



Opinion:
Dipak Gyawali

Civil Society is Dead : Long Live Civil Society

Forum: **Ankit Dhakal**

Tourism : **The Same Syndrome**

Focus: **Hari Krishna Upadhyaya, Ph.D.**

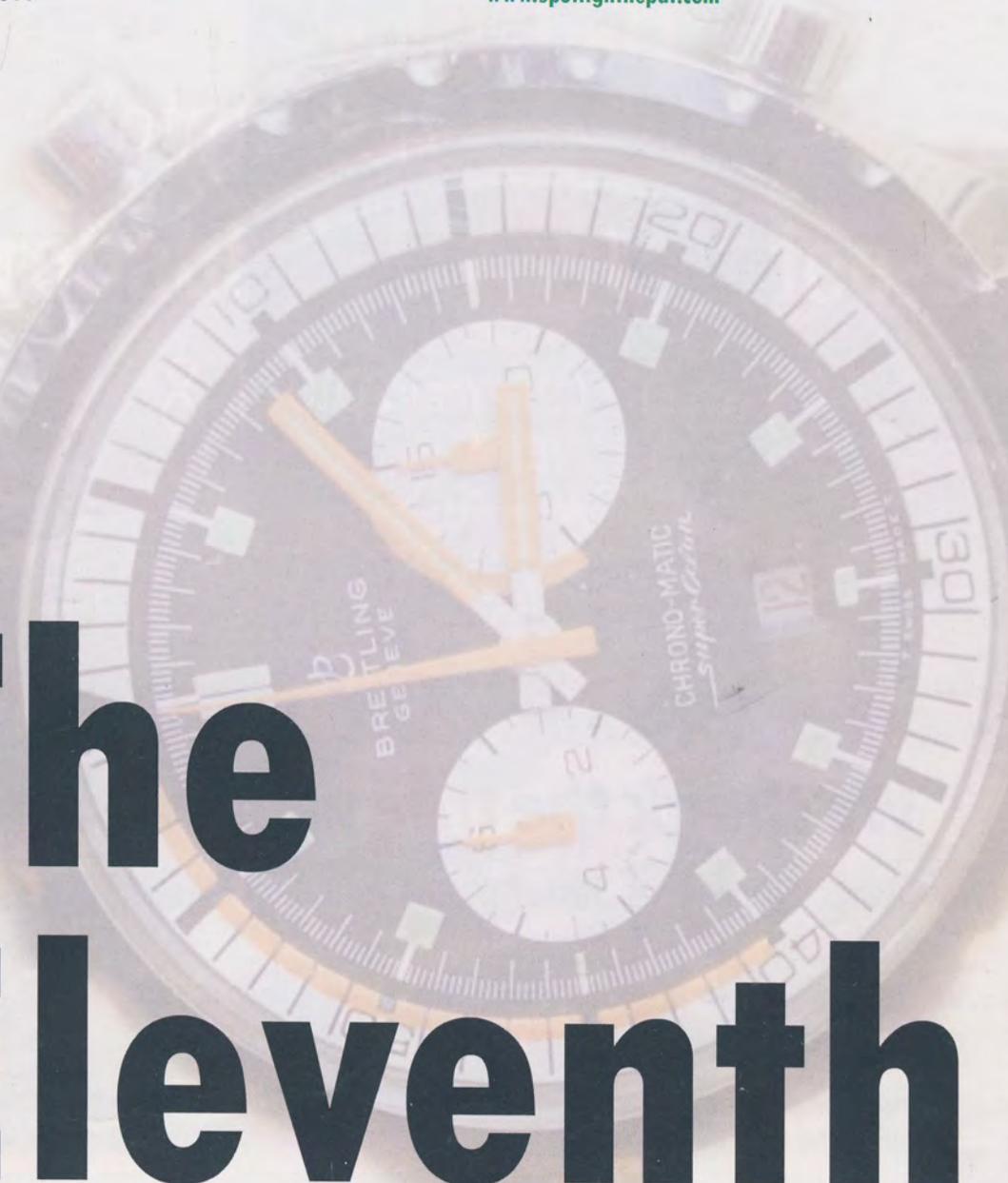


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From The Editor

With just a few days remaining for the constitution deadline and a serious political crisis looming large, Nepal's political parties have stepped up consultations on the future course of action. This is yet another typical example of an eleventh-hour urgency that the parties are accustomed to. On the agenda now is (a) a further extension of the constituent assembly (b) a national unity government and (c) the conclusion of the peace process by totally separating the Maoist outfit from its armed wing. As of writing this, no agreement was on the cards. The only thing that is looking increasingly certain is the removal of the prime minister Jhalnath Khanal. What follows next is not clear yet. Who becomes the next PM - Prachanda, Baburam Bhattarai or Sher Bahadur Deuba? The curiosity grows. Just that. No one has a clear idea about a lasting solution to the long-running political crisis which has only deepened due to the extension of the critical transition. The eleventh-hour exercise could, if at all, produce a solution. For now. But not necessarily for future. Hard lessons have gone unlearned.

Keshab

Keshab Poudel
Editor



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Editor and Publisher : Keshab Poudel, Senior Editor: Alok Tumbahangphey, Senior Correspondent: Saroj Dahal, Correspondent: Uma Kanta Khanal, (Jhapa) Abijit Sharma (New Delhi),

Reporter: Yogesh Gyawali, Nitish Dev Bhattarai

Marketing Manager : Madan Raj Poudel, Tel: 9841320517, Nabin Kumar Maharjan Tel: 9841291404, Photographer : Sandesh Manandhar

Cover Design/Layout : Hari Krishna Bastakoti

Editorial Office : Tel: 977-1-4430250 E-mail: spot@mail.com.np, P.O.Box: 7256

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SHALOM SHALOM!

The Sixth Israeli Film Festival was held from 4-6 May recently in the Russian Culture Centre. The festival presented films whose subjects ranged from drama to comedy, friendship, family, religion and romance. "We appreciate the love and interest bestowed upon us by the movie enthusiasts in the past, which has been fundamental for continuing the tradition of Israeli Film Festival," said an Israel Embassy press statement.

The annual fiesta was inaugurated this time by artist Madan Krishna Shrestha. "Late Marriage" released in 2001, a family comedy that traces the tragedy of the repressive effects of

traditional values was screened during the inaugural of the three day festivity.

All films screened in the festival are winners of the Israeli Film Academy Awards and the prestigious International Film Awards.

The annual festival organized by the Israeli Embassy here is an attempt to bring peoples of two countries culturally closer and strengthen people to people relations. Nepal was one of the first countries in the world to establish diplomatic ties with Israel.



Embassy Assists Schools

The Indian Embassy in Kathmandu has signed Memorandum of Understandings (MoU) with the District Development Committee (DDC) of Dolakha and Kapilvastu districts agreeing to grant financial assistance under the India Nepal Economic Programme to build new three story buildings for two local schools. Shree Satyaswhor Higher Secondary School of Dolakha and Shree Janaki Higher Secondary School, Maharajgunj, Kapilvastu, will each get NRs 26 million and NRs 25 million respectively along with all the necessary furniture.

The new building construction will be overseen by the DDC's as per the law of Nepal. The DDC will be responsible for the timely completion of the construction. An oversight committee comprising representatives from the local development and administrative authorities have been constituted to ensure community participation in overseeing the projects for their effective and timely implementation.

