

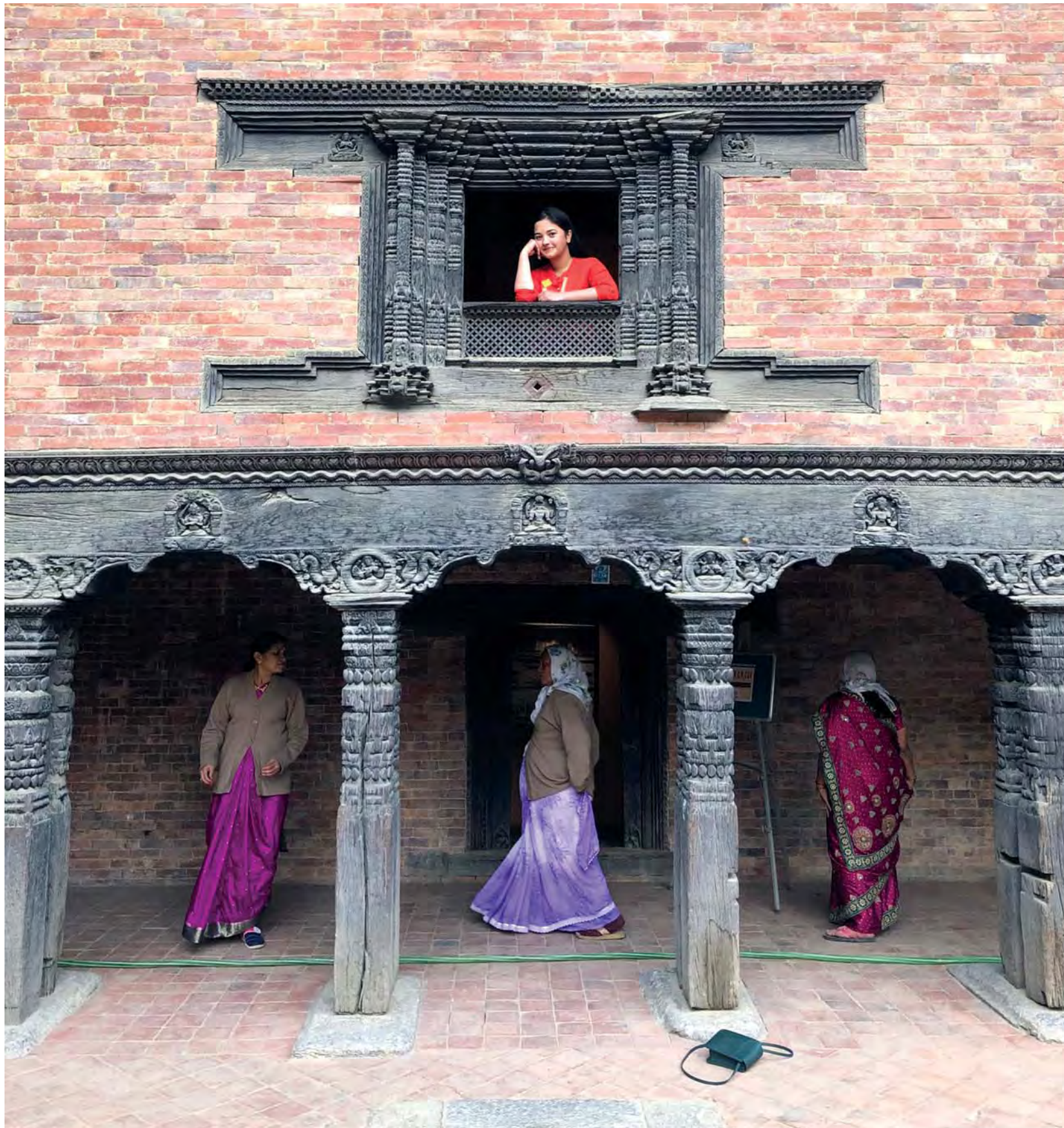
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HANS HOFER

## Our past is our future

Communities in Kathmandu Valley's historic towns have revived age-old traditions and craftsmanship to rebuild after every earthquake in the past. The disasters provided the opportunity to revitalise ancient art, architecture,

traditional techniques for wood carving and metal work. Nearly four years after the 2015 earthquake monuments like the Patan Museum (above) are examples of Kathmandu Valley's living heritage that attract pilgrims and tourists. 🇳🇵



**4 YEARS**  
25 APRIL 2015

FULL COVERAGE PAGE 14-15



## Every journey is a new chapter

Rising from the turquoise waters of the Tyrrhenian Sea, the seven islands of the Aeolian archipelago will inspire stories of its raw, natural beauty. Paddle into mysterious coves, climb a smouldering volcano, or discover the foundations of ancient Bronze Age settlements.

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# CLIMATE DAMAGE

Climate change is global, it does not respect national boundaries. Neither should its solution. The only way we can save the biosphere from anthropogenic carbon build-up is to reduce our use of fossil fuels. There is no other way.

The latest report from the UN's Intergovernmental Panel on Climate Change (IPCC) and the findings presented at the Climate Summit in Katowice late last year show that warming trends are much worse than we thought. The effect is already seen in the last few years which have been the hottest since records started being kept.

As Ajaya Dixit writes in his *Nepali Times* column this week (*page 8*), last week we saw a 100°C difference between the temperatures in parts of Minnesota and Australia. Then unprecedented floods hit Townsville in Queensland. The polar vortex has frozen North America, while above the Arctic Circle it is unseasonably warm.

Here in Kathmandu this week, the International Centre for Integrated Mountain Development (ICIMOD) released its long-awaited assessment which shows that the Himalayan mountains are melting faster

to do about it in? *Nepali Times* also talked this week with Gebru Jember Endalew, who has just stepped down as chair of the Least Developed Countries Group in the UN climate change negotiation process (*page 7*) who is in Kathmandu for a consultative workshop of the Asia-Pacific region.

Endalew argues that least-developed, landlocked mountainous countries like Nepal should move on from seeking funds for climate change adaptation, and launch national strategies to build up carbon stock and reduce dependence on fossil fuels.

Indeed, what Nepal does or does not do is not going to save the planet. With an annual carbon footprint of 0.12 tons per capita (Qatar's footprint is 40 tons) Nepal's contribution is minimal compared to the gas guzzlers. However, Nepal's petroleum demand is the fastest growing in the region, and has more than doubled in the last two years, increasing our trade imbalance with India. Nepal spent Rs90 billion last year in importing petrol, diesel and gas, widening the country's already yawning trade deficit.

The argument that since we did not create the climate crisis, we should just try to adapt does not hold anymore. Another recent report, *State of Climate Action in Nepal* says that Nepal also needs to take mitigation action, not only because it will help save our mountains from melting but, much more importantly, to save the country's fossil-based economy from collapse.



**Climate change is just the latest crisis to hit Nepal, and it makes all our existing problems worse.**

than anyone expected, Altitude Dependent Warming and deposition of pollution particles are amplifying the thaw. (*See page 8-9*)

An analysis of the assessment and interview with ICIMOD's David Molden indicate that even a 36% ice loss during the rest of this century will have serious consequences for 1.6 billion people living downstream from the Himalaya. And that is just the best-case scenario, in all probability carbon reduction targets to keep warming within 1.5°C will not be met, meaning that two-thirds of the glaciers will be gone by 2100. Another recent report is even more apocalyptic: 90% of the glaciers below Mt Everest will vanish during this century.

Now that we know things are much worse than we thought, what are we going

Nepal's long-suffering people have lived through poor governance, instability, under-development, poverty and inequality for generations. We have survived droughts, floods and landslides. Adaptation is not a new word for us. And climate change is just the latest crisis to hit Nepal, making all our existing problems worse. It crowds out the other crises we face because it is treated as a stand-alone problem.

As Endelew eloquently argues, we need to move beyond the victim narrative in international negotiations and stop blaming historical emissions. As resurgent landlocked countries like Ethiopia and Rwanda have proven, in the final analysis it all boils down to national leadership, and the political will to clean up our own act first.

## 10 YEARS AGO THIS WEEK

The Editorial in issue #437 of 6-12 February 2009 is so prescient in the context of next month's Nepal Investment Summit we present the following extract from it:

*In his address to the nation last week, Prime Minister Pushpa Kamal Dahal bemoaned that frequent strikes were scaring away investors. He said the tendency of Nepalis to hit the streets at the slightest pretext needed to be stopped once and for all. But what is Prime Minister Dahal going to do about it? He must know it is goons from his own party who are undermining his efforts to woo investors. The head of the Maoist student wing publicly threatened last week to "break the backbones" of anyone daring to oppose his union. Since they have done it before, nobody doubts their ability to carry out the threat.*

*Union militancy has now become the single biggest worry of the private sector. Many entrepreneurs have bought peace at prices that nobody knows about. It is of no concern to the union mafia that these institutions already pay much higher wages than the minimum fixed by the government. But then it is not really about wages, is it? It is about control and extortion.*



## ONLINE PACKAGES



### HERITAGE LIVE

Be a part of the reconstruction of Patan Durbar Square's temples and monuments after the 2015 earthquake. Discover how woodcarvers, metal craft artists, masons and architects are all hard at work to revive the traditional temples and heritage. *Story: page 14-15.*



### CLIMATE TALK

David Molden, head of the International Centre for Integrated Mountain Development (ICIMOD) is interviewed on Nepali Times Studio about the Centre's new Himalayan Assessment released last week which says that our mountains are warming faster than the global average. *Story: page 8-9.*

### WINTER TREKKING

It is one thing to go on a winter trek on the Annapurna Base Camp and quite another to set out to cross high exposed passes over 5,000m ('The ABCs of winter trek in Nepal', Monika Deupala, #945). Take great care people die every year through taking far too casual approach to high altitude trekking in the Himalaya in the winter.

