the peace process. GiZ is one of the partners involved from the very beginning to implement various projects in Nepal.

After the signing of the Comprehensive Peace Accord in 2006, GiZ implemented several programs in and around the 28 Maoist cantonments. Under Support Measures to Strengthen the Peace Process, GiZ has implemented several projects to improve the living conditions in the communities.

Its projects on providing access to sufficient and safe drinking water project and improving the critical sanitation situation and health services benefited both the Maoist Army combatants and local population. According to the recently released documentary, STPP carried out various programs in the areas providing vocational training for more than 15,000 participants at the local level. Among them, socially excluded group (lower castes) and 30 percent women were shown better options for their present and future life.

Under Improvement of Livelihood in Rural Areas (ILRA) and Reintegration and Reconstruction (ReRe), GiZ has been active in Rukum and Rolpa districts from 2004 to 2010 in the heartland of Maoist insurgency. A replication of ReRe has been started in October 2009 in Nepal's Far West through improvement of Livelihoods in Rural Areas Program.

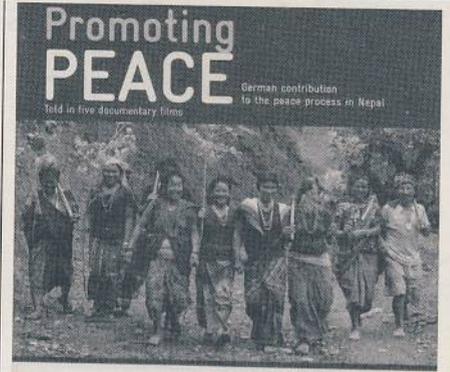
As with ReRe, food/cash for work measures employed by the project brought immediate relief to the local people. Roads, water supplies, irrigation systems, schools and service centers were constructed. Food availability improved through agricultural

training and improved seeds. The diversification of income sources towards non-farm activities lessened vulnerability and offered opportunities to landless people.

During its implementation, the project sought to ensure all sectors of the community, particularly women, dalits and disadvantaged groups are integrated.

Along with these two, the Civil Peace Service program also helped to bring drastic changes in the society. GiZ has been active in the field of piece building and conflict transformation since 2008. This program mainly aims to contribute to non-violent conflict transformation and social change thereby enhancing access to justice and social inclusion.

Support to Nepal Peace Trust Fund (NPTF) is another project where GiZ has been actively involved from early days. NPTF's main activities are in the field of cantonment and rehabilitation of combatants, support to conflict affected people including internally displaced, strengthening security and



giz BMZ  Federal Ministry for Economic Cooperation and Development  kfw  zfd

transitional justice mechanisms as well as support to the Constituent Assembly and peace building initiatives such as the Peace Secretariat and Local Peace Committees.

According to Ministry of Peace and Reconstruction, seven donors contribute financially to NPTF. In contrast to the six others, Germany follows a two-fold approach combining financial contributions with strengthening institutional capacities. On behalf of BMZ, KfW invests directly into the fund, while GTZ provides advisory services to the Peace Fund Secretariats and contributes to a Technical Cooperation Pool for Capacity Development of Ministry of Peace and Reconstruction. ■

आफ्नो अधिकार प्रयोग गर्दा
अरुको अधिकारप्रति सजग र
सचेत हुनु असल नागरिकको
कर्तव्य हो ।



नेपाल सरकार

सूचना तथा सञ्चार मन्त्रालय

सूचना विभाग



CHITWAN NATIONAL PARK

The Road Writ

Environmental activist Chanda Rana has in an open letter called on Prime Minister Dr. Baburam Bhattarai to stop the construction of the planned road through the Chitwan National Park

By A CORRESPONDENT

Although a Supreme Court order has halted the planned road construction through Chitwan National Park, environmental activist Chanda Rana is yet to feel a respite.

"I was shocked how the government can take such a decision to destroy one of the world's renowned conservation areas. Any work to damage the Chitwan National Park is unacceptable for all, particularly to people like me, who have been working to protect the flora, fauna and endangered habitats in Nepal. It is certain that the recent decision of the government to construct the road through the Chitwan National Park, the house of flora and fauna and home of enormous endangered species, is a great threat. How does this government dare think of such an idea that will finally ruin Chitwan," Rana writes in her open letter to the prime minister.

Environmental activist Rana has done several activities in Chitwan. They include the report preparation on "SAVE CHITWAN CAMPAIGN" and submitted to the PM for implementation in 2001.

She also visited the site to collect information on the state of garbage dumping in Chitwan. Rana found that there was the need of a permanent

landfill site for Chitwan where wastes used to be disposed at Rampur jungle negatively impacting habitats.

She also completed a study to find a way to control industrial pollution in the Narayani River. After visiting the sites, Rana prepared an action-oriented report collecting information from industries which were disposing their wastes at the Narayani River.

She also raised a question about the need to protect Beesh Hazari Taal in Chitwan. Environmental activist Rana also demanded Chitwan land use plan be implemented to control rapid urbanization there. Along with these, she also launched Chitwan *Mikania* control project. All these projects were carried out by Chanda Rana at her own initiatives.

The Supreme Court issued a stay order against the government's plan to construct the road through the Chitwan National Park. A single bench of SC Justice Prakash Wasti concluded that the construction of the road inside the world famous conservation area could adversely affect bio-diversity and directed the government not to move ahead with the plan.

The Ministry of Physical Planning

and Works was planning to construct a road through the Chitwan National Park. From local political parties to CIAA and environmental activists like Rana, everyone was opposing the decision. The government is yet to make the final move.