This is the third development project undertaken with Indian assistance under the Small Development Projects in both districts.

Established in 1950 as a Primary School and subsequently upgraded as Higher Secondary School in 2004, Shree Janaki Higher Secondary School is the only Higher Secondary School among 12 VDCs of the southern region of Kapilvastu district.

Calls For Free Media

Various government heads and the organizational heads including Catherine Ashton, High Representative, European Union and British Foreign Secretary William Hague have released press statements on the occasion of the World Press Freedom Day calling for governments all over to proactively protect and promote freedom of opinion and expression, media pluralism and independence and the safety and security of those working in the line.

"Freedom of opinion and expression is a fundamental right of every human being and an inherent part of human dignity. It is also a cornerstone of democracy and crucial for the free flow of information to which everyone is entitled" read the press statement of High Representative Catherine Ashton. The statement further said the European Union "recalls these basic principles, enshrined in international law, and the vital role played by independent and free press and media. The EU pays particular tribute to the invaluable work of the many journalists and media professionals around the world who with dedication and courage contribute to revealing the truth about unfolding events."

Referring to the risks borne by journalists around the world, particularly in conflict zones, the statement said, "In many cases, they are targeted by those who dislike the nature of the information they reveal, suffering arrest or kidnapping, torture or killing." The EU

called upon all governments to abide by international norms for the protection of freedom of the press and media and to release without delay all illegally detained journalists and bloggers. "Censorship and harassment of journalists are unacceptable. Regrettably, there are still too many countries where access to information and journalistic freedom are restricted. The internet and social media have become an important way of promoting freedom of expression; they provide unprecedented access to information and a way of communicating with the largest possible audience." The press release further stated that the EU is firmly opposed to any unjustified restrictions on the internet and other new media.

British Foreign Secretary William Hague chose to "remember those working to report the truth or to represent different views around the world. I pay tribute to the journalists, bloggers and media organizations that play such an important role, often at great personal risk in countries with widespread press censorship and restrictions on freedom of expression. Governments need to respond to legitimate aspirations with reform not repression. Encouraging an open and effective press will only help stability."

Redouble Efforts On CA Tasks: EU Missions

With the deadline for the Constituent Assembly to finish writing the new constitution fast approaching various EU based missions in Kathmandu have issued a joint statement stating "We recognise and welcome the efforts, including over recent months, which have been made to maintain peace and work towards concluding the agreements reached by all political parties in the Comprehensive Peace Accord (CPA) of 2006. With the deadline for agreeing the draft of a new Constitution fast approaching, we call upon all political parties to redouble their efforts and show the required flexibility to bring to a rapid conclusion the many years of discussion by agreeing modalities for the integration and rehabilitation of the former PLA combatants, and by

completing before 28 May 2011 the drafting of a democratic, inclusive Constitution through the Constituent Assembly." Denmark, EU Delegation, Finland, France, Germany, the Netherlands, United Kingdom, Norway and Switzerland have signed the statement.

The release further reads, "As donors and friends of Nepal, we remain concerned that until there is a comprehensive and sustainable peace in line with the agreements reached in the CPA, there will be continuing uncertainty about the country's democratic development, and its capacity to deliver economic growth and services to all its citizens."

No Dues Left

The Indian Embassy in Kathmandu has termed media reports about extended credit and dues between the oil corporations of India and Nepal as baseless. "The Embassy has seen reports in certain sections of the media stating that Indian Oil Corporation (IOC) has agreed to provide an extended credit facility to Nepal Oil Corporation (NOC). The Embassy has also seen reports suggesting that 'NOC should claim reimbursement of NRs 14 billion due to it'. The Embassy would like to categorically state that both these statements are baseless," the statement said.

"The IOC supplies petroleum products to NOC in accordance with their bilateral agreement for which a weekly statement of accounts is carried out and that there are no dues to the NOC pending with IOC."

New KOICA Volunteers Arrive

Korea International Cooperation Agency (KOICA) has dispatched three new KOICA volunteers and one medical doctor to work in Nepal for two years for the second time within this year. The second batch arrived in Kathmandu on 9 May. The new volunteers will be assigned in different government offices within and outside the Valley and will share their knowledge and experience in health and education sectors with Nepalis.

The volunteers have to also undergo

local adaptation training for eight weeks before they are considered able to go out and work independently. During the training the volunteers learn to read, write and speak Nepali, get practical and theoretical lessons on Nepali history, language, culture, economy and society. A home stay with a local Nepali host family is also arranged as a part of the program.

Talks on Khas ethnicity

A booklet on Khas ethnicity has recently become the talk of the town in Kathmandu.

Written by one of the leading constitutional experts of Nepal, Dr Bipin Adhikari, the book "Nepalka Khas Jati" (The Khas People of Nepal) (Kathmandu: Nepal Consulting Lawyers, Inc, 2068 BS) presents the historicity of Khas people, their roots, language, religion and culture, and their abodes in the Himachal region including Nepal since pre Vedic (Iron Age) times in a very concise manner.

The booklet of 105 pages, which is priced at Rs. 50, brings forward many ancient references about Khas people from Vedas and Mahabharata, Hindu scriptures and treatises, the ancient written history of the Himachal, and pulls together the facts as to their movement towards the Himalayas and beyond.

Although a small booklet, it has tried to explain Khas ethnicity as an aspect of this community's self-recognition as well as an aspect of its recognition in the eyes of outsiders. Attempts have been made to explain Khas ethnicity in terms of standards of behavior, social ties, common origins, memories of a shared historical past, shared cultural heritage, religious affiliation, language and tribal affiliation, etc.

Although the purpose of the book is only to share the perspective of the author on Khas ethnicity, it will have enormous impact on the common people and activists alike. It makes easy to every member of Khas (i.e. Chhetri, Bahun,

Kami, Thakuri, Sarki, Sanyasi, Badi, Damai and Gaine) community to know how indigenous they are to this land.

Additionally, the booklet poses intellectual challenge to those who consider the Khas people less indigenous to Nepal than the Janajatis who have been asking for provinces in federal Nepal based on their claims of indigeness.

Bangladesh Embassy Celebrated Mujibnagar Day

The Embassy of the People's Republic of Bangladesh celebrated 'Mujibnagar Day' in a befitting manner.

17 April is the Mujibnagar Day of Bangladesh. On this day in 1971, the Mujibnagar government that is the government in exile formed by the leaders of the Awami League, who were leading the liberation war for the independence of Bangladesh (then East Pakistan) from Pakistan. This government was formed at the Baidyanathala mango grove of Meherpur, a former Subdivision of Kustia district bordering India. The oath taking was witnessed by hundreds of foreign journalists who had assembled there to hail the birth of a new nation.

The formation of the Mujibnagar government and its pronouncement to the world at large is really a red-letter event in our national history, especially after the thumping victory of the Awami League in the elections of 1970 under the leadership of Bangabandhu Sheikh Mujibur Rahman.

In this connection, the Embassy drew up various programmes that also



included discussion on the significance of the day, special prayer and cultural programme with participation from Bangladeshi and Nepali artists at the Nepal Army Club Auditorium on 04 May 2011. ■



Bank of Kathmandu Limited's Chairman Mr. Narendra Kumar Basnyat inaugurating Bank's 38th Branch in Tamghas, Gulmi

BoK Launches Two New Branches

Bank of Kathmandu Ltd opened its two new branches in Tamghas of Gulmi District and Sandhikharka of Arghakhanchi District.