Robin Marston

■ This is indeed great news for tourists as well as the local people too.

Pravin Sharma

### FAKE RESCUES

Apparently not cracking down enough by the government ('Nepal trekking industry in damage control mode', Sharad Ojha, #945). Time to clean up the industry and charge the cheaters.

Giancarlo Cattaneo

■ In a textbook tactic of deflection and redirection, the Ministry of Culture, Tourism and Civil Aviation have tried to take the focus away from the companies accused of fraud against insurers and instead focus their investigation on Traveller Assist. While we welcome any investigation into our company, we question the motives of a government trying to tarnish the reputation of a trusted assistance company. The fact that the government of Nepal has accused me of being on a one-man-crusade to tarnish the reputation of Nepal is laughable...I want to make Nepal a safer place for travellers and less risky for insurers.

Danny Kaine

### THE KARNALI

I hope hydroelectric projects on Karnali never happen. ('The Karnali', Ramesh Bhushal, #942). It will be environmentally devastating, plus the plan relies on selling surplus power to India which doesn't really need it. Let our rivers flow free.

Steve Lockett

### RIP JOHN

Very good detailed write up, it gives us a detailed glimpse of John Edward's character ('John R Edwards, 72', Lisa Choegyal, #945). We all miss him a lot.

Deepak Chettri

## WHAT'S TRENDING



### The ABCs of a winter trek in Nepal

by Monika Deupala

Trekking now does not have to be limited to spring and autumn anymore. Winter trekking is catching up and is now possible because of new roads, guesthouses and facilities. Go online for the photo story of a recent snowy trek to Annapurna Base Camp.

Most reached and shared on Facebook

Most popular on Twitter

### Nepal trekking industry in damage control mode

by Sharad Ojha

After negative international media coverage about insurance fraud in the trekking industry, the Tourism Ministry is cracking down on perpetrators, bringing down the number of helicopter rescues. Most readers demand that the government should charge the guilty. Visit nepalitimes.com and join the on-going debate.

Most visited online page

Most commented

## QUOTE TWEETS

**Nepali Times @nepalitimes**  
The hiking season in the Himalaya is no longer restricted to spring and autumn, and it's not because of global warming. Winter trekking is catching up. Join @MDeupala on a trek to Annapurna Base Camp. #Nepal #Himalayas #winter #trekking #mountains

**pigreen @pigreen1**  
As the tourists become more diverse in terms of country of origin, there is potential for a massive expansion in heritage and environmental tourism, if only Nepali capital will invest in areas outside Kathmandu, Pokhara and Chitwan

**Andy Hall @Atomicalandy**  
Agreed, what a beautiful place Nepal is. But can existing chaotic infrastructure cope with increasing influx of tourists, especially as China limits access to Everest from Tibet side and with environmental destruction/exploitation/scams flourishing

**Nepali Times @nepalitimes**  
EDITORIAL By launching a heat-seeking missile aimed at no one in particular, Dahal may have been trying to re-establish his frayed Communist credentials. But the unnecessarily strong language was inappropriate, undiplomatic & counterproductive. #Venezuela

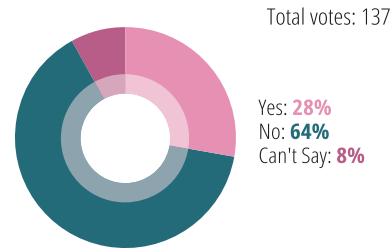
**Prasiddhi @Prasiddhi\_S**  
Undiplomatic and SHORT SIGHTED.

**Nepali Times @nepalitimes**  
The only aerial gateway of the country leaves a first and last impression of Nepal for visitors, and it is not pleasant. Kathmandu airport is not just inconvenient, it is a torture chamber. Read full story by Anil Chitrakar.

**Raghu Shrestha @raghu\_shrestha**  
The politicians and bureaucrats always go on foreign junkets. When they see foreign airports don't they wish @TIACAO2 was also like that and do something about it?

Weekly Internet Poll #946

Q. Is the constitutional crisis in Venezuela of any concern to Nepal?



Weekly Internet Poll #947  
To vote go to: [www.nepalitimes.com](http://www.nepalitimes.com)

Q. Has the 2015 earthquake helped revive the age-old traditional crafts in Kathmandu?



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# The end of history

Our text books and teachers are so boring, no one is enrolling to study Nepal’s diverse past

The news that no student went to enroll for graduate studies at the History Department of Tribhuvan University is disturbing. How can anyone not love history in a country so steeped in it? All those colourful characters, events, places, plots, wars, treaties, have inspired so much research and books.



1/2 FULL  
Anil Chitrakar

We have not even begun to scratch the surface of what we can turn our history into. Imagine a tele-serial movie with Jang Bahadur or Tripura Sundari as the main protagonists. How about an animated classic about Bhrikuti or Arniko and their expeditions and adventures to Tibet and China? Perhaps this is the problem: our history text books and teachers are boring, and the exams that rely on rote memorization rather than understanding the annals of the past are the last nails on the History Department’s coffin.

The future of the new airport at Lumbini depends on how well we know and tell the history of Gautam Buddha, his nativity site and the lore surrounding it. Janakpur is going to prosper as the home of Sita and the links to Ram and his birthplace across the border in Ayodhya.

Many of the newly created



753 local governments could become financially viable by reviving their historical sites, creating the needed infrastructure and services for visitors, and organising annual trips for schools and colleges. Without any students in the History Department where will we get the needed human capital for this work?

We are missing out even on Nepal’s recent political history. Who will now conduct research and tell the story of how the Kosi Barrage came to be, and why it was a folly. the story of Nepal’s early attempts at industrialisation with Biratnagar Jute Mill is worth

a museum. And across Nepal are ruins of The Gorkha Conquest and the Anglo-Nepal Wars that can be restored to serve as historical landmarks.

How many Nepalis are aware that Rana Mukteswar and Bhim Mukteswar in Kathmandu are where King Rana Bahadur Shah and Prime Minister Bhimsen Thapa died? Have you recently been to Hanuman Dhoka and noticed the state of the courtyard where the Kot massacre took place? Will we forget and loose these sites because no one wants to study history anymore?

In the absence of academic discourse, the narrative on social

media is swayed by emotion and identity. History as it is taught in high school text books is being challenged. What really happened in Kirtipur in 1767? How did Nepal negotiate the 1816 Sugauli Treaty? How did the Mallas come to power and how were the Kirats and Lichavis displaced? Is there a market for a ‘people’s history of Nepal’? Our history books today have no mention of the 1996-2006 conflict.

The time may be right to make the History Department attractive to students by combining it with other related subjects like tourism, art and craft, museums, research academies, planning

commissions. This will help make history learning the base from which students can branch out to more lucrative jobs. What can’t we teach Japanese and Korean history to those going to these countries for work?

Can we teach the history and language of the Gulf states as the new wave of more qualified Nepalis will begin to migrate to the region? We could even run special classes on the war history of Nepal and other parts of the world where Nepali peacekeepers will be assigned. Nepal Army could even pay the History Department for this service.

Identity politics is here to stay and the provinces and local governments will have to incorporate a new curriculum that includes the histories of the local people in addition to Nepal’s national narrative. This is a lot of work, and we will need to train teachers and print books. Much of this can happen on-line, which means there is a good future for learning and teaching history.

Ward 16 of Patan is organising an art and culture festival on 27-31 March where it hopes to promote the world heritage site, famous temples like the Hiranya Varna Mahavihar (Golden Temple) and the creations of the numerous artists who live and work here. They are looking for historians to help in this task. 🇳🇵

**Anil Chitrakar** is President of Siddharthinc

## Indo-French-American with Nepali twist



SIKUMARA

Originally from India, crafted with a French twist, made in the US, and served in Nepal. It is the award winning franchise restaurant Le Mirch, continuing to do what it does best here in Kathmandu.

This February, the fusion restaurant completes its second year in Nepal, and with it brings along more new dishes full of subtleties and surprises.

If you had never thought of eating chicken or paneer tikka for salad then let’s start the journey from here. The strong flavour of a tikka is accompanied by creamy avocados, green leaves and a touch of olive to make a healthy bite. Nothing here is too much or too little, not even the pieces of chicken or paneer. But if you still want Les Epinards, the classic salad of crunchy fried baby spinach, dates, almonds, yogurt,



chili and cilantro, it is yours too.

Next is the staple Nepali dish, the momo. Here, Le Mirch has decided to have fun with the dumplings by putting it inside the tandoor and coating it with bold malai or tikka spices. By the look of it, six pieces might seem more than enough, but they leave your taste buds craving for more.

Another local food that has made its way to this sophisticated menu is the Newa item chicken

chhoila with beaten rice. You might think they have twisted this one too, but no, it has the exact flavour of the cuisine, including that of the fresh mustard oil. Lunch set at Le Mirch starts at Rs375, including all taxes and a bottle of Coke.

If you are here for dinner, make space for the main course, of course. Pecan Crust Salmon, Rack O’lamb and Mirch Shank are the signature dishes, which have come all the way from the main restaurant in DC. The kitchen uses all Halal meat to not leave any guests disappointed. Also try Shrimp Mad-Rush, as Chef Ajay Pudasaini knows what he is doing to his seafood very well.

For all vegetarians out there, the extensive à la carte menu at Le Mirch also incorporates a whole page dedicated to dishes of chickpeas, okra, cauliflower, tofu, paneer, peas, greens, potatoes and many more to go with basmati rice, biryani, roti or naan. Here you will find most of the dishes integrated with fresh ingredients and herbs, especially curry leaves.