"I would like to request the PM to correct the decision by cancelling the road project. Whatever the reasons they want to show, it is unacceptable to destroy the national park," said Rana.

The parliamentary State Affairs Committee (SAC) has asked the Nepal Army (NA) and the defense ministry to furnish details of the road to be constructed through the Chitwan National Park.

The committee asked the NA if it allowed the Ministry of Physical Planning and Works to construct the over 50-kilometer road or the ministry was constructing the road keeping the national army in the dark.

"This issue is not only related to the security of international border, national park and deforestation but is also crucial in view of protecting the Chure range. At a time when the government is trying to protect the Chure range, it is unfortunate that it is destroying the forest," writes Rana in her open letter to the PM.

"I raised the issue because such a massive construction is reportedly being planned without holding any discussion with concerned agencies. If the government will not stop the construction of road, local people and environmentalists will be compelled to launch protests: I would like to request the prime minister to intervene in the matter to construct the road through the national park, which is renowned as a habitat of the endangered one-horned rhino," Rana said.

UNESCO had declared Chitwan National Park as a World Natural Heritage Site. The world famous park is one of the major attractions to tourists coming to Nepal.

"I would like to request Prime Minister Babuarm Bhattarai to withdraw and cancel the idea of construction of the Hulaki road inside the Park as soon as possible. This will show his government is being serious and responsible towards conservation. It is our duty to preserve our national park. Nature teaches us more than she preaches. There are no sermons in stones. It is easier to get spark out of a stone than a moral," says Rana. ■

On A Sticky Wicket

By ABJIT SHARMA



The chilling winter in Delhi is giving way to warmer days. With fogs stopping to appear in the air, the Indian capital is gradually returning to the normal it has long been associated with. Although political temperatures around the 7 Race Course have not soared yet, with major parties engaged in the hot state battles in the key cow belts, the unceremonious fall of the national cricket team has sparked off a heated debate over the fate of the country's most popular game.

Some of the members of the Team India that rose to the top of all forms of international cricket – Test, One-Day and the Twenty20 – over the past few years came from Delhi. The swashbuckling opener duo Virender Sehwag and Gautam Gambhir and the stylish middle order willow man, Virat Kohli, made the Delhites proud of their contribution to the national squad. But two successive series whitewash has forced them to have a second thought not only about their boys but about the entire team which has now become a butt of joke and ridicule.

Commenting on the Indian cricket team's recent form, legendary cricketer Imran Khan recently said, "All I can say is they have played consistently. To lose 8 matches in a row is great consistency!"



Former Pakistani Cricketer Imran Khan (Left) Indian Cricketer Virender Sehwag

Such digs have become common for the Indian team now, thanks to their dismal performance in Australia and, earlier, in England. Social networking sites have seen rampant jokes on the team and bloggers and veterans alike have blasted their poor performance.

"It would be better if the whole team stayed back in Australia rather than come back to India with a shameful face" writes an angry blogger. "When the Indian team is playing, it's not about winning or losing. It's about with what margin the team loses" says another. Referring to the World Cup win last year, another blogger writes, "Our team seems to be in so much of shock after last year's win that they seem to have forgotten to play cricket!"

Team India's tour of England last year resulted in the tourist team suffering a humiliating 0-4 series whitewash. The team, which was top-ranked in Test cricket then, was soon dislodged from the top. This was followed by another humiliating 0-4 whitewash Down Under.

"They look like a bunch of school boys playing rather than a professional team. They were completely outplayed in England and it was no different in Australia", says cricketing legend Sunil Gavaskar.

The team's debacle has been attributed to a number of factors. Firstly, the cash-ridden IPL has faced the maximum brunt. Cricketing legends and traditionalists have claimed that players now tend to focus more on the IPL and have given lesser importance to the national duty. Says one blogger, "The Indian team seems to be completely lacking the energy and enthusiasm when playing. They don't seem to be bothered with their losses at all". Another adds, "These players will play

only for money. The nation's pride and love for the game don't motivate them anymore".

However, former Indian skipper Dilip Vengsarkar defends the charges against IPL. He blames the BCCI and its faulty planning for the dismal show. "There is no point playing all four Tests at a stretch. There is not sufficient practice for the players" says the veteran middle order bat. Two other former cricketers Chandu Borde and Bapu Nadkarni agree with Vengsarkar. "The IPL is not to be blamed. The players have refused to learn from their mistakes which are the main reason for their failure" says Borde. The selectors have also faced the heat for reportedly selecting injured players.

Not that the young players have fetched very well but fingers have been pointed towards the big wigs of the team who have failed miserably in both the tours. Rahul Dravid was the only player among the seniors to score a century in England while the upcoming Virat Kohli gave the sole

consolation century in Australia could accomplish the feat in Australia.

During the Australia tour even Dravid, famously called 'The wall' for his reliable

innings, put up a poor performance with a total of 194 runs at an average of 24.25. VVS Laxman and Sehwag's bats have also failed to do the talking. Laxman could manage only 155 runs out of 8 innings with an average of 19.37. The biggest disappointment has been Sachin Tendulkar. The 'master blaster' who is one century short of his 100th ton, has failed to score even a single century in the last 10 months. Skipper Mahendra Singh Dhoni hasn't fared any better. Dhoni, credited for India's one-day World Cup win last year and earlier the 20Twenty world cup has been slammed for taking poor decisions, failing to motivate the team and for raising own performance. His announcement to retire midway through the Perth Test in Australia attracted sharp criticisms as well. "The timing of the announcement was very wrong. This can lead the squad to fall apart" said former skipper for India, Kapil Dev.