Narendra Kumar Basnyat, chairman of the bank, inaugurated the branch in Tamghas and Director of the Bank Govinda Prasad Sharma amidst two different functions recently. The newly opened branches in Tamghas and Sandhikharka will provide service of deposit; loan, remittances and several other facilities offered by the Bank, it has been informed.

With addition of two new branches Bank of Kathmandu now has a total of 39 branches and 6 counters throughout the country. Apart from this, the customers can utilize the facility of its network in 50 ATM counters.

The bank has taken the policy of expanding its branches throughout the country, especially focusing in the rural and agriculture based areas. The opening of these two branches in Lumbini Zone justifies the above policy. The bank is actively working towards introducing newer service and in rural sectors to serve the community residing in those areas.

Fresh Challenges For 2011: ESCAP Report

Governor of Nepal Rastra Bank Dr. Yubaraj Khatiwada launched the Survey of Asia and the Pacific 2011 which shows the economies of Asia and the Pacific recovered strongly in 2010 from the Great Recession of 2008/09, but they faced fresh challenges in 2011.

These include the return of the food and fuel price crises, sluggish recovery in the advanced economies and a deluge of short term capital flows that is leading to volatility in capital markets, asset bubbles and appreciating exchange rates. The 2011 edition of the Economic and Social Survey of Asia and the Pacific, the oldest annual review of development in the region, analyzes the economic recovery of the region thus far and the critical issues, policy challenges and risks facing the region in the coming months. The flagship publication of the Economic and Social Commission for Asia and the Pacific (ESCAP) – the regional arm of the UN – outlines a policy agenda for sustaining dynamism and inclusive development for an Asia-Pacific century.

Dr. Posh Raj Pandey, Executive Chairman of SAWTEE and Robert Piper, UN Resident and Humanitarian Coordinator also highlighted the report.

Remembering Tagore

The Embassy of India along with Anandalok and B.P. Koirala India-Nepal Foundation organized a four day film festival to celebrate the 150th birth anniversary of Nobel laureate and India's best loved poet Rabindranath Tagore. President Dr. Ram Baran Yadav inaugurated the Rabindra Sangeetanjali, along with launching "Geetanjali" in Nepali recited a short excerpt from his father's book.

Various Nepali artists paid tribute to Tagore's life and legacy by performing his tunes in Nepali, along with singers and performers from the Anandalok choir and the students of Kendriya Vidyalaya. The artists sang in Bengali yet the smoothness and meaning of the poetic lines was understood perfectly by the audiences.

Screening of Tagore's various plays such as Teen Kanya, Kabuliwala, Churuta and Chokher Bali were screened. Sarwanam group also presented a play Rabindranath Ka Patraharu during the festival.

Merger Guidelines Approved

The Nepal Rastra Bank (NRB) has passed the guidelines to motivate merger of banks and financial institutions. The central bank board of directors approved the guidelines that gives high priority to voluntary mergers. "There is no provision in the guideline that can force merger. But there is a provision whereby the NRB can give strong advice to the banks for merger," said an official. The guideline lays down three-step approval for merger. Initial approval will be given upon receiving applications, followed by agreement in principle and final approval. The guideline also spells out facilities such as single customer credit limit, rural credit, branch expansion, upgrading, credit-deposit ratio and so on.

Custom Duties Of 3000 Products Increased

The Department of Customs has increased custom duty for around 3000 products imported from India and other third countries. As the government struggles to meet the revenue growth target, it increased the duty by 10 to 25 percent. Products that will attract increased rate include soft drinks, biscuits, spices, chocolates, cosmetics, bakeries, and so on. ■

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Home Minister Mahara 'Demoralises' Police

In four days after the newly appointed home minister Krishna Bahadur Mahara assumed the office, more than three



K.B. Mahara

dozen Maoist workers have been released from prisons across the country on his order. They had been held on criminal charges like extortion, intimidation and other organized crimes. After criminal-minded Maoist workers who had been involved in serious crimes have begun to be freed without any action the police have become helpless. Sources said that minister Mahara has ordered the police headquarters to furnish details of the Maoist workers being held across the country. Following this, the police have stopped detaining hooligans acting in political guise. (*Nepal Samacharpatra*, May 10)

Row Over Diplomatic Passport 'Misuse'

Madhesi Janadhikar Forum Nepal alleged misuse of red passports by its lawmakers. The anti-corruption panel, Commission for Investigation of Abuse of Authority (CIAA) has been investigating into the alleged misuse of the lawmakers – most of them belong to the Madhesi Janadhikar Forum Nepal and its breakaway "Loktantrik" faction. General secretary of the Forum Nepal, Ram Sahaya Prasad Yadav said that "the CIAA's move is aimed at defaming us". He urged the parliament to look into the matter. According to him, the CIAA's actions are objectionable. (*Rajdhani*, May 10)

Law Maker Among Those Absconding

Four immigration department officials and a lawmaker accused of misusing the diplomatic red passports are at large. After the CIAA issued arrest warrants against them, they went absconding. Two lawmakers, BP Yadav of Madhesi Janadhikar Forum Nepal and Gayatri Sha of Nepali Janata Dal, are in detention while the third accused, Shiva Pujan Raya Yadav,

also from the Forum Nepal, is at large. Another lawmaker, Narad Muni Rana, from the UML, is being investigated for suspected misuse of the red passport. Rana has denied any wrong-doing. (*Nagarik and Kantipur*, May 10)

Politics Mar Universities

Political bargaining among the parties has blocked the appointment of the new vice chancellors of five universities including the Tribhuvan University. The prolongation of vacancy at the top of the academic institutions has affected academic and administrative functions. Former vice chancellors have appealed to keep the universities away from party politics. Party interference and the fight over the sharing of the high office of the academic institutions have left the universities in disarray, they said. (*Annapurna Post*, May 10)

Nepal's UN Mission Bank Account Closed

The Chase Bank has closed the account of the Nepali mission to the United Nations in New York over the country's failure to make an anti-money laundering law and enforce it. The move follows a request from a multi-national watchdog group, Financial Action Task Force which was furious with Nepal for 'not fulfilling its international commitments.' According to the Nepali ambassador to United States, Shanker Sharma, "they have not said it clearly, but there is every indication that the closure has to do with the delay in making and enforcing the money laundering law." Meanwhile, the New York mission of Nepal has opened a new account in another bank. (*Kantipur*, May 10)



पढ्ने, पढाउने
र पढ्न पठाउने
सबैको साथी

शिक्षक मासिक

Reviving The 1990 Constitution

- DIPAK GYAWALI



Last Sunday, three weeks before the expiry of the self-extended term of the Constituent Assembly, the hitherto muted liberal segment of the political spectrum put forth a new, non-left political agenda – restoring the 1990 constitution – that was unthinkable even a few months back. Among them were Nepali Kangress stalwarts who had not opportunistically surrendered to the Maoist-Mughlani agenda in 2005 and who thus still retain political integrity. If the Constituent Assembly had delivered the promised new baby, there would be no need for such effort on their part or this essay.