At Le Mirch, Chef Pudasaini combines the bold and exciting flavors of India, which he learnt during his time in Bombay, with the sophistication and elegant presentation that he perfected by learning from Michelin Star Chefs. The experience is accompanied by a collection of contemporary art and creative interior design of the restaurant to give guests a one-of-a-kind and wholesome experience. 🇳🇵

**Sikuma Rai**

Le Mirch  
11am-10pm, Labim Mall, Patan, (01) 5527437

prabhu BANK

BIZ BRIEFS

### The Journey

Filmmaker Ridley Scott has teamed up with Turkish Airlines to direct a six-minute cinematic film *The Journey* set in Istanbul, which was launched via Turkish Airlines’



YouTube channel. The short movie marks the opening of Istanbul Airport, the new center of aviation for global travelers with an annual capacity of 200 million passengers.

### Long range aircraft

Qatar Airways will be converting 10 of its 50 Airbus A321neo on order to the Airbus A321LR variant of the A320 family, to



connect Doha to new growing markets. The A321LR is able to fly longer routes of up to 7,400 km and can carry up to 244 passengers, offering each passenger the possibility to carry up to three bags.

### Aid for Nepali film

*The Whole Timers*, a film to be co-produced by Media Port has become the first Nepali feature film to receive the

CNC Production Aid (Aide aux cinémas du monde), on the basis of its script. Under the direction of Bibhusan Basnet and Pooja Gurung, the film will capture the final three years of the decade long civil war through the eyes of a young guerilla. For casting contact: 9849099430

### Oppo expansion

Oppo, the Chinese smartphone brand, has expanded its market and reached four new markets with launch of its premium and flagship products in the United Kingdom, Saudi Arabia, Turkey and Poland. Earlier,



it had opened a base for Middle East’s regional operations at Dubai, UAE, and has already been active in various European countries.

### Football support

Divine Wines signed a year-long official deal to sponsor Boys Union Club, an association football club, on Monday. The club will



now be known as Divine Boys Union Club throughout the specified duration, and the brand will be providing financial and emotional support.

prabhu BANK



# Supreme Court weighs in on Ncell tax dispute

Sharad Ojha

The Supreme Court's verdict on Wednesday requiring the Malaysian company Axiata and Ncell Nepal to pay billions capital gains tax on their purchase of Nepal's largest private telecom provider Ncell will end a controversy that has dragged on for three years, but is expected to further chill Nepal's foreign investment climate.

A full bench of the apex court headed by Chief Justice Cholendra Shumsher Rana decided after two days of hearings that Reynolds Holdings Ltd was a shell company and the real owner of Ncell was Axiata, and it was liable to pay the tax along with Ncell Nepal.

Justices Rana, Mira Khadka, Bishwambhar Prasad Shrestha, Ananda Mohan Bhattarai and Tanka Bahadur Moktan were deliberating on a public interest litigation writ filed by former secretary and advocate Dwarika Nath Dhungel and six others that Ncell Nepal and Axiata were responsible to pay capital gains tax when they bought the company from the Swedish-Finnish telecom company TeliaSonera in 2016.

When TeliaSonera sold Reynolds Holdings shares in Ncell to Axiata for over \$1 billion, Nepal's Large Tax-payers' Office had said Reynolds owed the government Rs35 billion in taxes and demanded it pay the amount and fines to a total of Rs61 billion.

Ncell Nepal refused to pay that full amount, and



transferred only Rs21 billion capital gains tax. After this, the writ was filed, and the Supreme Court on Wednesday also rejected a case filed by Ncell.

The case became controversial after two foreign investors traded ownership of a Nepal-based telecom company. Since TeliaSonera has already left Nepal, the Court found that the buyer is liable to pay capital gains tax if the seller did not.

Senior advocate Surendra Bhandari says that it is international practice that the seller has to pay capital gains tax on any sale of assets, but says the Supreme Court is right in assessing that the seller was allowed to leave the country without paying tax and to put the onus on the buyer.

Wednesday decision now sets a precedent for

the buyer to also be responsible for paying capital gains tax. Officials at the Internal Revenue Service say that although the country's treasury will benefit from the tax payment, there has been no investigation into why the seller was allowed to get away without paying taxes, and fears that the case will have negative repercussions on future investment.

Eighty percent of Ncell's ownership is with Reymonds Holding registered in the British Virgin Islands and 20% with Niraj Govinda Shrestha. Ncell's main promoter was Reynolds Holding through TeliaSonera's office in Norway.

According to Nepal's tax laws, TeliaSonera's sale of Ncell to Axiata had a capital gains tax liability of Rs35 billion. Axiata had written to the Internal Revenue Office before the sale if it was liable to pay capital gains tax in Nepal, but there was no reply from its director at the time, Chudamani Sharma.

After that the tax controversy got mired in politics, with various party leaders and former CIAA chief Lokman Singh Karki vying for underhand deals that would let the guilty go free. Says advocate Bhandari:

"The Supreme Court decision seems to be driven by the logic that any buyer should first inquire about the liabilities of the seller before any purchase."

However, other retired revenue officials say it is unfair to blame Axiata, and ask it to pay capital gains tax that should have been paid by TeliaSonera. He says the really guilty party here are the politicians who allowed TeliaSonera to leave without paying taxes, and this will dim Nepal's investment climate just before an Investment Summit planned for next month, and after Prime Minister KP Oli's visit to Davos with the message that Nepal was open for business.

The Surpeme Court verdict has also exposed a loophole in Nepal's tax laws that allows shell companies to get away without paying taxes. TeliaSonera had its dividends frozen in Nepal by the Large Tax-payers' Office, but the Supreme Court allowed the company to repatriate its profits.

According to the Nepal Leaks exposes by the Centre for Investigative Journalism and the International Consortium of Investigative Journalists, Ncell owners had used the company to launder money as foreign direct investment. Ajeya Raj Sumargi, a businessman close to the former Maoist party and Birendra Mahato of the Federal Socialist Forum Nepal and brother of billionaire overseas Nepali Upendra Mahato were implicated in documents leaked through the Panama Papers about tax havens.

The verdict this week opens the door for Nepal to tax FDI that is coming in from offshore tax havens. 🇳🇵

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In her recent article in this paper 'Gurkha Grandparents' (#944) Sikuma Rai movingly describes the plight of many elderly Nepalis now living in the UK, most of them ex-Gurkhas and their wives. The families get regular pension, heating allowances and rent support, free public transport, as well as access to the British National Health Service.



THE GADFLY  
David Seddon

But there are also costs, which include living away from their home country in a strange land among strangers, without the personal, social and cultural comforts of their villages. Many pine for Nepal, and some decide to return home. But women, particularly widows who speak little English, have few non-Nepali friends, and remain isolated in their homes in towns like in Salisbury or Aldershot. The weather does not help, and most remain house-bound or within a limited area of the city missing their children and grandchildren.

The Gurkha Welfare Trust runs advice centres which work closely with government bodies like the Royal British Legion to support army veterans. Numerous local charities unconnected with the army also help, as well as community services for older people, including mental health diagnosis, treatment and support, provided by the local council and by the health services.

But much of this is cold comfort to elderly Nepali men and women who have settled in Britain, and who would, ideally, flock back to Nepal to be with their families and friends -- if only they could be assured of more financial support, including better and less costly health care.

The elderly in Nepal have traditionally been able to count on



# Cold comfort

Ex-Gurkhas and their families would go back to Nepal if there was cheaper and better health care

family support. But, as more older people live longer the financial burden on families has increased. Nepal's average life span has increased from 35 for men and 37 for women in 1961, to 69 for men and 72 for women in 2014. By 2018, there were nearly 3 million people over 60 in Nepal. Family fragmentation has also resulted in physical separation between older grandparents and their children and grandchildren.

Consequently, even back in Nepal, more elderly men and women are living apart from their closest family members than ever before. Many are now suffering from the same problems as do those settled in the UK, but without pensions, allowances, and access to free medical services.

There are relatively few specialised institutions for support and care of the elderly in Nepal. The Gurkha Welfare Trust cares for ex-Gurkhas and their families with Welfare Pensions to veterans and widows and medical treatment.

But there are very few examples in Nepal of private 'care homes' and 'retirement villages' that exist in the UK.

There is now some state support, but it remains pitifully limited. The non-contributory social pension scheme introduced in 1995 was intended to provide allowances to older people aged 70 and above, to older dalits and people living in the Karnali Zone aged 60 and above, and to poor widows aged 60 and above. The allowance was doubled to Rs2000 and the age of eligibility reduced to 65, but the scheme remains inadequately implemented.

It is estimated by Pension Watch (Help Age International) that the number of people receiving an allowance is around 636,000, and 47% over 65 in Nepal receive a non-contributory pension, while 9% have a contributory pension. The total cost of the scheme is Rs15 billion, or 0.7% of GDP. By 2050, when the estimated number of Nepalis over 60 will be around



6.5 million, the cost will have more than doubled even if the same proportion of the budget is allocated to the scheme.

Last year, Prime Minister Oli proposed a social security scheme for private sector employees to provide for life-long pensions and reduce the fiscal burden by demanding that employers deposit 31% of the basic salary (20% from employers and 11% from employees) into a Social Security Fund. After 15 years, private sector employees would then be entitled to lifelong pensions, just like retired government employees.

**Fighting for equality**  
In May 2009, the Labour government under Tony Blair was obliged by public pressure to enable Gurkhas who retired before 1 July 1997 with at least four years' service to settle with their families in the UK, that being the date when the Gurkha Brigade headquarters moved from Hong Kong to Britain.

Even before that, in March 2007, pay, pensions and terms of service of serving Gurkhas were equalised with those of regular British Army personnel and equal pensions were granted to those enlisted from 1 October 1993, but about 15,000 pensioners and 6,000 widow pensioners did not benefit.