Chief selector K. Srikanth sees the debacles in England and Australia as the team's collective failure "It was more a failure of batting, fielding and captaincy. It is not the fault of just a single person or a single department" he says.

As the tri-nation ODI series, also involving Sri Lanka, gets underway, the Team India needs to sort out whatever necessary to get up from the rock-bottom they have hit. The Indian team seriously needs to Buckle Up! Only then can they expect to revive the past glory in the country's most important representative gallery — the parliament in Delhi. The 542-member body once used to stop its regular proceedings and stand united to offer standing ovation to the Team over its performance whether at the nearby Ferozeshah Kotla pitch or elsewhere. As of now, however, the Team India is on a sticky wicket. ■

ORPHAN OF VICTIMS OF CONFLICT

Learning Music

By A CORRESPONDENT

The remnants of the decade long conflict still remain in one form or the other. Although Nepal is still in the midst of the peace process, the story of those that lost their lives has not become ancient history because their families continue to suffer a terrible mental trauma.

It is the duty of a civilized nation to make sure that widows, orphans and other closest relatives of the victims are treated well in the society.

However, the tragedy of Nepal is that as soon as the Maoist insurgency ended, Nepal has had a series of governments coming in and going out. No government has had time to mull



over the imperative to begin a psychological healing process for the little orphans who at times witnessed first-hand brutal killing of their parents either in the hands of the Maoists or the state security forces.

SAF-Nepal ever since 2010 started giving scholarships for 20 orphans to receive music training at the Naad Music School run by well known musician Sarita Mishra. These orphans all of whom are children of victims of Nepal's conflict (1996-2006) although coming from differing backgrounds sit together everyday and get training in violin, sitar and tabla. They are already quite trained in these instruments and even ready to stage a concert in Kathmandu.

The SAF founded by UNESCO Goodwill Ambassador Madanjeet Singh has given scholarships in various disciplines for South Asian students to study fine arts, journalism, and international relations at various UNESCO Madanjeet Singh Institutions of Excellence such as the BNU, Lahore and ACJ, Chennai.

Through the medium of young people, these scholarships have promoted regional cooperation in South Asia. According to SAF-Nepal Chairperson Nishchal N. Pandey who is a well known academic, "some financial assistance was given to the Naad Music School so that these little children could get on in their lives and forget the terrible past."

Ambassador Singh is author of many classics including the *Himalayan Art* which was one of the first illustrated books depicting the artifacts of Nepal. This book immensely helped in promoting Nepal's unique cultural heritage while we were still at the nascent stage of attracting tourists in the country in the 60s.

The Naad School running in a small house in Gaurighat area of Kathmandu is also having about 60 regular students who get training in additional music instruments such as the flute and guitar. ■

ABSENTEE VOTERS

French Experience

By JEANNE MARTIN

Nepal may hold elections after May 28. That is what the Supreme Court decree says. In that scenario, will the roughly ten percent of Nepal's citizens who live abroad be able to exercise their democratic rights? Being a first time French voter, I want to relate this question to my own experience.

In France, voting is not compulsory. But if you believe that it is your duty as a citizen, you must register yourself on the electoral list before the end of the previous year. The only time when you're in it automatically is when you just turned 18. This is a way to make sure the new generation is part of the process too.

Over 2.3 million French live abroad and have, as any other French civilians, the right to take part in the presidential elections. Starting 2012, they also have to nominate a representative for the French in their country of residence. I am a French citizen, but I live in Brussels, Belgium's capital. I am therefore on Brussels Consulate's electoral list. This means that, in theory, I should be present in Brussels to vote. But what if I am unable to present myself physically? In fact, this year I will be in Australia during the elections. And to make things worse, here I am in Kathmandu from early November. *Ke garne?*

Fortunately, France offers many solutions to my problems. One of them is the possibility to vote by proxy, i.e. giving someone the power to vote for you. Trusting him enough to confide in him who your candidate of choice is and being sure that this candidate does not mysteriously change name on D-day. To do that, I had to go to the French Embassy, situated in Lazimpat.

Unfortunately, this five minutes' expedition turned into a five days' one. Let me explain. The first time, a Nepalese friend and I (it always feels good to blame someone else!) got completely lost and arrived too late. The second time, the offices were closed because of holidays. After that, I forgot to take a copy of my visa. Subsequently, I failed to remember that the embassy was closed on Wednesdays. At last, on the fifth time, I finally could fill the form and enable my dear father to vote for me. But if by any turn of events, I happened to be in Brussels during the elections, I can still vote by myself - except if he shows up before I do, of course.

So what about Nepal? Over 3 million Nepalis live out of their country - which is even more than the number of French expats - and do not have the right to vote. Should living abroad prevent you from taking part in the political life of your own country? It is all the remittances sent by these hard working Nepalis abroad that is keeping this country's economy afloat. Should they not have the right to decide what kind of politicians will decide on the fate of the money they send home?

Article 21 of the Universal Declaration of Human Rights states that everyone has "the right to take part in the government of his/her country, directly or through freely chosen representatives." To vote is a right. And because it is a right, you should be able to exercise it. Consequently, preventing Nepalese expats to vote is preventing them to exercise their right. But how could Nepal do so? What regimes and institutions need to be in place, in missions and embassies abroad? What would be the rules and regulations to allow that to happen? Is there time for it? And even if all of this is done, how much budget must be allocated for the purpose? These are questions I have asked my Nepali friends but have not found an answer.