In April 2006, when King Gyanendra handed over power to the agitating alliance of motley parties with divergent aims, he did it with the hope shared by many Nepalis that their “roadmap” would bring peace and prosperity to the country. Five anarchistic years later, the country groans under a dead-end politics: the roadmap has become a blind alley. There are whispers of extending the life of the CA yet again. That, however, is akin to insisting that the car stuck in the blind alley must continue bulldozing forward in the hope that it will reach ... somewhere eventually. Common sense would hold that the right thing to do is to back out of the dead-end and get onto the main road where the wrong turn was first made. Most date it to 2005 with the 12-point Delhi compromise, and some even further back with the King’s activism in 2004 as well as the infighting of parliamentary parties from the mid-1990s all the way to 2002.

Many speakers at the Sunday *goshthi* came back to the theme of re-starting the process of democratic evolution from the base of 1990 which would allow a common national endeavor to move towards prosperity. The alternative of continuing with this mandate-bereft, sterile (and disgustingly corrupt) CA would be the same as hoping to get milk from a barren cow. A manifesto had been prepared earlier by those who founded the Nepali Kangress’s student union in the 1970s such as Devendra Lal Nepali and Bipin Koirala as well as the 91-year old Ram Babu Prasain who was the Kangress treasurer in the days of democratic

idealism, frugality and volunteerism. It argued that the mandate of the Peoples’ Movement of 2005/2006 had never been the overthrow of the 1990 constitution or the divisive issues of today such as federalism, atheistic secularism or republicanism. These were sly later add-ons foisted by the unscrupulous on the gullible to further their own devious aims of power and pelf, state capture and assorted megalomania.

Bipin Koirala spoke as a Nepali Kangress politician, a rare breed because what one sees now are Deuba and Girija rumps only. And as such, he was galled to see the Kangress lose its Nepaliness and idealism that seems to have drifted to RPP-Nepal on the right, Rashtriya Janamorcha on the

left and the Madhesh parties smudged all over. Nepali Kangress had always stood for balancing the forces of both modernity and tradition. By giving up tradition, it has lost its *élan vital* and become a prisoner of the Maoist agenda. Only a return to the 1990 constitution would allow the Kangress to come back to



Slogan on a wall at Ratnapark demanding restoration of 1990 constitution

the center stage of Nepali democratic politics and away from the oligarchy it is currently a part of. Lawyer Balkrishna Neupane argued that the 1990 constitution was only in suspension and can only be replaced by another constitution, which has not, and cannot by the looks of it, be made. The interim constitution is no constitution: the tattered document is merely a battered witness of the “political understanding” among the parties. It collapsed with the disintegration of political consensus following the CA elections, leaving only the bedrock of 1990 as the starting foundation.

It is now plain that lack of time was never the reason why the CA has not delivered. The real reason is that the “peoples’ movement” of 2005 was not indigenous to the seven parliamentary parties or the Maoists. The driving godfathers were in Mughlan and across the seven seas, with the parties mainly serving as pawns to their more global interests. The latest WikiLeaks is proof enough if more proof than the history of the last five years were needed. The

differences in political vision among the parties in the CA are so divergent that no amount of extension can resolve them. Only a higher authority, i.e. the people of Nepal, can do so through a fresh mandate. Why and how to go for

a hundred billion alternatively spent would have given us 1000 MW of new hydropower plants. Since a kilometer of gravel road costs about ten million rupees, we could have had ten thousand kilometers of new roads. Extending the

but gave her only a sixth of that amount. The story of corruption by the unelected and unaccountable "all party" syndicate in the districts has also reached staggering heights. Angry Nepali voters should not have to bear the burden of funding political parties and the parasitic lifestyles of their bosses.

Only a return to the 1990 constitution would allow the Kangress to come back to the center stage of Nepali democratic politics and away from the oligarchy it is currently a part of.

a fresh mandate have become the burning questions of today.

The CA's mandate from the people has not only expired, but it seems the Kangress and the EhMaLey are waking up to the embarrassing fact that it was acquired under less than democratic means when the threat level maintained by the Maoists in the districts was as high as ever. The elections were fought for "road, electricity and water", not for federalism and other divisive issues that lie behind the current impasse. If a constitution drafted with one party having a separate coercive army is unacceptable to the other parties, even less so is a mandate thus acquired (and lost in two years) to the angry voters of today. But how does one go for a fresh mandate when the interim constitution has no such provision? The answer is simple: since the political consensus around it has long collapsed, it is a dead letter, and thus all the more reason to go back to the only democratic arrangement made by these very parties (indeed even personalities) including the Maoists two decades ago. Since they could give nothing better, it is imperative that they go back to the basic minimum that was collectively agreed upon and start afresh from there!

In these five years of anarchy and destruction, it is reported that the country has squandered almost a hundred billion rupees on the sterile CA. In a country with some 600 MW of installed capacity and a demand of 900 MW that has led to a crippling load-shedding for two-thirds of the day,

sterile CA would mean continued benefits for the parties therein but would deprive the country of development. Behind the reported alcoholic misdemeanor of MP Sharda Nepali (who previously attempted suicide) lies the generic story of how her party exploited her, collected her MP's monthly sixty thousand rupees

The agenda of restoring the 1990 constitution and holding immediate elections under it, both for the national government and the district bodies, will let the rest of the Nepali people get on with their lives while bringing forth needed changes democratically through parliamentary majorities and referendums. At a minimum, this non-left political agenda will force the 2006 adventurists to answer how any new constitution could be realistically better than that of 1990. ■

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CA Extension The Best Option



By AGNI PRASAD SAPKOTA

As the date of expiry of the Constituent Assembly is coming closer, regressive and reactionary forces are trying to sabotage the process of constitution making through the CA. Whether in the name of reviving the 1990's regressive constitution or pressing us to produce the new constitution, the hidden agenda behind them is to sabotage the CA. I don't think such a wish will be fulfilled in this context when the CA has already completed more than 80 percent of its job. Of course, we don't have a draft ready for public but we are in a position to make the skeleton of the constitution. In the last three years, we were able to settle many issues related to the rights of the people.

We have to accept the fact that we are unable to promulgate the new constitution by May 28. We have still time to produce a concise draft even before May 28 but what is required is the consensus among country's major political parties about such a draft. If we can make a concise draft, people will allow us for extension of the CA tenure.

If the tenure of CA will expire now, it will create a big power vacuum. As an elected body of the people, CA has legitimacy to rule the country and draft the constitution. Knowing this, our party has already proposed for the extension of its tenure. I think other political parties will also agree on our proposal to prepare a draft of the constitution and seek an extension of the tenure. In the process of integration, we have seen many a progress in recent times. If all of us agree to work together, the peace process will see a logical conclusion.

As all of us know that no CA in the world drafted the constitution merely in three years time. As it is a very complex process, it always needs adequate time. We have to accept the fact that we were unable to perceive this thing in the course of writing the interim constitution. We need to tell this fact to the common people of Nepal who have made all kinds of sacrifices to transform the country. If we tell them all our constraints and our mistakes, Nepalese people will back us again. We are making the constitution which will protect the rights of the people. Of course, a constitution can be written within a week but people may reject it in case we are unable to address their problems. Nepal has its own experience as it has experimented half a dozen constitutions but people rejected them one after another because they didn't own them.