On 10 June 2011, the British Gurkha Welfare Society lodged a case with the European Court of Human Rights (ECHR) claiming that Gurkhas had been paid significantly lower pensions than their British counterparts. On 15 September 2016, the ECHR shattered the hopes of thousands of ex-Gurkhas for equal pensions.

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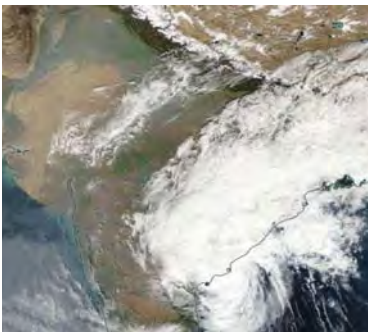
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That is a pretty sudden westerly front that ambushed us this week. The rain and snow associated with this system will persist into Saturday, adding to the snow cover on the high passes. All this is bad news for domestic air travel, but good news for farmers sowing spring crops, and also for hydropower plants which can now run on full because of rising river levels. By Sunday, the sun should come out, raising the maximum temperature to 18.

FRIDAY	SATURDAY	SUNDAY
 14° 7°	 11° 6°	 18° 5°



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# From playing victim to proactive leadership on climate

**G**ebru Jember Endalew has been involved in UN negotiations on climate change since 2008 as a core member of the Ethiopian negotiating team. Last year, he stepped down as Chair of the Least Developed Countries (LDCs) Group on Climate Change, of which Nepal is a member and Bhutan is the new Chair.

Currently, Endalew is an adviser at the Korea-based Global Green Growth Institute. Endalew was in Kathmandu this week for consultations on resilience and adaptation for Asia-Pacific members of the LDC group. He spoke to *Nepali Times* on how least-developed countries like Nepal can cope with climate change.

## Similarities between Nepal and Ethiopia

Nepal and Ethiopia have a lot in common. We are LDCs, we are land-locked, face severe impacts of global climate change despite not being major greenhouse gas emitters. And we are both mountainous countries. Mountain ecosystems are highly fragile in terms of climate change impacts, as proven by the study released this week by ICIMOD Hindu Kush Himalaya Assessment and the IPCC 1.5 Degree World report.

We know that a 1.5 degree world is achievable, but even an increase of one degree in global average temperature has major consequences

ranging from forest fires, extreme weather events to changing monsoon patterns. Yet some of the countries were still in denial at the Climate Summit in Poland. But we LDCs have been consistent in terms of our reflections about the 1.5 degree report and we believe it will be taken up at the UN Secretary General's meeting in September in New York.

## Climate justice

While we need to continue to push big emitters for more pledges for adaptation, we cannot completely depend on compensation to address the impact of climate change on our people. Trillions were promised (at the climate summit) in Poland but it will take years to materialise. And now that the number of big emitters have increased, and include many of our own countries, reimbursement alone will not take us anywhere in terms of investments required.

If we stick to historical responsibility for carbon emissions, we will not arrive at a solution. If we wait for developed countries to pledge resources, we will not be able to adapt to the urgent impacts that are already being felt. So governments in countries like Nepal and Ethiopia need to look for domestic financial resources and engage the private sector in solutions to generate revenue. We need to move out of the victim



KUNDA DIXIT

narrative to proactive leadership to deal with climate change.

In fact, Nepal can be a leader in terms of developing innovative mitigation action, even if it may have a much smaller carbon footprint compared to other countries. Better ecosystem and resource management here can reduce the risks of flooding in lower catchment areas of India and Bangladesh.

And to be honest, past actions cannot be blamed when people

were just trying to improve their lives. Early post-industrial emissions were not deliberate. The biggest blunder of all would be for our leaders to repeat the same mistakes with the knowledge we have today about the impact of greenhouse gases.

## Turning the clock back

Countries like the US and Brazil are regressing on prior commitments when it comes to climate change action. But I'm a bit of an optimist

myself. Despite a somewhat bleak scenario at the leadership level, what is happening on the ground is encouraging. We see peaks in investment on renewable energy around the world including in the US, and these newer cleaner technologies are cheaper and more easily accessible to the people.

## Mitigation or adaptation?

Mitigation, adaptation and development have to go together. There is no point in making a distinction. Mitigation measures to reduce fossil fuel dependence eventually contribute to development and resilience. For example: electricity generated from hydropower improves the living standard of the people while also reducing greenhouse gases.

Initially there was a misconception that mitigation was not for developing countries. We know now that everyone has to be involved in the global mitigation process, not just to save the planet but also to save our economies.

All of this requires good leadership. Unless there is political guidance, whatever resources we have might be either least used or abused. Good governance is a key to better planning and implementation to cope with climate impact.



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# Turning on the heat

Unprecedented in recorded history, there was a 100 degree difference in temperature between the northern and southern hemispheres last week. While parts of Australia baked in record 50°C heat, in North America hell froze over with the mercury plunging to -50°C.



Somewhere in between in Nepal, heavy winter snow have blanketed the mountains after a break of almost 12 years. The fact that such snowfall was seen as 'abnormal', indicated just how far from the 'normal' we have deviated.

The return of winter snow in Nepal and the simultaneous extreme hot and cold in the antipodes actually proves the impact on weather patterns brought by climate change. Most climate models agree that the rise in global average temperature due to the continued emission of carbon dioxide will result in higher rates of temperature rise over land, and particularly in the higher Himalayan regions. The snowline has been migrating upward with rainfall replacing snow, and lowered seasonal snow and ice storage have started limiting melt flow in rivers.

As rivers originating in the Himalaya start going dry in the summer season, there is serious concern about rising heat. In a few weeks, temperatures across northern South Asia will start going up. Day-time summer temperature will reach 40°C+ in many places. Nights will not cool down enough, and humidity will also increase. At higher humidity, the human body cannot release heat through sweat evaporation fast enough to cool itself. Most people cannot remain unprotected in the open for more than 6 hours at temperatures above 37°C.

A 2014 study of interactions of temperature and humidity in the Indus and Ganga plains by the US-based National Center of Atmospheric Research, and ISET-International found that by 2050, most of June, July and August days and nights will hover above the 37°C threshold. A later study by MIT researchers warned of deadly heat waves in the Indo-Gangetic plains, meaning the numbers dying across India, Pakistan and Nepal Tarai in summer will shoot up.

The rapid degradation of natural ecosystems within and around many of our cities have removed heat sinks. Vehicular emissions, air conditioners, concrete and asphalt pavements, and air pollution trapping heat between buildings continue to raise the temperature in core cities. These urban heat islands will amplify global warming, with significant impacts on low-income families and the poor living in substandard housing, lacking safe

drinking water, basic energy, and without direct access to air conditioning.

Even if air conditioning was affordable for poor and low-income families, running them will require additional energy from over-burdened electricity grids. In Australia's heat wave last week, the authorities advised residents to delay using washing machines and dishwashers, and requested healthy people to consider keeping their air conditioners at 24°C to save energy. Older model air conditioners also leak HFCs — chemical coolants which are about 7,000 times more potent greenhouse gases than carbon dioxide.

As global temperature rises, Nepal's lower river valleys of the Siwalik and the Mahabharat, as well as Tarai plains will see more days when the safe temperature/humidity threshold will exceed 37°C. Even in Kathmandu, June-July-August will have hotter days as global warming combines with the urban heat bubble to make it uncomfortably humid and unsafe.

Nepal's policies, plans and actions have not yet taken the threat of heat risk seriously. Nor have we begun to systematically assess changes in local temperatures and humidity regimes.

Reducing the threat of increasing heat requires us to carefully rewire the way we design houses, build infrastructure, deliver and manage energy, forests, grow food, and maintain productivity of small land holders and field workers. Shifting to cleaner forms of energy for cooking and public transportation would give us the flexibility required to minimise growing threat of heat, and adapt.

Urban and rural municipalities can begin working on solutions without waiting for national policies. Local governments have the authority and their programs must emphasise restoration and conservation of natural ecosystems, water sources, and provide incentives for climate-friendly home designs and materials. Public health systems need to be better prepared to respond immediately to the elderly, children and pregnant women with heat stress.

Increasing heat and low dry season flow of rivers are going to affect millions living downstream from the Himalaya in Nepal and beyond. In the mid-term, developed and large middle-income countries in Asia need to significantly curb emission of greenhouse gases. There is no other way.

And while they mitigate carbon use, we in Nepal need to be prepared for low river flows in the dry season, and find ways to minimise the impact of prolonged heat waves. The more we delay taking action, the higher will be the future cost of measures we will have to take to adapt to the heat. 🇳🇵

**Ajaya Dixit** is Executive Director of Kathmandu based ISET-Nepal. His monthly column *Climate for Change* deals with the impact of global warming in Nepal.



# Terrifying assess a Himalayan me

## New report predicts the impact of climate ch mountains may be much worse than we th

While the global media's attention is on the Greenland ice sheet, the Arctic and eastern Antarctica, a landmark report released this week shows that the Himalaya will face catastrophic meltdown during this century if there is no immediate effort to reduce the world's carbon emissions.

The voluminous 627-page report titled *Hindu Kush Himalaya Assessment: Climate Change, Sustainability and People* put together by the International Centre for Integrated Mountain Development (ICIMOD) states that even in the best-case scenario, the Himalayan mountains will lose more than one-third of their ice by the end of the century. An earlier report was even scarier, it said the Mt Everest region would lose 90% of its ice by 2100.

But that would happen only if global average temperatures can be capped at a 1.5°C increase above pre-industrial levels. Most scientists agree that target is unlikely to be met. If current emission trends continue, the world will actually be hotter by between

4.2-6.5°C by 2100 – in which case two-thirds of Himalayan glaciers will be gone.