Martin is an intern from Belgium

Chance Sundance!

By SHRADHA GYAWALI



It's that time again here in glorious Utah- the Sundance time. The Sundance flags can be seen lining the streets of Downtown Salt Lake City. If you are spending your first winter in Utah or are planning to visit this lovely state sometime in the future, it's time to be enlightened on the largest and the most prestigious film festival in the United States. Sundance is not only a film festival but a culture in Utah.

In 1981, Robert Redford began a mission to foster a new kind of environment in the mountains of Park City, Utah. You would probably recognize Redford from his film "Butch Cassidy and the Sundance Kid." However, he is also known for his directing, producing, involvement in independent films and environmentalism.

After purchasing a large sum of land northeast of Provo, Utah, Redford gathered a small group of friends and colleagues, invited filmmakers, artists, writers and directors and from there began to build what we now know as the Sundance Film Festival.

The artists that were invited each year were encouraged to take creative risks and to stay true to their own unique visions. Redford felt that by removing these aspiring artists from the pressure of marketplace in the city, he could encourage a new and less restricting way of making films and advancing in the industry.

Sundance Film Festival has grown from its humble beginning into one of America's most renowned film festivals. According to Utah.com, the number one event to experience in Utah is, in fact, the festival. So grab your camera, put on your most stylish winter boots and let's Sundance.

Sundance was once a humble Utah festival; however, it has far outgrown that title. Because of the large number of people flowing in from around the world and the big name stars that have been showing up in the independent films present at the festival, locals can often get pushed aside in the Sundance frenzy.

This is my second year in Utah and I haven't had a chance to experience Sundance. I would like to go but I have never been too sure about ticket pricing or how to deal with the long lines. This is the cry of many throughout the valley. Pricing and crowds have always been a hindrance for their own experience. But fear not, this year there are a lot of exciting deals available which will help you finally break out, and into the Sundance world.

The Top Test

By ADITIARYAL



As students, most of us are oblivious to the fact that there is also some mettle beyond making and cramming notes. The evidence pervades almost daily in our attitudes, showing up in our expressions clearly, how well we know our lessons, and further, in our expectations of getting good grades. This then makes us dream of our enrolment in best colleges which ultimately would lead us to immensely satisfying jobs. As easy and luring this may sound, this does in fact happen only in utopia. In real life, there is a long way to go despite good grades.

Talking about all rich and successful people, not all were good scorers. Stories of renowned scientists being stupid at school and novelists never having attended one have always been told from a long time to mock the toppers and encourage the average minded. Sparing inventors and writers, also some businesspeople have made it from rags to riches with amusing creativity but negligible schooling, and this again has been highly inspiring for other aspiring entrepreneurs not very highly capable of acing all tests.

There are students willing to lose even a couple of years after completing their high school. In the meantime, they try to prepare for the college entrance tests in a way as if nothing else matters to them. And after putting such a ridiculous amount of time into that, they do manage to get into the choice college. However, entrance tests like this should not be entertained because then humans become like horses. We don't rule over other inhabitants of the planets to be like them. Here we bother running behind grades and overrule the life skills, simply because the bridle does not permit us.

To make it very simple, everything does not come with good grades. Moreover, there's more to life than academic excellence. Having the best grades does not guarantee one the skills required to be successful. One may be very well equipped virtually with the theory of what fits where but translating it from paper to practice could be a tough challenge. Not all with excellent mark sheets make the best of managers in life. A strong personality and assertiveness, along with so many other practical skills, make one. Therefore, making notes on how to become a successful manager by referring to various sources like in school or college would not help. This is a life examination, not paper based test where dumping all last minute muggings from memory could help.

We students along with our parents love to tell others of our tales of academic achievements, line in line with them and their children. From the sound of the conversation the nation has always been full of an intelligent squad of people, nonetheless, missing in action since the last time anybody can remember. Or the other way round, being a topper all your life does not guarantee you do so in life. This brings us back to square one, from where we recommence to think whether being a topper does really make one necessarily efficacious. Had it been so, we probably would have had a constitution readily drafted as of yet, I suppose?

Like the famous online motivator Ralph Marston puts it, 'Excellence is not a skill, but an attitude.' As we go on outdoing everybody academically, we need to ask ourselves if we have accumulated all the life skills we need to run a happy and successful career. If not, it is time we open up and look past those books. It is time to play the real game, and let challenges right through us. ■

GRAVITY ROPEWAY

A Way To Hope

Based on a simple technology, the gravity ropeway has brought about a major transformation in rural areas

By A CORRESPONDENT

Kusum Kala Silwal, 38, a resident from across the Tila River in ward no 3 of Gela VDC of remote Kalikot, has a reason to rejoice as the construction of a Tow-In has eased and even saved her life.

"I am so lucky to be alive. All thanks to the *tuin*, I crossed the river in just three minutes and reached the health post in time," said Silwal.

Access for Opportunities, Nepal, Project with the objective to improve the socio-economic situation of 8000 marginalised households in Achham, Kalikot, Tanahu and Gorkha districts of Nepal.