Nepal has been passing through a serious political crisis as the tenure of Constituent Assembly coming to a close after its one year extension. UCPN-Maoist waged twelve years of people's war to establish the right of the people by writing the constitution through the elected Constituent Assembly. This is a historic achievement of Janandolan II. Of course, CA is

unable to produce the constitution in the three years tenure but it does not give the right for somebody to dissolve it without the completion of the historic verdict of the people. If CA is dissolved, it will create a political vacuum where the reactionaries and regressive forces will benefit and the country will once again enter into severe conflict. In this context, the time has come for the leaders of major political parties to take a decision about extending the tenure of CA until writing the new constitution. Given the nature of current political crisis, there is no alternative to the extension of the Constituent Assembly.

As country's major political parties UCPN-Maoist, Nepali Congress and CPN-UML are divided, the voices of regressive forces are coming out loud. I don't think such forces will make any changes in the course of history. History has already drawn the line of Nepal as the country is now federal, secular, and democratic republic. Some forces are making efforts to revive the old and redundant constitution; I don't think people will accept it. It is merely a wish to believe the revival of monarchy and Hindu state. The mandate given by the people of Nepal through People's Movement is the verdict of the country. UCPN-Maoist joined the mainstream after all other parties agreed to go for the election to the Constituent Assembly.

We need to frankly admit the fact that all of us have committed some mistakes. Due to our mistakes, we are unable to promulgate the constitution by time or May 28. We must convey this message to the people and ask them for its extension for some time so that we can write the constitution through the CA. Writing the constitution is not an easy task as it involves very complex processes of power sharing and forms of government. The issues like restructuring of state is very tricky as regressive forces who don't want to empower the people always conspire against federal state saying that it will split the country. It is not true—the federal system will further strengthen the country.

UCPN-Maoist is very aware about the situation. There is a conspiracy against people's movement and people's war. Even foreign forces are actively interfering in our internal affairs. For instance, the UN is trying to interfere with our internal affairs by raising the issue related to People's War. Foreign interference is unacceptable to us. If we allow the tenure of CA to pass, the country will turn into a playground of external forces. Extension of the tenure of CA with certain commitment will be the best solution for the present time.

(Sapkota is the Minister of Information and Communication. This is based on his talk with journalists)■

We need to frankly admit the fact that all of us have committed some mistakes. Due to our mistakes, we are unable to promulgate the constitution by time or May 28.

MAY 28 DEADLINE

Last Minute Moves

As the May 28 Constitution deadline draws closer, last-minute moves are afoot on what should follow. Desperate to hold on to the 'legitimate' tag of the largest party, the Maoists are out to go to any length to extend the life of the Constituent Assembly. Prime minister Jhala Nath Khanal is okay with the idea, but not his powerful rivals within the UML. The Nepali Congress too is not keen. It is bargaining hard to get the Maoists on their board of democracy and peace process. No time could be better for it than now to fleece the former rebels. The hectic political activities at the eleventh hour could either result in a national government and a further extension of the CA or a free-for-all. The first scenario looks more likely.

By SAROJ DAHAL

As soon as Jhala Nath Khanal went out of the country for his first foreign tour as the head of the government, his mentor got into action to oust him from the office. Even before Khanal left the VVIP lounge at the only international airport

to board the Istanbul-bound flight, Maoist chairman Pushpa Kamal Dahal 'Prachanda' dashed to a residence of a UML businessman at Baneswor. Waiting there were Khanal's two bête noire, his predecessor Madhav Kumar

Nepal and a successor-aspirant, K.P.Oli. Prachanda later at a different venue shared many cups of tea with the leaders of the main opposition Nepali Congress.

In all the meetings, Prachanda not only found fault with the man he made



PM J.N. Khanal: Visionless?

prime minister, he admitted of making a mistake by propelling the UML chief to the top executive office.

He complained that Khanal embarrassed him by taking a number of actions without consulting him. Khanal, according to him, ignored his suggestion to not to go on foreign tour at a critical time ahead of the constitution deadline.

Prachanda's confessions of 'mistakes' with the men he once labeled 'foreign stooges' and 'puppets' were not merely meant to criticize Khanal. What he was aiming was a further extension of the constituent assembly that was to die its natural death two weeks later.

Having forced his views through the party's central committee for "the peace process and the constitution making" in place of the popular revolt, Prachanda has now sought to assure the UML and the Congress leaders that he was committed to "a democratic

constitution". For this, however, he maintains that the CA should not let die without completing the task.

Said his trusted vice chairman Narayan Kaji Shrestha 'Prakash', "the meetings were aimed looking for a basis to forge a consensus among the three big parties and give a message to the people that the constitution was possible after the extension of the CA."

But the uncertainty remains. Even now. With just a few days away from the constitution deadline. Said a Nepali Congress leader, "the basis for a consensus with the Maoists can come about only after the Maoists put into practice what they pledged - on peace and constitution."

It is not that nothing has moved forward. The Nepali Congress and the UML have been somewhat positive after Prachanda expressed the commitment to a democratic constitution and the combatant management. This has

increased the chances of the extension of the CA.

If the top leaders of the three parties were to be believed, prime minister Khanal will step down in a week's time from now. As a caretaker government takes over, the regrouping and the number of the Maoist combatants will be finalized and the Maoists' public declaration of commitment to a democratic constitution will follow. This will pave the way for the extension of the CA.

Last year, the Maoists had put conditions to the other two big parties for the extension of the CA. The tables have turned now. If the Maoists had called for the resignation of the "foreign puppet" prime minister Madhav Kumar Nepal last year, this time the Nepali Congress and an influential section of the UML are calling for the ouster of prime minister Khanal for a consensus government and a firm commitment from

the Maoists on acting on their promise of a democratic constitution and peace process.

A reliable source told NEW SPOTLIGHT that Prachanda is hell bent on reaching an agreement on extending the CA because of the pressure from within to let the CA dissolve and prepare for a popular revolt. Prachanda realises that such a move will be suicidal for the largest party in the CA. "He is closer to an agreement with the other parties."

But the other parties will find it difficult to trust the Maoists. They will continue to suspect the Maoists' commitment to combatant management and the democratic constitution merely as a lip service. Critics point out that such a policy does directly contradict with the communist ideology of the former rebels.

To take these parties and the international community into confidence, Prachanda will have to risk a vertical split in the party to keep the dissenters away as a splinter faction otherwise he runs the risk of indulging in manipulative politics with the other parties.

The largest political party of the country with 19000 combatants under its belt is faced with a hard choice, as the clock ticks.

The last minute moves ahead of the constitution deadline hover around what it does and what it does not.

The Nepali Congress is no mood to



New Equations

oblige the Maoists on extending the CA without a credible change in what the Maoists think and do. The Madhesi parties have already warned of resignation en masse.

There are however some apprehensions. The Nepali Congress and the Madhav Nepal-Oli faction of the UML suspect that the Maoists and the prime minister Khanal may go for fresh polls if they failed to muster the two-thirds majority necessary for the CA's extension.

Their suspicion is based on

ambiguity about the status of the incumbent government in the constitutional vacuum after May 28.

Although nothing can be predicted at this point of time, the continuation of Khanal as prime minister is increasingly looking unlikely. It is not nor thing that senior Maoist leader Baburam Bhattarai has been calling, and holding secret talks, for a national government comprising of the big three.