Himalayan peaks are warming between 0.3 to 0.7°C faster than the global average, and the loss of their ice would have devastating consequences for 1.6 billion people living in the mountains and downstream countries. Climate models show that summer flow in the Indus, Ganges, Brahmaputra and their snow-fed tributaries will actually rise till 2050 as the glaciers melt away, but will start decreasing after that because there will be no more ice left. Measurements show that glaciers in the Central and Eastern Himalaya are shrinking at 40cm/year, and some are receding up to 30m/year.

After the controversy surrounding a 2007 report by the Inter-governmental Panel on Climate Change (IPCC) that predicted all Himalayan glaciers would be gone by 2035, scientists have been much more careful in making similarly wild predictions. Which is why ICIMOD deployed 210 scientists from 20 countries in this five-year study to assess





KUNDA DIXIT

# Assessment of Meltedown

## Change on Nepal's Fought

the latest knowledge from peer-reviewed journal findings.

The new assessment is only slightly less alarming. Although the timeframe has been pushed back to the end of the century there is still very little time to fix the problem even if global carbon emissions are cut in the coming decades. So, we know what the problem is and we know the solutions. What are we going to do about it?

ICIMOD Director David Molden has anticipated that question. He said at the report's launch in Kathmandu on Monday: "This is not just going to be another book on the shelf. We hope to spark policy dialogue by putting climate action on the political agenda by putting the state of the knowledge in one place." (Read interview, right. Go online for full video.)

The assessment is a unique scientific partnership between ICIMOD's member countries, Afghanistan, Bangladesh, Bhutan, Burma, China, India and Nepal. The Centre is now spearheading an effort to set up a Himalayan Council, much like the Arctic

Council which is working on the north polar region.

The concerns of the world's mountain regions and the amplified impact of global warming on its mountains were mentioned only tangentially in the last two IPCC reports. This assessment, in which IPCC scientists also took part, is expected to put the Himalayan region firmly on the global agenda as well.

The hydro-meteorological impact of climate change will go beyond countries like Nepal or Bhutan. Heavily populated and rapidly developing downstream areas of China, Southeast Asia, India, Pakistan, Bangladesh will face severe water crisis, especially in the dry season. And then there is the indirect impact of the warming on weather and monsoons, as simulations show increased frequency of droughts and floods.

Himalayan countries have always struggled against poverty, marginalisation, state neglect, inequality, discrimination, out-migration, and these problem predate climate change. What global warming does is make all the existing structural problems worse.

For example, the assessment shows that half the children living in Himalayan villages are undernourished. Nepal's national poverty rate is 23%, but 42% of the country's mountain dwellers are poor. Because they have fewer choices, the poorest subsistence farmers are already suffering from erratic weather and other impacts of climate change, adding to the push-factors in outmigration.

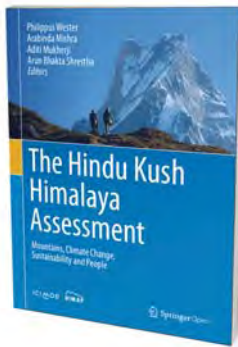
The report also lays out policy options for countries in the Himalaya, which include increased crossborder cooperation among them to battle common threats. One concrete step would be China, Nepal and India cooperating on disaster early warning on future Glacial Lake Outburst Floods (GLOFs). The report also calls for added investment in

meeting the UN's Sustainable Development Goal targets which would build resilience among mountain peoples by giving them more options to adapt.

Two of ICIMOD's member countries, China and India, are both suffering the impact of climate change along their common mountain frontier. Together, the two giants are the biggest emitters of greenhouse gases in the world. It no longer makes sense now to talk only about adapting to climate change, Himalayan countries need to also start mitigating their carbon emissions and switching to renewables.

They need to do this not just to save the Planet, but to also save their fossil-fuel dependent economies and diversifying their energy mix towards renewables. 🇳🇵

**Kunda Dixit**



The Hindu Kush Himalaya Assessment  
Mountains, Climate Change, Sustainability and People  
*Philippus Wester, Arabinda Mishra, Aditi Mukherji, Arun Bhakta Shrestha (Editors)*  
ICIMOD, HIMAP, Springer Open, 2018  
Creative Commons, available as e-book:  
ISBN 978-3-319-92288-1

## “If we can’t cap warming at 1.5°, these mountains are in trouble”

The Director General of International Centre for Integrated Mountain Development (ICIMOD), David Molden spoke with *Nepali Times* this week about the Centre's new Himalayan Assessment and some of the key findings and recommendations.

***Nepali Times:* Why was an assessment needed at this time?**

**David Molden:** We really do not know what is happening in our mountains. We wanted to bring experts together both to discover what is happening and to make some strong policy recommendations at a time when we are facing major sustainable development issues.

**What are some of the key findings?**

Mountains warm faster than the global average, a phenomenon known as Elevation Dependent Warming. This means if we hit a 1.5 degree world, the warming in the mountains would be on the order of 1.8 degrees. But if we follow the current trajectory, we will see warming of up to 4,5,6 or 7 degrees in mountain areas (by 2100). Besides climate change, mountain communities face other problems like out-migration and depleting ecosystems. All of these changes together present a challenge in managing mountain resources.

**One particular prediction is shocking, that our mountains will lose 64% of their glaciers by the end of the century.**

Yes, if we reach 1.5 degree world, we would lose about one-third of our glaciers. If present trends continue, then we would lose two-third of our glaciers, which is quite frightening. In a way it is like a thermometer gauge, it's a pure signal of climate change. But what it is telling us is that climate impacts in the mountains can be quite severe.

**It looks like those impacts are worse than the worst case scenario predicted in Paris two years ago.**

I sensed that in Paris they based a lot of things on the 2014 IPCC report, which had very little on the mountains after their controversial 2007 predictions on the Himalaya. Only now are we coming out with a clearer understanding, and the next IPCC report will have a special cross-cutting chapter on mountains.

**But don't we already have enough evidence? Do we still need more research? Isn't it time to start taking action?**

We know enough to take action. But in the situation of inter-related changes, more evidence and information will help policy makers to take better action and make more refined decisions. A mountain, environment and science focus can bring countries to work together. In fact, we have seen that the task of producing the assessment report itself was an important exercise to build cooperation across countries to deal with climate change.

**Two ICIMOD member countries are major fossil fuel users. Isn't it time we started looking beyond adaptation to mitigation?**

I was recently at a regional meeting for Asia-Pacific ministers on environment and what came out strongly was that the best help for adaptation is through mitigation. China is taking significant steps in mitigation, as is India. I hope we can use the report findings to continue our discussion with greenhouse gas emitter countries and take urgent action. We have to keep the world at 1.5 degrees warming, otherwise these mountains are going to be in deep trouble.

**Your report also deals with air pollution and natural disasters. What are some key recommendations to reduce risk?**

Air pollution is a slow moving natural disaster. The black carbon in the air moves up, settles in the glaciers and increases their melt, and also disrupts heating and cooling effects of the atmosphere. We have to make sure that we have clean energy and reduce emission from automobiles, brick kilns, open fires. As for other natural disasters like floods, droughts, landslides and earthquakes, we have to be better prepared, invest on weather services and deliver the information to the people through flood early warning systems, for example.



David Molden, head of the International Centre for Integrated Mountain Development (ICIMOD) is interviewed on Nepali Times Studio about the Centre's new Himalayan Assessment released last week which says that our mountains are warming faster than the global average.

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





EVENTS



The Art Market

Marking its 4th anniversary, The Art Market is here again with books, paintings, art prints, miniatures, photographs, design products and art supplies accompanied by live music, children workshop and slam poetry. 9 February, 1-5pm, The Yellow House, Sanepa, (01) 5553869

Rhythm and sound

A vocal workshop by singer and percussionist from Belgium Nadine Nix. In her music you will discover jazz, pop and folk influences, which blend into exciting and captivating world music. 13-14 February, 10am-5pm, Kathmandu Jazz Conservatory, Jhamsikhel, (01) 5543554

National Reading Mela

Discussion and debate on the reading culture of Nepalis with a dozen of writers, analysts and intellectuals. The festival with the slogan 'Rejoice from reading' will be entertained with literary and musical performances. 9 February, 9am-5pm, Pragya Pratisthan, Kamaladi, 9851001569



Movie screening

A Netflix original, Okja, follows the story of a gentle beast and a girl who are caught in the crossfire between animal activism, corporate greed and scientific ethics while trying to keep a powerful company from abducting the beast. Vegan talk and food follows. 8 February, 6-8:30pm, HUB, Thamel, 9866273244

Mandala workshop

Learn how to draw and understand the beautiful visual language of astrometry, geometry and sacred mandalas using only a compass and ruler. 9 February, 1-5pm, The Zero'th Studios, Bhaktapur, Rs500, 9841403661

Object in Focus

Project 1336, from a series "Object in Focus" centers on a knitted rope representing the elevation of the Kathmandu Valley, by artist Manish Lal Shrestha. Art enthusiasts are welcome to look, observe and think contemporary art in a different light. 8-11 February, 10am-5pm, Taragaon Museum, Boudha, (01) 6201035

A little bird in a cage

Directed by a guest from Théâtre de l'Ordinaire in France, Maxime Séchaud, the drama is a collaborative effort of the Sarwanam team. 8-16 February, 5-6:15pm, Sarwanam Theatre, Kalikasthan, (01) 4011027



Three Sisters

One World Theatre presents Anton Chekhov's Three Sisters, a reprise performance directed by Rose Schwietz. 8 February, 5pm onwards, Russian Center of Science and Culture, Kamalpokhari, Rs300/500/1,000, 9813748738