During its five-year implementation period, the project designed and delivered 15 gravity goods ropeways and 18 improved *tuins* to enhance peoples'

mobility and access to other essential services. Along with installing the ropeway, the project also helped to develop the capacity of local communities who were then mobilized to



Thanks to Gravity Ropeway, Raj Kumar Gurung, 40, Baralung of Chimkeshwori of Tanahu district, changed his mind about returning to Dubai for work. While he was home enjoying his holiday, Rajkumar learned about the training sessions on vegetables production organised by the Access Project.

"The reason I managed to make good profit is due to the ropeway installed in our village which transports our production to the highway leading to Mugling Market of Chitwan district," said Gurung. Because of ropeway, farmers in Chimkeshwori are saving 50 to 70 percent of their transportation cost compared to the past and their products are transported to the highway within 2 to 3 minutes.

In 2007, Practical Action launched the

install improved *tuins* and ropeways.

Practical Action's experiences demonstrate that the complementary transport such as the ropeways and *tuins* are the most appropriate technologies for Nepal to satisfy the rural people's immediate access needs.

The project also organized various capacity building activities like exposure visits, training on post harvest value addition and on and off seasonal vegetable production and micro irrigation facilities such as the health posts, schools, agriculture centers and market centers.

It is co-funded by the European Union (750,000 Euro – 59.56 percent of total project budget), Jose Entrecanales Ibarra Foundation Spain, Rotary Club of St. Helen, the UK Trust and Foundation,

and George and Margaret Taylor and implemented by the local partners, Center for Community Development Gurkha, NGO Network in Tanahu, Social Empowerment and building Accessibility Center in Achham and Karnali Integrated Rural Development and Research Center in Kalikot.

"Delegation of the European Union in Nepal is happy to be a part of the project. Successful implementation of the project helped to uplift the livelihood of the rural people of Nepal," Lius Navarro, Head of Cooperation, Delegation of the European Union to Nepal, said.

Under the aegis of Practical Action, a final sharing workshop of Access for Opportunities Project has recently concluded. Addressing the program, chief guest Shital Babu Regmi, secretary at Ministry of Local Development, hailed the project as the most appropriate for a country like Nepal. "We need to expand these ropeways throughout the country. After listening about the program, I realised that Nepal needs to implement more such ropeways in various remote parts of the country," said Regmi.

With investments of limited amounts of money, four districts have already shown how life can drastically transform through the use of ropeways.

"I am proud that after installation of the gravity goods ropeways and *tuins*, we are able to improve the transport service, enhance people's mobility and access to essential services such as health, education and water. It also helps local people to increase the interactions with the external communities and markets and diversifying income generation activities through improved production, processing and marketing off farm products," said Achyut Luitel, country director. The five projects designed and delivered 15 gravity goods ropeways and 18 improved *tuins* (cable river crossing)."

Practical Action's experiences have shown that gravity ropeways can transform the livelihoods of the people living in rural parts of Nepal. This is a cost effective as well as affordable technology. ■

Bill Made To Establish The Higher Education Act 2067

The Higher Education Bill had already been presented in the Legislative Assembly in 2067 BS. Due to various reasons the Bill was not discussed in the Legislative Assembly. The bill has great importance as it aims to unify all rules relating to higher education. When this Act is established it will effectively replace ten acts related to universities, placing them and any other university to be opened in the future under this Act.

The justification behind the creation of the bill is stated in the preamble as "in order to...amend and unify prevalent laws related to higher education so that opportunities for higher education and research through various different higher educational institutions may be created in a manner which develops the quality of higher education on the basis of competition making the country's educational and academic sectors more healthier, honorable, and effective and to help in the regulation and management of the establishment of the higher educational institutions, their operation and management..."

With this in the background, if an umbrella act is to be created, it might be best to let those universities and institutions already created by the Acts established by the Legislature as they are, and only include new universities under the umbrella act. When the umbrella act is enacted and weaknesses removed if it is seen that the Act is capable those universities already established by the current Act could also be brought under this. This will help in reducing large scale negative impacts in the currently running system as well as manage to incorporate those areas pointed out by the new umbrella act, ie it will not prevent recognized universities, open universities, private universities, academies and other universities from opening.

Some thoughtworthy aspects and provisions in the bill

Universities can be established either through Acts established by the Legislative or through umbrella acts. If the legislative so wants and decides it could establish specific types of universities through separate acts. Even when establishing umbrella acts it is

important that separate umbrella acts be made for state, community, non-government, affiliated and open universities. As universities are different in nature they should not all be put in one basket.

Universities have their own specialities. Can Dang's Sanskrit University and Chitwan's Agriculture and Forestry University be categorized as being of the same nature? Would it be appropriate to judge the country's oldest varsity Tribhuvan University and Kathmandu University? Should the eastern, mid western, far western and the Lumbini University be put in the same section? And yet these are only universities that have already been established.

Till date there are already ten universities that have been established and four more are on the pipeline. However at present there are clear provisions regarding the ownership of the university and what process with which to accept such ownership. It is not appropriate that offices of the Chancellor or vice-chancellor of universities be reserved for high level government posts such as that of the President, Prime Minister or even the Education Minister. The Chancellor of the University should be a respectable senior that society recognizes and accepts with the capability to develop the university in all aspects, including financially. At present there is no individual to take ownership of the law. The Act currently being made is essential precisely because of the poor situation of higher education. Independence without responsibility increases malpractices of free will. How will there be accountability with the present culture and practice of dividing seats politically? This bill has shifted the [decision making] rights from the legislature to the executive, which is not appropriate.