Prachanda is not averse to the idea. The only thing he wants to be sure is that he should lead the new government. That is one thing, however, which is not sure yet. Hence uncertainty continues even at the eleventh hour, although a last-minute three-party agreement on extending the CA for a few months appears on the cards. ■



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Politics Of Deceit

By YUBARAJ GHIMIRE



Nepali Congress and Maoist leaders are at times seen engaged in verbal dual over the order of preference. Whether the peace process or the constitution writing should come first is an issue occasionally raised, but never pursued with a minimum of honesty and seriousness. And five years down the line, no one knows where the peace process is.

But we all know the constitution writing has missed two deadlines, and the big parties are all set to acquire a new one.

Narayanman Bijukchhe sounded sad and defeated when he gave his latest interview to Image TV Channel on the peace and constitution making. He said the two can go together but there needs to be a minimum of

honesty and clarity among political parties on the mission they have been assigned to. And his inference was: they did not have any. He was appalled with the so-called progressive forces raising casteism and ethnicity to a new pitch in the country which he said may lead to disintegration of the country, with the possibility of many people being uprooted from their present homes. Bijukchhe was echoing many who have remained silent all through, or are raising their faint voices now. Yes, like what he said the peace and constitution writing processes could go together also, but the parties need to be honest. Can we expect them to be honest if they decide to extend the House tenure beyond May 28 yet another time?

Parties, mainly the big three—Unified Communist Party of Nepal-Maoists (UCPN-M), Communist Party of Nepal-Unified Marxist Leninist (CPN-UML) and the Nepali Congress—have failed to fulfil their obligation once the peace accord was signed in November 2006. They have kept their partisan interests above the nation's and interpreted the peace accord accordingly.

The Nepali Congress and the Maoists which were in the government when the Peace accord was signed deliberately or tactically chose not to implement many of its provisions. They largely indulged in vilifying the Nepal army putting the entire blame on it for HR violation during the conflict. On the other hand, the politics of consensus that they vowed to pursue showed sign of rifts after the exit of monarchy. The radical left alliance's control over power is the latest version or edition of that consensual politics. Therefore, the debate what first: peace process or the constitution writing takes different interpretations now. Nepali Congress that is pitted against the radical left at the moment seems to say 'peace

process first' but it simply will have no answer if asked why is it raising the issues now which it deliberately chose not to when it was leading the government and was in a position to coerce or influence Maoists to honour the provision of the peace process in a time bound manner? Maoists, human rights groups, civil society and pro-active international donors and UN bodies, mainly UNMIN and OHCHR are one on raising the HR violation issues when it involved individuals belonging to state security outfits. There have been instances where these groups have opposed to the routine promotion of officials, or their posting in the UN missions abroad.

The Maoists and the Nepali Congress deliberately chose not to have the Truth and Reconciliation Commission formed although they were obliged to do it by the second half of January 2007 under the peace accord. Clearly, they wanted the provision of the peace process to be implanted in the pace and manner they decided.

But double standards can not always be the basis for running the state. Who else would realise it better than the Maoists in their latest avatar as coalition partners in the government? The UCPN-M got the Home Ministry. K. B. Mahara began wielding his muscles, even overruling the Prime Minister on S. P. transfer case. More than that the row kicked by the demand of OHCHR that Information and Communication Minister Agni Sapkota be tried for murder—implying his inclusion in the cabinet was unfair—has put the Maoists at the receiving end now. The civil

society is silent. But Maoists have hit back. They have even gone to the extent of chastising UN for interfering in Nepal's internal affairs. What will Khanal do? In the days to come, these issues will be linked invariably with the move to have the House tenure extended beyond May 28. Implementation of the provision of the Peace accord including forming the TRC, commission on disappeared and returning the property that the Maoists captured during the conflict is something that needs to be guaranteed, matched by stern follow up actions. Nepali Congress chose to barter its moral obligation for power in the past. With no chances of getting into the fold of the radical left alliance at the moment, it is perhaps time to ensure that these issues are 'acted upon' first—may be in the next one week or so—before considering extension of the House tenure. The deceitful promises of the big political parties and their refusal to act on that can not be the basis of House extension. ■



Ramchandra Poudel (Left) and Prachanda



"...Snares That Lie Ahead On The Trail To Peace And Pluralism."

(Excerpts from Kanak Dixit's preface written in the recently published book *Peace Politics of Nepal An Opinion From Within*)

I started out writing a brief, brash monograph in question-answer format to try and explain contemporary politics of Nepal. Over a few months of writing, I ended with a full-length work that has become a kind of rumination on the peace process, but delving into associated (sic!) areas from geopolitics to identity politics, economics and transitional justice. In large part, the reader will find my finger pointed at the UCPN(Maoist), which has for some years been the main driver of the polity, the other players reduced to reacting to the agenda set by the Maoist leaders. The Maoist record must be held up for scrutiny, judged against the values of *ahimsa* and *loktantra* (non-violence and democracy), even though some Kathmandu commentators, lost in the fog of demagoguery and repeated misrepresentation, believe that these terms and the values they represent are simplistic and passé. Sooner or later, the Maoist must abandon violence through a public declaration and settle down to long-term politics as a civilian party. They will even come a time, I believe, when the Maoists leaders will come forward to express remorse for having started the 'people's war' in 1996. Beyond the smoke and mirrors, the discerning citizen knows that the UCPN (Maoist) agenda has been to foment chaos, destroy all institutions and due process, and be there to reap the fallout. The citizens recognize that the Maoists have been engaged in a 15-year campaign to annihilate employment prospects in this country of the marginalized, forcing the impoverished peasantry into deeper poverty and accelerated migration for survival.

There are other immediate challenges beyond converting the Maoists into a democratic party, and these include: the cross-border 'militant criminality' in the eastern Terai, the possibility of caste-ethnic tensions and inter-community clashes of various kinds, and the likely rise of a nasty rightist flank promoted by ex-royals willing to exploit religion. The increasingly skewed distribution of income, the conspicuous consumption of Kathmandu, the flight of educated young adults, the stalled ambitions of youth in a society where there is no employment growth, the failure to convert natural bounty into material wealth- all these are issue that will dog our society

and challenges the peace, even after the Maoists democratize. The rehabilitation of those victimized by the decade-long conflict and prosecution of the perpetrators of atrocities must be priority, without which real peace will never return.

There is a gloom, but there is also cause for optimism in the resilience of the public and the ability of our leaders to snatch victory from disaster, to move from suffocation to innovation, to refuse to submit to the prognosis of a failed state. A public that can conduct a people's movement like which transpired in April 2006 cannot be regarded as without agency. It is the spirit of the masses that will keep our society open, bring insurgents to heel and create conditions where sovereignty, good-neighbourliness and a democratic peace will deliver material prosperity denied to us for so long.

To confess, this work is not informed by social science scholarship. On the socio-political issues of Nepal, as a neophyte writer, I rely on the analyses and observations of scholars and activists who have battled for decades to build a responsive democracy in Nepal. It is on the basis of this friendly backup that I recently came out with the book *Dekhko Muluk (The Country Witnessed)*. The present work is, in a way, an addendum to and update of that Nepali-language work. If I am seen to be critical of whole categories of people - Kathmandu scholars, civil society stalwarts, development-wallahs, donor representatives and diplomats- there are many individuals in each group who have the empathy and commitment that will help this society move towards political stability, pluralism, peace and prosperity.