Bath tub

A surreal play written by Kumar Nagarkoti, directed by Ghimire Yubaraj and starring Nir Shah. Actors will not be seen, but only heard by their voice. 8-11 February, 4:30pm (except Tuesday, 1pm also on Saturdays), Shilpee Theatre, Battisputali, (01) 4469621

Himalayan Outdoor Festival

The 8th edition of the adventure sport festival is back with plenty of challenges in different categories of riding, rock climbing and running. 22-24 February, Hattiban Hills, Pharphing, 9851236987

MUSIC



Albatross

Transcending the sound of Nepali Alternative music and addressing contemporary issues of Nepal through lyrics, Albatross is back on stage to amuse the audience. 9 February, 7pm onwards, Evoke Café & Bistro, Jhamsikhel, (01) 5532021

Project One

Key members from prominent bands in Nepal come together to give their best performance. Line-up: Mukti Shakya, Robin Tamang, Niran Shahi, Hari Maharjan, Sarad Shrestha, Roshan Kansakar and Nikhil Tuladhar. 8 February, 7pm onwards, Club Fahrenheit, Thamel, 9851104277

Places Jazz night

A Jazz night with the B and D duo band with Babin on the bass and Chitiz on the drums. Relax your weekend away with flavorful drinks, delicious vegan food and great performance. 8 February, 7-10pm, Places Restaurant & Bar, Thamel, (01) 4700413

Tribute to Marley

Celebrating the life and music of Bob Marley, Joint Family Internationale, The Himalayan Connection, Sumit Singh Thapa and KJC Reggae Combo will be playing the legend's music. 9 February, 4pm onwards, Moksh, Jhamsikhel, Rs500, (01) 5528362



Once in a lifetime

Rajesh Nepali on vocals and Prajwal Lama on keys will be performing the songs of Guns N' Roses, the rock icon of the 80s, following the birthday of its lead vocalist Axl Rose. 9 February, 3pm onwards, The Yard, Sanepa, (01) 5532965, 9851095046

DINING



The Chimney

Make your Valentine's Day special with the restaurant's degusted menu. Also get a chance to win a romantic dinner at the hotel's Madhuban Garden, set up with candle lights and a butler for no additional charges. 14 February, 6pm onwards, Hotel Yak & Yeti, Darbar Marg, Rs5,000 (for couple, excluding taxes), (01) 4248999

Nepali Food Fiesta

Nepali Provincial Food Fiesta is an effort to promote authentic Nepali food from different parts of the country. Join in for a healthy and nostalgic meal. 9 February, 12pm onwards, Thamel Eco Resort, Thamel, (01) 4257505



Friday night BBQ

Enjoy BBQ with a glass of mocktail and live Nepali folk music performance on a Friday evening with friends or family in Pokhara. Every Friday, 7pm onwards, Shangri-La Village Resort, Pokhara, Rs2,000 (Nett per person), (061) 462222, 9846020321

Kava Restaurant

Celebrate the day of love with your loved ones and a specially curated delicious four-course dinner. 14 February, 6:30-10:30pm, Fairfield by Marriott Kathmandu, Thamel, Rs5,999 (Nett per couple), (01) 4217999, 9801227613

Around the Corner

A multi cuisine restaurant offering a peaceful space to enjoy dinner date and sweet talks. 14 February, 12am-11pm, Bansbari, 9861631197

Rox Restaurant

Reignite the passion on this unforgettable evening and shower your partner with romance, gourmet four-course dinner and the amorous chords of live violin. 14 February, 6:30pm onwards, Hyatt Regency Kathmandu, Boudha, Rs7,000 (per couple, ++), (01) 5171234

GETAWAY



Hike to Nagarkot

Hike with people from around the world to one of the famous and heart rendering viewpoint of Nepal near Kathmandu. You can see the Himalaya Ganesh, Langtang, Shisha Pangma, Gang Chenpo, Dome Blanc, Dorje Lakpa, Lonpo Gang, Purbi Chyachu, Gauri Shankar, Mount Everest, and the UNESCO World Heritage site Changunarayan temple. 8 February, 8-11am, Serenity Tours and Treks, Kupondole, 9801099932, 9851132647

Sooriya Wellness

Dive deep into the treasure of inner world with your loved one on the foothills of Himalaya. A one night two days retreat that includes yoga practices, chanting of eternal syllables, sound healing session and guided meditation. 15-16 February, Hotel Country Villa, Nagarkot, Rs10,000/13,500 (per person), (01) 4001714, 9818481972



Hiking with dogs

Go for a 3 hours hike with your best pal to Tarayvir, Shivapuri. The profit earned will feed 200 street dogs on Valentine's Day. 9 February, 7:30-11am, Shivapuri Nagarjun National Park, Rs1,000, 9843419088

Hyatt Regency

Celebrate the month of love by indulging in a thoughtful pampering with your significant other: 60-minute aromatherapy massage, 30-minute express organic facial, steam, sauna, whirlpool, and a glass of red wine. Boudha, 9803018633



The Last Resort

Take a courageous jump, swing, or white water rafting at Bhote Koshi River with your loved one this Valentine's Day. Bhotekoshi, Sindhuvalchok, (01) 4700525

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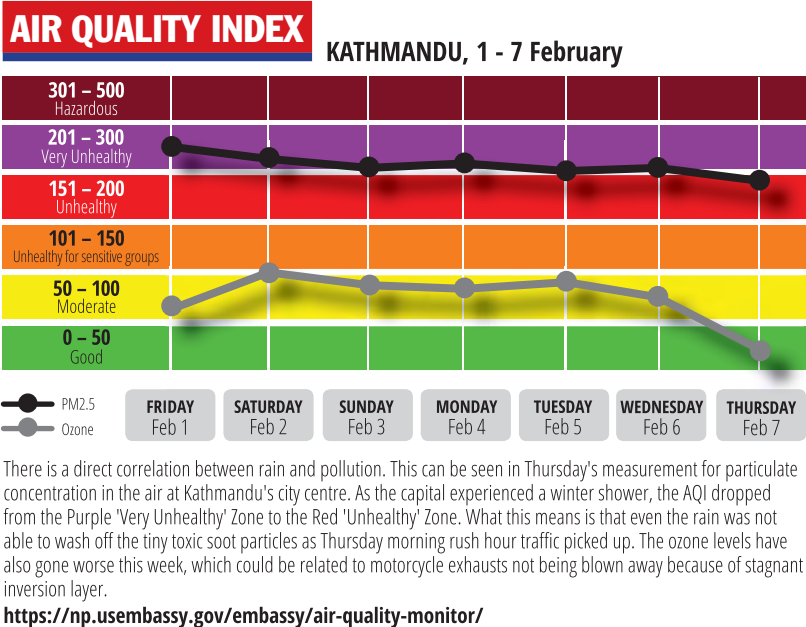
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OUR PICK

Opens in Kathmandu on 1 February

Gopi is the story of a young man who decides that he does not want to go abroad, but instead raise cows in Nepal. The story addresses many of the concerns of today's youth, like migration, lack of opportunities at home, and decreasing interest in agriculture. Directed by Dipendra Lama, the movie stars acclaimed performers like Bipin Karki, Barsha Raut and Suraksha Panta. The movie attempts to break away from masala fare and provide realistic entertainment.





# Rape rulings in Nepal follow letter, not spirit of the law



ENGENDERED  
Sewa Bhattarai

- **Statute of Limitations:** A 10-year-old girl is repeatedly raped by her caretaker. Her mother finds out much later. Since the statute of limitations to report rape was 35 days at the time, the complaint could not be filed. A Public Interest Litigation to extend the time is still pending in court six years later. The actual rape case has not even been registered.
- **No Counselling:** A pre-teen tells her mother a man “did something bad” to her. The police report has no details, only ‘something bad’, but the court scribe assumes it is ‘vaginal intercourse’. Medical report states that her hymen is intact. Doubts are raised, which helps the defendant in the court.
- **Manipulation:** A 17-year-old claims that she was manipulated and threatened into having sexual intercourse with the promise of marriage. She is asked how she can call it rape, since there is no physical injury or signs of resistance.
- **‘Honour’:** Defence counsel argues that the stigma of rape will brand a seven-year-old child for life. The view that her reputation is more important than justice takes precedence. The perpetrator is acquitted, to ‘help’ the victim.
- **Stigma:** The mother of a young girl finds out her husband has been raping their daughter. She fails to report the rape, but files a complaint about domestic violence demanding divorce and her share of property.



BIKRAM RAI

Rape survivors and victims of sexual abuse in Nepal are increasingly going public with their experience, but even if they file a complaint, it is doubtful if they will ever get justice given the loopholes in the law.

Nepal’s law does not match up to international standards: victims have only one year to report rape, the complaint procedure is stacked against them, and often there are no counsellors even for children. Most rape cases therefore go unreported, and the 1,600 complaints filed with police last year were just a small fraction of the actual cases.

In fact, the United Nations Committee on the Elimination of Discrimination Against Women (CEDAW) has asked Nepal to abolish the statute of limitations saying it denies victims the right to effective remedy, and is especially unfair to victims of war crimes.

Since most perpetrators are family members or known persons, there is pressure on the victim not to register the case at all. The law mandates the presence of counselors for victims, but it is rarely implemented. Many victims, especially children, are therefore not able to open up in the presence of intimidating officials.

Most victims choose not to pursue cases because they do not know how to work the court system and do not have the resources to fight it out. Figures show that only 60% of rape cases are closed, and only about a quarter of the victims get a favourable verdict.