Article 22 of the bill has made provisions relating to the establishment of the university. It says that except for giving affiliation to campuses, established universities have all other rights while open universities must remain within this Act and have the right to conduct [affiliation accredited] classes through various campuses. It also

states that except for the right to affiliate themselves with private sector campuses and establish partial campuses, academies have the right to operate classes until post graduate level in one subject. However it cannot be understood why academies have been prohibited from providing doctorate degrees.

It has been stated that public and community universities will have the right to establish complete or partial campuses, provide affiliation to private sector campuses, and determine equivalence. However there are also special provisions stating that campuses that conduct classes on subjects that are not in its course can be **banned from** getting affiliation. Article 22(3) states that campuses conducting classes not in its course shall be prohibited from getting affiliation, which is very negative. Although it looks appropriate it is not practical. It is therefore necessary to keep special conditions to make this provision open. Kathmandu University did not have a Department of Medicine but it had to take the responsibility of allowing three campuses to conduct classes in medicine. The success of the university and the responsibility it undertook must be taken into account. Creating laws that cannot give solutions to such difficult situations may create further problems in the future.

Definition 2 (i) defines "private university" as one which has more than 50 percent investment from the private sector. However nothing is mentioned about relation/affiliation to /of private universities. Are private universities allowed to give affiliation to other campuses? These are still unclear. It has also not been considered important enough to differentiate about accepted, open, academy level universities in Article 21.

Article 23 mentions about the infrastructure necessary to establish a university which is indicated by the Annex. There are no provisions in the Annex regarding what infrastructures are necessary to establish a university. Article 28(3) states "...the properties of the private university shall belong to the organization operating/managing the university". If the organization has been established by any private company the

shareholders of the company will have the right to claim ownership of the properties. However Article 28 (4) states that "before establishing a university as per sub-section (3) a three member board of trustees which does not partake of any profits earned and which looks after investments needed for the university and its operation should be formed. The procedures for the creation of the board of trustees, its rights and responsibilities shall be as mentioned." Here there are two contradictions – private universities and non profit taking. Secondly there is a provision stating that the constitution of the university must be presented as per Article 25 before establishing the university. In such a situation no harm will come if the bill itself determines the rights and responsibilities of the Board of Trustees and other related issues. Why should the Government of Nepal be making rules to manage this?

Article 3 of the bill states there shall be a higher education council to recommend to the GoN regarding "higher education policy making". Looking at its formation procedure it looks very centralized and a preparation to bring the academic sector within the grasps of the government machinery.

Article 64 actually hints that the higher education policy formulated with the participation of the President of the country might be different from the National Education Policy (NEP). It states that it is the university's responsibility to work as per the NEP. The GoN can direct the university to make necessary arrangements related to public interests, special issues and quality development. It is the responsibility of the university to follow the directions and make such necessary arrangements and inform the GoN. That there are will be two different agencies formulating the higher education policy makes it clear that there will be a confusion regarding which agency to follow.

This system is also weak technically. Article 3 (2) (3) provides for vice chancellors to be included as members. However article 3(3) of the Bill states that not all vice chancellors shall be members of the council. Article 4 states "If any nominated member does not fulfil their assigned responsibility the council may at any time remove the official from the

post." It is understood that a council will have a minimum of 20 members. How is it practically possible to remove one person from such a council?

It has already been stated in Article 3(1) that the council shall form the policies. However Article 5(P) states "If any university or any campus administration affiliated to any university acts in contradiction to this Act or to the rules made under this Act, or if it does not abide by the directions given by an official authorized by law to do so, the administration of such university or campus shall be dissolved and a new administration formed. Until such an administration is formed an ad-hoc committee shall be formed.

What is clear is that the council has taken the right to supervise all universities and campus administrations. In other words the council is a regulatory organization. If the council is to do this what is the Education Ministry going to do? Will not the council which aims to form the principle policy also not use its executive authority? Is this in line with the commission formed by the higher education bill? Article 6 states that the council shall meet at least twice a year. However no member of the council will be working full time. Is it appropriate for the council to take the responsibility of supervising upto campus level in such a situation? It is worth a thought.

In Article 62 the Bill states that a mandatory provision to provide scholarships be included. The Article also indicates that the scholarship be provided in an inclusionary manner. Such scholarships shall be distributed as per the process fixed by the Education Ministry. Although this system is not new it is the first time it is being included in the Act. It is commendable that something which is already in practice has now been given space in the Act. In paragraph 3 of the Bill there is a provision to form a "higher education commission". Looking at the structure of the commission it is not any different from any other government controlled commission. Article 9 states that an individual appointed by the GoN shall be the chairperson, member of the National Planning Commission who looks after education, a member, three individuals (including one woman) appointed by the GoN, secretary of the

Finance Ministry or a first class gazette officer of the same ministry appointed by the secretary, and a first class gazette officer from the education service as member secretary. What this shows is that the commission is nearly equal to that of a department within a ministry.

Until now universities are operated through Acts promulgated by the Legislature. A look at the Acts of any of the universities show that besides other matters the university has its freedom with regards to its professorships, finances, and administration. It can be said that universities do not have any independence at all. If the Higher Education Bill is to be promulgated the officials of the universities will have many different bosses in many different levels. If the regulatory body the council, commission, and education ministry is to start teaching about technical subjects such as medicine and engineering it will have to coordinate with all councils.