It is always an exercise fraught with difficulty to prognosticate publicly at a time when society is undergoing such upheaval and transition, when the variables are so many. Whether talking about the conclusion of peace process, the future shape of federalism, the evolution of the political spectrum, or regional geo-politics, there are just too many 'unknowables'. But one must try out opinions, even at the cost of making a mistake, as was proven with my prediction of a third placement for the Maoist party in the Constituent Assembly elections. I have something more to say about that inside. In societies with a more alert civil society looking out for the interest of the



Peace Politics of Nepal An Opinion From Within By Kanak Mani Dixit

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citizenry, there is better ability to chart events, but in Nepal one is left to rely mostly on the good sense of the masses and the turning of the wheel of time. There is some risk in writing this book; therefore, but it certainly does not need to be *dai-chiuray*, making believe one is expressing an opinion when actually straddling the fence.

It is with some trepidation that we enter the year 2068 BS. Past the monsoon, autumn and deep winter, spring is the season of discontent in Nepal, the traditional time of upheaval. Before we enter the coming monsoon, Nepal must successfully conclude the peace process so that one party is no longer able to frighten the citizenry with its private army. By then hopefully, we will be well on our way towards a new constitution whose democratic values provide the basis for inclusive growth and an end to marginalization. Blocking the radical left is also the way to stop a surge of the reactionary right, to allow effervescent, albeit untidy multiparty democracy to take root in the organic soil of Nepal. The political forces, civil society and the international community, who have to work together for the sake of our people, must be alert to the snares that lie ahead on the trail to peace and pluralism. ■



Citizen Initiative : A protest organized by the Facebook group Uniting Nepal

PEOPLE MOVING

Civil Society Is Dead: Long Live Civil Society

By ALOK TUMBAHANGPHEY

The credibility that Nepali civil society stalwarts earned during the April 2006 Peoples Movement was lost the minute the parliament that was legally dissolved, was resurrected from its grave by the same politicians who had sent it there. It was during the days of the armed conflict that Nepali civil society rose to defend human rights and uphold justice. It condemned and protested against atrocities and gross human rights violations whether it was committed by the state or the Maoists. They were the agent provocateurs who instigated the people to rise in thousands and march on the streets demanding lasting peace, social and economic security. If there was any consensus on the political aspects of this demand for change, it was but King Gyanendra's inability to reign as a modern day monarch who understood the need of the time, and the necessity to assert civilian supremacy. Unfortunately while the failures of the peoples representatives the political parties and the bureaucracy over the course of the years of democratic exercise beginning the transition to multi party democracy in 1990/91, brought about by a popular movement again, were overlooked, the entire system of monarchy and 250 years of history was symbolized as the root cause of all failures.

What was even more ironic and sad was how leaders of the so called democratic parties could so easily forget all their political integrity, and any ideological standing, forget questions of morality, and sideline with a force that would in the future hold them captive in every step of the political power struggle.

It was therefore a betrayal to the peoples mandate when civil society stalwarts quietly accepted all the changes brought about in the basic doctrine of the state without even giving

the people, the real movers behind the change, the benefit of doubt to choose. Did the people of Nepal want a secular, federal republic? How was it technically acceptable for a government to be revived by a parliament that was previously dissolved by the same government? And then introduce a new constitution which is albeit interim but fundamentally different? Should not the changes in the Constitution of the country be approved by popular mandate if we were really trying to exercise inclusive representative democracy? The question here is not of the ends but the means with which we allowed our politicians to decide what course to take for our benefit.

During the 90's when politicians were busy swimming in corruption scandals many a civil society stalwart could be seen swaggering with the same political leaders over cocktails and foreign junkets, and being pictured proudly in the media. Did anyone try and correct that corrosive path of corrupt politics that was being danced in the name of democracy then? Did Nepali society need a violent war to awaken its soldiers of peace?

And for how long did it go on? By the time the Comprehensive Peace Accord (CPA) was signed our colorless generals of peace had already been awarded the stars and stripes of various interest groups.

If there has been any official document that has been able to imbibe the spirit of the April 2006 Peoples Movement, it was the CPA that the late Girija Prasad Koirala and Pushpa Kamal Dahal signed on 21 November 2006. But look at what they did with it! Even worse was the silence of the same civil society stalwarts who pushed for peace, that echoes since that historic day. How many are even talking of the Truth and Reconciliation Committee? Or of impunity? The peace process was supposed to be completed within

six months of the signing of the CPA. Even after already extending the deadline of the Constituent Assembly and now reaching the final minutes of this one, the peace process looks no where near completion. And there is no doubt Nepali society will quietly accept the formation of a separate armed force to protect our borders against an imaginary invasion as a part of the army integration formula being proposed, forgetting the fact that the state is already diverting an average of 17 billion rupees a year on defense and security. Didn't we hear slogans against "militarization of society" during the days of the conflict? Civil society is dead.

Those we thought were independent, colorless, stood for peace, truth and justice now only represent particular interest groups pushing party doctrines to ultimately color the constitution itself, and that too a yet unborn one. This is not to say that individuals within the larger civil society working for the common good cannot have a certain ideological and therefore political leaning. But if it is for the good of all it surely has to be universally good, and not just good for those in red, or green, or blue or yellow.

Against such a dim backdrop of forthcoming chaos, the light of faith has however not diminished completely. Political parties, their leaders, civil society would do well to recognize and understand facts. A majority of Nepal's current population are the youth. The youth will continue being in the majority and the generation that is now in ruling positions will have to face the music if they repeat the mistake that the last ruler did, to undermine the speed at which Nepali social psyche is changing at present. This changing demography cannot easily be brainwashed into believing political rhetoric simply because its colored.

The youth of today are informed, educated, mobile and most importantly connected to the wider world with the click of a mouse or the tap on the screen. The internet and its popular destinations such as Facebook and Twitter are shaking the grounds of even the most oppressive regimes the world over. It is the age of citizen journalism and internet activism. The medium presents the option of choice and provides a platform even to the meekest of the meek. This is where lambs become lions without having to resort to violence in the streets. It is the internet where a new breed of civil society is being borne. A breed that is distinct because of its age, its belief in individual liberty, recognition of all as equals by virtue of the virtual existence, and refusal to heel to senseless dogmas. That Nepalis online are becoming more vocal and active and will take to the streets if need be is a sign that perhaps all is not lost.

Civil society is dead, long live civil society.



The Constituent Assembly- Three Blunders From Its Inception

By ANKIT DHAKAL

As May 28 inches close for the second time, the much anticipated Constitution of Nepal is no where in sight. After having written six Constitutions in past sixty years, it is worth looking at some major reasons as to why this Constituent Assembly has yielded no significant result despite the extension of its tenure.

Dual role of the CA

The non-separation of the Constituent Assembly from the Legislature Parliament was an error from the inception of this constitution writing process. The issue of government formation and dissolution took the centre-stage, while the issue of writing the constitution was pushed to the periphery. The dual role of the 601 members as members of the Legislature Parliament and the Constitution Assembly clearly diluted the effectiveness of the constitution writing process. The Constituent Assembly which should have ideally been a body geared towards writing the constitution was unnecessarily bound by political directives flowing from party leaders at every juncture. As a result, issues of the Constituent Assembly were meddled with issues of government formation. Besides this, the Constituent Assembly also became a venue for showcasing protest against the government which has disrupted the CA time and again eating into its time and focus.