Even though a 2015 amendment broadened the definition of rape to include non-penile penetration, it is still rare for a court to convict such offenders. A Kathmandu School of Law report states that Nepal’s judiciary is ‘obsessively concerned

with looking into elements such as penetration, use of force and completion of sexual intercourse by ejaculation’ as primary grounds for conviction. In absence of such evidence, the courts tend to shift the charge of ‘rape’ to ‘attempted rape’.

Advocate Sushma Gautam says the situation is more favourable today as the Supreme Court has made landmark decisions based on the new laws, but she says not everyone is updated about the new laws. “Even some judges and lawyers are ignorant of what constitutes rape and operate on their traditional mindset which considers only penile penetration to be rape,” she explains.

Activists worry that the system favours the perpetrator rather than the victim. The severity of the punishment is based on the age of the victim, with 16 years of imprisonment if the victim is aged

**TO THE STREETS:** Activists protest the government’s inability to solve the rape and murder of Nirmala Panta, a teenager whose body was found near her home in Kanchanpur in July 2018.

below 10, and only 5-7 years if she is above 20, and there is also extra punishment if the victim is more than six months pregnant, or is disabled.

“These provisions are unfair because they assume that an adult female in good health cannot be raped, which is not the case,” says Binita Pandey, a lawyer at Women’s Rehabilitation Center, (WOREC) Nepal. In the case of adult women, investigation often veers towards what the woman was wearing, why she was out at a particular time, and attempts to blame the victim for provocative behaviour.

It is even more difficult for male victims: the law regarding paedophilia address male children, but rape laws specifically mention only ‘women’ as rape victims, leaving out men and transgender persons. Nepal’s laws are still based on patriarchal notions that a woman’s sexuality is the property of her male partner and not herself.

Even as international standards like CEDAW mention ‘women’s sexual autonomy and consent’ in laws regarding rape, Nepal’s laws are still concerned about chastity, depriving many male and female victims of justice.

“The problems with our Criminal Justice System is that the government is not really focused on implementing it,” says advocate Indu Tuladhar. “Our laws have improved, but there are still many loopholes. Often, the government does not actually implement high sounding provisions, which means that we must question its intention. Does it really want to deliver justice, or is it just creating laws that look good?” 🇳🇵



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SIKUMA RAI

## A diverse and delightful feast

With the Chinese New Year, the Chinese Spring Festival has arrived in Nepal as well. This is the year of the pig; myth has it that the animal was the last to arrive at the Jade Emperor's party, hence became the twelfth of all zodiac animals. He might have overslept then, but here in Kathmandu, this is one party that no one should miss.

Soaltee Crowne Plaza is hosting a grand food festival to welcome the New Year at its specialty Chinese restaurant, Bao Xuan. Chef Dan wants the eatery to be a one-stop destination for the most thrilling flavours of Pan Asian cuisine. The tables are all set and the waiters are standing by to serve guests a hearty feast.

The course starts with appetizers like Thai corn fritters with sweet chili dip, Japanese Yakitori Karage and Pork bun—all favourites of children—hence not spicy

and hot. The Asian soup, which has double mushroom, water chestnut and chicken, is a creamy delight with flavours of coconut and lemon grass.

For the main course, there are special dishes like pan-fried salmon in teriyaki sauce from Japan, Pad Thai Kung, Mandarin-style steamed fish served with Korean Black bean noodle, Jasmine rice, or vegetable fried rice. According to Chef Dan, Chinese do not normally have desserts. Yet to end the celebration on a sweet note he has honey noodle with vanilla ice cream—also known as Darsaan, date pancake and Chocolate spring roll. If that has made you drool, time to head off to Soaltee.

Chef Dan is strict about the ingredients to be used in any dish, no matter how small the dish is. For most authentic flavours, ingredients except for fresh vegetables, meat and seafood are sourced

from abroad.

"Asian food's diversity and evolution has made a profound impact over the years. We want our guests to be enchanted by the taste which our experienced chef and his team have worked hard to produce," says Kedar Pandey, Soaltee's F&B man.

Soaltee Crowne Plaza makes use of the New Year festivity to bring together regional diversities in a non-contradicting manner. Every dish has its own identity, but the many dishes complement each other. The Pan Asian Food Promotion as a whole is a pleasant culinary journey that represents not just the region's most popular cuisine but its most treasured jewels. 🇳🇵

**Sikuma Rai**

*Pan Asian Food Promotion  
4-15 February, BaoXuan- Flavors of China,  
SoalteeCrowne Plaza, Tahachal, 9801067222*



FRENCH EMBASSY

**TOP OF THE WORLD:** Ambassador of France to Nepal François-Xavier Léger presents an autographed book by the first French alpinist to climb Mt Everest in 1978 Pierre Mazeaud to Prime Minister K P Oli on Tuesday.



CHANDA RANA

**DEVELOPMENT VS DESTRUCTION:** Environmental activists protest the proposed mass felling of trees for the Nijgad Airport outside Singha Darbar on Wednesday.



RICHARD MORRIS / TWITTER

**MEN IN BLACK:** British Ambassador Richard Morris meets with Home Minister Ram Bahadur Thapa in Singha Darbar on Monday to talk about investment, corruption, impunity and disaster risk management in Nepal.



RANDY BERRY / TWITTER

**ON DUTY:** Police, immigration and heritage site officials from Kathmandu, Pokhara, Chitwan and Lumbini at the launch of a training for English language proficiency and operational skills organised by the US Embassy in Kathmandu on Monday.



UNICEF NEPAL

**SAFE SURFING:** Youth from the Tamang community celebrate Sonam Losar in a program organised to mark Safer Internet Day in Kathmandu on Tuesday.

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KUNDADIXIT

# Why there is no foreign investment in Nepal

Bikas Thapa in Annapurna Post, 5 February

The Nepal government is holding an investment summit in March to woo foreign investors in infrastructure projects. At a time when international interest in investing in Nepal is diminishing, the summit does seem ill-timed. NCP chairman Pushpa Kamal Dahal's statement about Venezuela has just put America's proposed \$500 million Millennium Challenge Corporation aid for connectivity in jeopardy.

There is no point organising an investment summit without policy and legal reforms. Commitments four millions of dollars were made even during previous investment summits, but the money was never forthcoming because of red tape and bureaucracy.

Besides, officials are not clear about where they want investments. We need investments

not just in agriculture, tourism, hydropower and construction, but in almost every sector. Goods manufactured from imported raw material are not competitive, do not add value, and do not create adequate jobs.

Foreign investors need permission from the Department of Industry and the Central Bank, but it is next to impossible to get this without dispensing bribes to bureaucrats. Recently, the contractor for the Melamchi water supply project could not finish its work because of extortion. The much-delayed project has now been pushed further back. The Prime Minister and Minister for Water Supply are not trying to resolve the issue. The secretary in the Ministry demanded a cut for arbitration compensation before releasing the money which is why the project is stuck.

With such high profile corruption how can Nepal expect foreign investment?

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# Learning from Nepal's past

Kathmandu Valley rebuilt itself after every earthquake, preserving for posterity its traditional craftsmanship

**Prakriti Kandel**

It has been nearly four years after the 2015 earthquake, and media reports about reconstruction of damaged buildings is mostly negative: compensation is too little too late, it has not reached the neediest, and the process is too bureaucratic.

Indeed, only a fraction of the 700,000 buildings destroyed have been rebuilt with government help. Since the money is not enough, families are building small sheds so they can receive their third tranche.

However, in Kathmandu Valley's historic towns, communities have revived age-old traditions and craftsmanship to rebuild after the earthquake just like their ancestors did after every previous disaster. In fact, along with tourism, earthquakes have provided the opportunity to revitalise ancient art, architecture, traditional techniques for wood carving and metal work.

"Earlier, it would not be possible to study the interiors of heritage structures, but the earthquake gave us the chance not just for building back stronger, but also for detailed research of how our ancestors knew about seismic resistant building designs," says conservationist Alok Tuladhar.



One of the most dramatic examples of this is the reconstruction of the three-storey Bhaidega Temple in Patan Darbar Square, which was razed in the 1934 megaquake, and had been rebuilt with a Moghul stucco dome. Reconstruction in the original Malla style had just begun 80 years later, when the 2015 earthquake struck.

Nearby, the Char Narayan and Hari Shankar temples were reduced to rubble, and ancient *pati* (traditional rest houses) came down. Today, most of the damaged monuments have either been rebuilt or are covered in scaffolding (right).

Leading Patan's restoration work is the Kathmandu Valley Preservation Trust (KVPT), which was supervising Bhaidega and other reconstruction even before the 2015 earthquake. KVPT's architect Rohit Ranjitkar says the earthquake four years ago provided the opportunity to learn more about traditional construction methods so they could be revived.

In KVPT's workshop in the Patan Darbar gardens, a dozen woodcarvers are busy with their chisels and mallets renovating



perfectly complement the darker brown hues of the original wood structure.

One of the carvers, Pratap Shilpakar, takes a break and tells us, "I feel honoured and proud to contribute to help preserve our heritage, and to repair these precious artifacts that were carved by my forefathers." Shilpakar was working in his personal handicraft shop in Bhaktapur before being recruited by KVPT for the intricate task of repairing the originals.

Off the 17<sup>th</sup> century Pimbaha Pukhu at Sulima Chok is a small temple where the four columns holding up the roof are from different centuries. Heritage expert Anil Chitrakar points them out: "Each of these columns are from a different era, recarved after every earthquake. Our ancestors knew how to improvise and rebuild as they went along."

To be sure, not many young Newa people today are too keen on taking up their ancestral profession of wood carving, which needs life-long devotion and instruction to master. However, after 2015 there is renewed interest in preserving the built environment and Kathmandu Valley's intangible heritage. Says Chitrakar: "As long as there is a critical mass of artisans to take it to the next generation, the craftsmanship will survive."