At the same time the country is heading towards federalism. It must be understood that the reason behind the demand for federalism is the resentment towards the centralized unitary governance system. Should local stakeholders define what sort of higher education policy is required in the provinces or will it be decided in the same old manner by the policy makers residing in Kathmandu? When the entire country wants a inclusionary participation in all development areas there is no doubt that this bill which is based on a centralized infrastructure will be criticized.

Stakeholders have time and again raised the issue of hinderances in the academic calendars and programs of universities and campuses due to party politics influence. Whenever leaders of political parties reach power they talk about depoliticizing the education sector. However Article 30 (j) states that in the senate of the chair of the teacher association and the chair of the free students union shall be appointed members, which goes to show that it is intended that politics be institutionalized within universities. This is not right from any angle.

Until and unless the new constitution of Nepal is promulgated this Act must not be passed. A bill which has been

Dal Bhat and other Diets

-By BUDDHA BASNYAT, MD



Obesity, once a problem confined to the Western world is clearly now a problem even of the impoverished countries of the East. Movies like "Slum Dog Millionaire" portray reed-thin kids running around the slums, but at the same time there are also adults truthfully portrayed by overweight policemen chasing these boys. Obesity has predisposed millions of people in South Asia to chronic diseases like cancer and diabetes with all its well-known complications. These complications may be heart attacks, kidney failure, loss of eyesight, and strokes. Clearly these are problems we can do without because we are still stuck with our infectious disease problems which do not look like they are going to go away any time soon. Hence even to prevent these non communicable illnesses, losing weight for overweight and obese people is a good idea. Below we discuss some ways of losing weight primarily by changing our diet in the Nepali context.

For overweight people losing even small amounts of weight and increasing physical activity can prevent plenty of medical complications. Overweight is defined as a body mass index (BMI = kg/m²) of 25 to 30 and obesity is defined

as BMI of 30 or more. Thankfully Nepal does not have too many obese people; but we together with the rest of South Asia are sure set to be an overweight nation. Forget about having rippling, abdominal muscles. Just keep your weight in the normal range. Unfortunately once the weight is gained, losing it is a difficult proposition.

Patients on a diet generally lose

The Atkins diet which lets you eat fat and protein to your heart's content with very low carbohydrate is probably impractical in Nepal because of the lack of variety of meat and fish.

about 5% of their body weight over the first 6 months, but by 12 to 24 months they are back to "mangal man" (square one). The long term ineffectiveness of weight reduction diets may be due to compensatory changes in energy expenditure that oppose the maintenance of a lower body weight as well as genetic and environmental factors. Here are some common diets used for weight loss.

The Atkins diet which lets you eat fat and protein to your heart's content with very low carbohydrate is probably impractical in Nepal because of the lack

of variety of meat and fish. The LEARN (Lifestyle, Exercise, Attitude, Relationships and Nutrition) diet is based on intensive lifestyle modification and may be too "idealistic" for many but very beneficial if you can bring about these changes in your life. The Zone diet comprises of 40% carbohydrate and 30% each protein and fat.

My favourite however is the Dal Bhat diet also known as the Ornish diet after Dr Dean Ornish, a professor of medicine from the University of California San Francisco. However I think even the good doctor would be stunned at seeing the mountain of rice that many housewives consume here twice a day with a minimal exercise plan. Of course Nepali men also eat similarly, but they may have the advantage of being less sedentary. Probably the only group of people in Nepal that can efficiently deal with this vast amount of rice-eating are porters along the Himalayan trails. The Ornish diet is vegetarian based and fat restricted. A modification of the Ornish diet with controlled rice consumption but plentiful dal and vegetables with a tasty aachar to boot may be a very suitable and practical option for the Nepali palate. ■

brought about without necessary discussions with stakeholders is an autocratic bill. The agency responsible for forming the service commission is under government control. The Council is not necessary at all. The Commission must be named as a Grants Commission to make it powerful and independent. Universities must be allowed to operate as both regular and open. It is not practical to merge two universities. Issuing an umbrella act is contradictory to the principle perspective of making universities independent by making the the Education Grants Commission independent and authorized.

If the umbrella act is to be brought in

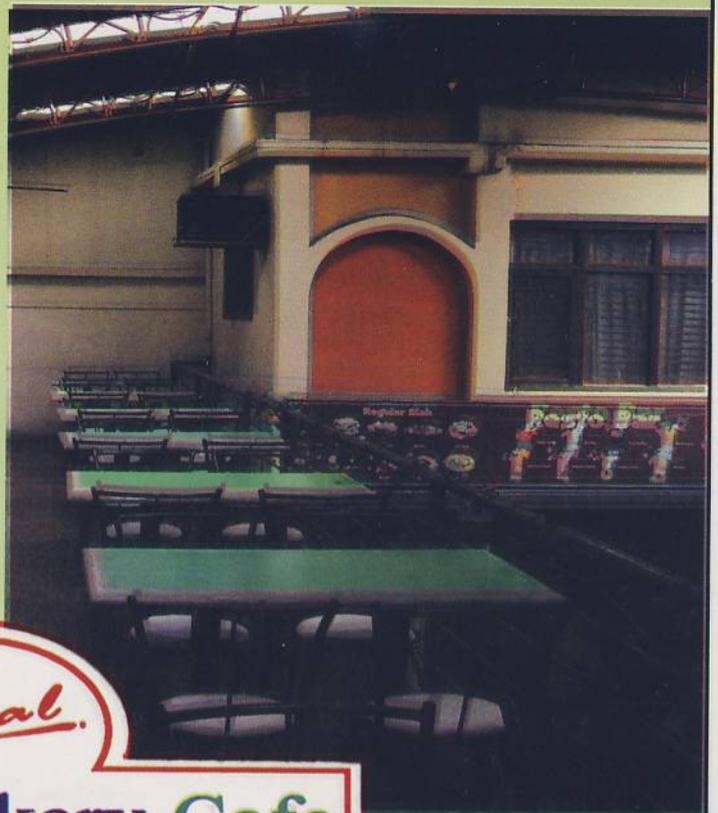
to the Legislative the reason and basis to change the current higher education system must also be justified. There are many stakeholders in the radical changes that have been brought about in higher education. However there is no saying if the concerned stakeholders have been adequately informed about this. This will not only affect the current generation but also the ones to come in the future. Therefore even if an umbrella act as envisioned in the proposed bill, is to be brought in, it must not be done hastily and must be analyzed through different angles.

This investigation and recommendation was prepared by senior advocate Radheshyam Adhikari for the

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Have a taste of Opportunity!



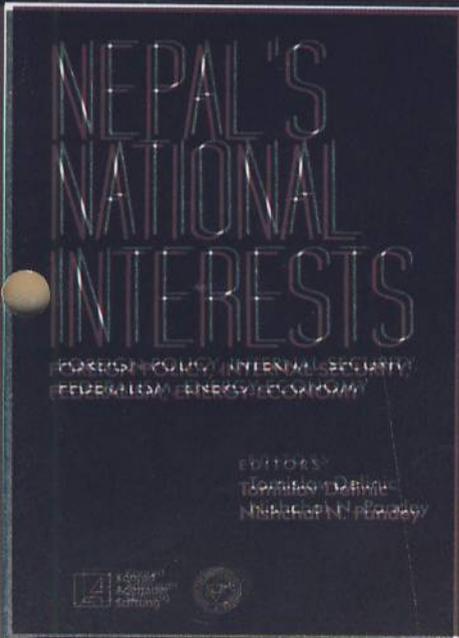
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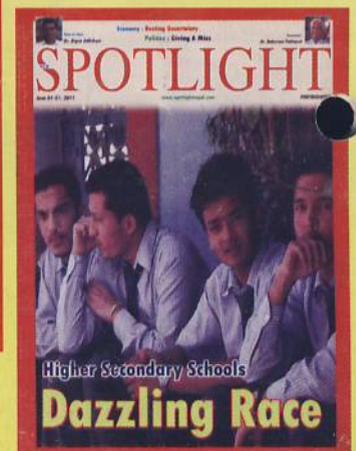
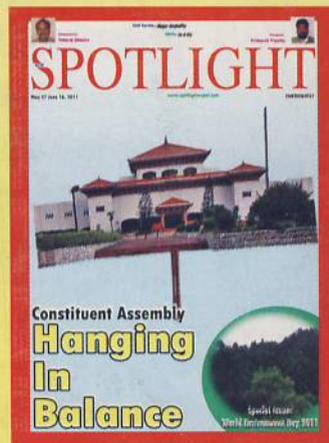
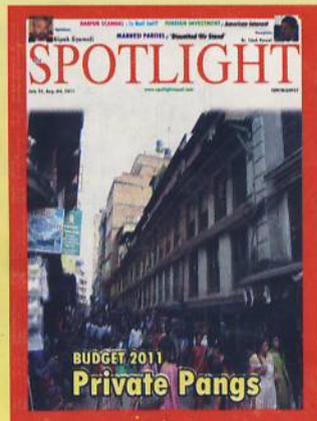
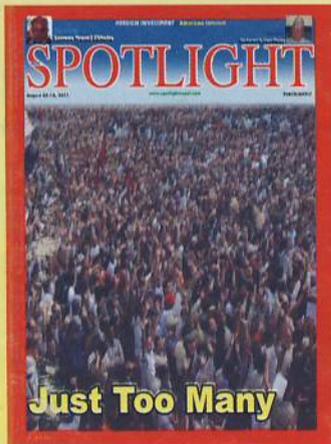
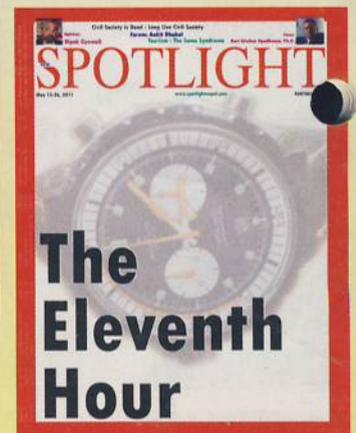
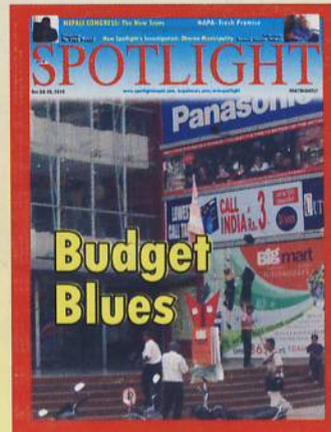
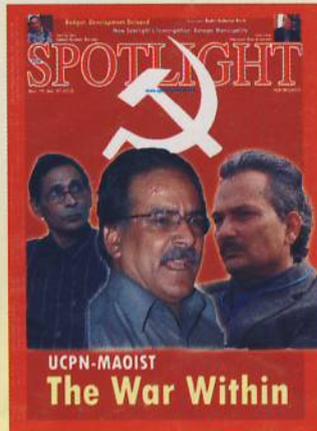
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