Shilpakar (whose surname means 'craftsman') admits he has learned more about ancient styles and techniques while reconstructing Patan's monuments -- skills that he can incorporate into his handicraft business, now that tourism is on the rebound. Reconstruction has also been

damaged eaves and columns from the temples, and also carving new ones to replace missing originals. The descendants of famous artisans are carrying on their family professions and rebuilding after 2015, just like their forebears did after 1934, 1866, 1833 and other destructive earthquakes that struck Kathmandu Valley in the past.

KVPT's reconstruction philosophy is to retain as much of the original pieces as possible, so woodcarvers work carefully to graft pieces salvaged from the rubble, ensuring that the fresh carvings



# to rebuild its future



ALL PHOTOS: MONIKA DEUPALA



## A Tale of Two Cities

Of the ancient kingdom towns of Kathmandu Valley, Patan and Bhaktapur have made the most progress in reconstruction because of the involvement of local communities and the activism of organisations like KVPT.

It is in Kathmandu, the seat of the national government and led by a weak mayor, where the progress in rebuilding monuments have been slowest. The government has waited four years to decide on the reconstruction of Kasthamandap and Rani Pokhari. It blundered in trying to rebuild them with concrete, ignoring traditional design styles.

Rivalry among donors like China and the United States which have vied for high-visibility reconstruction projects in Hanuman Dhoka and Darbar School have also put additional pressure on the municipality.

Patan heritage activist Ram Prasad Amatya, 80, shakes his head comparing his town with Kathmandu: "After four years, the Rani Pokhari and the temples in Kathmandu are still in ruins. The central government has no love or ownership for our heritage."

In stark contrast, Patan has not just rebuilt inner-city tanks like Pimbaha Pukhu, but the reconstruction has revived the entire neighbourhood, attracting new homestay tourists and giving locals an open space with a relaxing ambience.

Says heritage activist Alok Tuladhar: "Whatever has worked in post-quake reconstruction in Patan or Bhaktapur have been achieved by local communities. The national government has bungled everything it has tried to push in Kathmandu."

a financial boost for carvers after plummeting business post-earthquake.

Besides woodworkers, the earthquake also helped revive artisans who worked on bronze as they repaired the gajur pinnacles damaged in 2015. Masons and clay workers who specialised in traditional *dachhi appa* bricks have also got new business after the earthquake.

Studies prove that structures which had been maintained regularly before the quake suffered minimal damage. Conservation is therefore an ongoing exercise, and important not just for a regular flow of skills amongst artisans, but also safety in preparation for the next big earthquake.

KVPT's Ranjitkar says, "We apply the principle of minimal intervention to improve safety features of buildings, because human life comes first. The damage in the 2015 earthquake gave us further insight about the weak points that we need to work to strengthen." 🇳🇵

### HERITAGE LIVE



Be a part of the careful reconstruction of Patan Durbar Square's temples and monuments. Discover how woodcarvers, metal artisans, masons, and architects are all hard at work to revive the traditional temples and heritage.

nepalitimes.com



TAYLOR MASON

## Dharma Bajracharya's dharma

Woodcarver gradually recovers his trade after the hard challenges of the 2015 earthquake

Despite new tools and automation, Nepal's artisans have gone back to traditional methods to rebuild monuments destroyed and damaged in the 2015 earthquake.

In the Chwechhen neighbourhood of Patan, detailed carvings adorn almost every piece of architecture. A crumbling old temple in the square has now been lovingly and painstakingly restored to its former glory, using old techniques, raw materials and tools.

Dharma Dutta Bajracharya (*pictured, above*) is one of the woodcarvers, and has been chiselling figures of deities into wood since he started as an apprentice to learn the craft from his father at age 13.

Woodcarvers like Bajracharya lost much of their business when the earthquake and Indian Blockade reduced tourist traffic to a trickle. Luckily, the disaster turned out to be boost because of the demand for reconstruction using traditional techniques that generations of woodcarvers have passed down to the present day.

The eldest of four brothers in his family, 43-year-old Bajracharya's upbringing was tough. "Money was tight so you either learnt the trade or you went to school, not both," he recalls. He was the only brother interested in woodcarving, but he now fears that these skills will end with his generation because his son is not interested in carving.

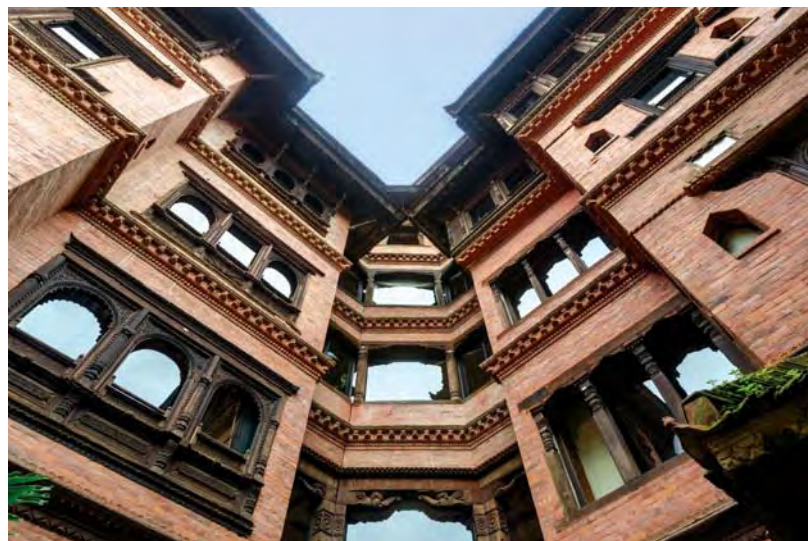
Bajracharya says these are skills that you cannot just be trained for, they need to be learned from a very young age. It is not just the skill and craft, he adds, but a whole culture of devotion that imbues a piece of wood with divine attributes.

Younger children in the neighbourhood now wear smart uniforms and go off to school every morning. Few have time to learn the old crafts, and it is not taught in school. Bajracharya admits he wants his son to be happy, and perhaps it is just as well he does not get encumbered with a dying profession.

But despite the difficulties, Bajracharya still takes great pride in his profession and it shows in his craftsmanship. "I've done this for 30 years, and the carvings on the reconstructed monuments will be passed down for the next generation to enjoy."

With all the rebuilding around the corner, and Visit Nepal Year 2020 reviving hopes of tourism, Bajracharya has reason to be hopeful.

**Taylor Mason**



DWARIKA'S HOTEL

## Heritage hotel

Earthquakes may have preserved Kathmandu Valley's culture in the past, but recent times it was tourism that kept the craftsmanship alive. One of the prime examples of this is Dwarika's Hotel in Kathmandu that is more like a museum of Newa devotional art than a hotel.

At the peak of Kathmandu Valley's heritage destruction in the 1970s, founder Dwarika Das Shrestha roamed the city streets salvaging carved windows, columns and eaves. As the city itself turned into concrete, Shrestha embedded the priceless elements into a new hotel that started in 1977. Today, the award-winning hotel is an example of how tourism can help preserve heritage.

Shrestha also employed local artisans to carve extra windows and doorways and thus kept the tradition of woodcarving alive. Along with collected woodwork, carpenters created the hotel's furniture, traditional brick-making skills were used for terracotta work. Today, many more Kathmandu hotels, even private residences, have emulated the Dwarika's model of preserving traditional motifs.



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Now that it looks like war is imminent between the United States and Nepal, it is important for our armed forces to be on high alert. There is a limit to what we brave Gorkhalis can tolerate from the *firanghi* who once fled with their tails between their legs from Teesta in the east to Kangra in the West. Remember how Tenzing the Great had to literally drag Ed Hillary to the top of Sagarmatha in 1953, and that Lord Buddha was born in Nepal.

First, President Trump asked his foreign policy adviser to point out Nipple to him on a map. Then, to add insult to injury, he pronounced this week that Nipple and Bottom belonged to the Indians. This is worse than calling our president Pochahontas.

We have it on good authoritarians that the Security Committee is meeting at the PMO as we speak to review a set of calibrated responses ranging from firing off another missive in support of the Venezuelan president, to giving Nicolas Maduro political asylum in Nepal.

As an unofficial security consultant, the Ass offers Nepal other military options on condition that readers don't go blurting them out to suspicious looking foreigners, especially those who look like they may be from the Centrist Intellectual Agency. To ensure this sensitive information does not get into the wrong hands, readers are also advised to tear up this page after memorising every word, and swallow it.

For Your Eyes Only:

- Nepal's location will continue to be a closely-guarded secret. The American Commander-in-Chief doesn't know where Nepal is, let's try to keep it that way.
- The Cyber Warfare Unit of the ex-Royal Nepal Army will infiltrate the Net and change all Wikipedia entries to 'The Federal Republicans of Nipple' and inflate the country's land area and population.
- Our northern border is protected by high mountains, but our open border to the south is easy to penetrate which is why we need to make an East-West Moat.
- The Nepal Academy of Science & Technology (NASTY) should immediately begin plutonium enrichment at its centrifuges in Khumaltar. Experience from North Korea and Iran have shown that is the only way to force the international community to take us more seriously.
- Keep Nepal's strategic highways in a permanent state of disrepair so that enemy APCs will not be able to negotiate the potholes during a land invasion.
- Nepal's landmass is under constant surveillance from spy satellites, so Kathmandu should increase its smog pollution so we are invisible from space. VIPs should be careful about basking in the sun, but if they do, should wear Groucho moustaches to disguise themselves.
- The Cabinet Room should be regularly swept for hidden microphones, and ministers should refrain from discussing state secrets with their wives since there may be bed bugs.
- By now we have amply demonstrated that this country is ungovernable. And that is the greatest deterrent of all, why would anyone in his right mind even want to take us over?

The Ass

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