Another aspect of the dual role of the Constituent Assembly was the amendment of Article 64 of the Interim Constitution in extending the tenure of the CA by an additional year. The extension was much criticized mainly because of the manner in which it was done. Devoid of any public consultation, it was a unilateral decision by those who had failed to meet the people's mandate within the stipulated time period. The extension was rather portrayed as favour to the people in desperate times by a mid-night miracle. The CA was therefore a judge sitting on its own case as far as the issue of its own extension was concerned. This is yet another example of how participatory the constitution writing process has actually been.

However, much of these set-backs would have been circumvented had the CA been separated from the Legislature Parliament. This would ensure adequate the focus of the CA towards writing the constitution, as the constitution writing body would not have to be concerned with 'running of the government'. Also, the size of the constitution writing body with 601 CA members has proved to be a failure for the second time. A separate constitution writing body would provide a better opportunity for the inclusion of experts in the constitution writing process thereby making it more capable in dealing with complex/technical issues such as state restructuring, form of governance and electoral systems among others. The constitution writing body would then be specifically accountable to produce the constitution on time without the

excuse of government related issues.

Lack of Pre- Agreed Common Principles

Writing a modern constitution comes with an opportunity of learning from constitutional jurisprudence that has evolved over a long period of time and successful measures adopted by nations in producing their respective constitutions. However, the CA gave no importance to the issue of 'pre-agreed common principles' while writing the constitution. That is why crucial issues such federalism, federal structures, form of governance and land reform policy look irresolvable between the various political parties. A set of commonly agreed binding framework before writing the constitution, would demarcate a perimeter within which the political parties could forward their view points regarding the new constitution. This would streamline the constitution writing process by negating dead-locks on vital issues.

Another drawback of not having learnt from the South African experience of 34 common principles prior to drafting the constitution has manifested itself in utter confusion regarding the new constitution of Nepal. The on going constitutional struggle of Nepal with a history over six decades has revolved around the central theme of 'form of governance'. Systems have been dismantled only to be replaced

by other systems and the process is on-going. A set of common principles especially regarding the issue of form of governance would have been a blessing had it been planned for. Until this issue can be permanently resolved, socio-economic-cultural and other issues will continue to remain in the backseat and so will the issue of producing the new constitution.

Size of the Constitution

An examination of preliminary drafts of the eleven thematic committees suggests that a lot of issues have been sought to be included in the new constitution. For example provisions concerning citizenship have been exhaustively dealt with by the Committee on Fundamental Rights and Directive Principles. Detailed provisions regarding citizenship, protection of rights of the minorities, basis of cultural and social solidarity etc, could have been provided for by Acts and legislations in days to come. A bulky constitution on the making is a reflection of complete lack of trust between the political parties. After all, the test of a constitution does not concern itself with the size of the constitution, but rather on its implementation and legitimacy given by the people. This is yet another lesson not learnt from the constitutional history of Nepal.

These are just some of the major blunders that have hindered the CA from successfully drafting the new Constitution of Nepal. If valuable lessons are not learnt from past blunders they will surely repeat themselves and no amount of time will guarantee Nepal its new constitution.

Dhakal is a Legal Consultant



CA Meeting



Nepal-China Trade Talk File Photo

NEPAL-CHINA TRADE PACT

Non Starter?

Businessmen are less than excited over latest trade pact with China that officials are counting on to reduce huge deficit

By SANJAYA DHAKAL

Hours after Nepali and Chinese officials signed an MoU on May 10 aimed at easing trade between the two countries, Rajesh Kaji Shrestha was a disappointed man.

President of Nepal-China Chamber of Commerce and Industry, Shrestha had pinned high hopes from the trade talks.

"Such a senior delegation came from China and Nepalese officials were also optimistic. But the pact is full of only promises. There is no timeline or clarity in process of implementation," said Shrestha.

In fact, the meeting of Nepal-China's Tibet Trade Facilitation Committee (NTTFC) agreed to ease the non-tariff barriers hurting Nepal's exports as well as ensuring implementation of zero custom facility accorded to 33 LDCs including Nepal by China.

In principle, the agreement seemed to address most concerns of Nepal.

"The agreement eases obstructions in bilateral trade. Therefore, it will definitely reduce the trade deficit. First benefit will be the reduction in complications felt in the implementation of zero custom facility," said Toya Narayan Gyawali, joint secretary at the Ministry of Commerce, who led the trade dialogue from Nepali side.

If his statement is to come true, say Nepali traders, the first thing that should improve is the quarantine complications.

Since foodstuffs like ghee, rice are in high demand in Tibet, Nepali traders have called for easy quarantine system. But presently they are subjected to stringent quarantine by Chinese customs. Their goods are stored for days in the customs, which leads to rapid fall in their quality.

"We wanted to see concrete agreement to ease quarantine complications but it looks like once again we will only be served commitments," said Shrestha.

Around one year ago, China had provided zero custom facility on 4721 products to 33 LDCs – of which 361 products were of interest to Nepal. These products included food grains and agro products.

But due to non tariff barriers such as strict quarantine system, certification standards and rules of origin, Nepali traders could not take advantage.

At present, Nepal suffers from whopping Rs 40 billion worth of trade deficit with its northern neighbour.

It has become a big headache to Nepal, which is already suffering from astounding Rs 174 billion worth of trade deficit with its southern neighbour, India.

In total, Nepal has trade deficit running over Rs 300 billion in its foreign trade. ■

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33 Aman Marg, Gairidhara
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UN Secretary General Ban Ki Moon

ISTANBUL MEET

Promises to Keep

One of the largest global gatherings in a decade is less likely to make any breakthrough in addressing the plight of the world's poor

By BHAGIRATH YOGI in Istanbul

The Lufti Kirdar Convention and Exhibition Center at Istanbul, Turkey, looked like a festival venue throughout the fourth United Nations Conference on the Least Developed Countries (UN LDC IV).

Some eight thousand delegates from most of the 192 member states of the UN were busy highlighting the plight of the poor. But, there seemed little consensus on how to move ahead.

Secretary General of the United Nations Ban Ki-moon insisted that instead of looking at the LDCs as poor and weak, they should be seen as the vast reservoir of untapped potential. "Investment in LDCs is not a charity. It is an opportunity for all," said Ban Ki-moon addressing the opening ceremony of the five-day conference (9-13 May, 2011).

The Nepalese Prime Minister, Jhala Nath Khanal, who is also chairing the bureau of LDCs, called upon both LDCs and developed countries to seize the opportunity and work in a

concerted way to help at least half of the LDCs graduate from the LDC status over the next decade. It is easier said than done.

"Business as usual is not going to resolve the problems being faced by the people of the LDCs," warned Dr Arjun Karki, spokesperson and chair of the LDC IV Civil Society Forum. "There is a need for urgent and radical shift from the current development paradigm to genuine pro-people development."

Civil Society leaders stressed that a world without LDCs needs more than a small increase in ODA, or settling for commitments which extend no further than the MDGs.

While LDCs represent about 12 per cent of the global population, their share of global merchandise trade and global GDP remains around 1 per cent.

In 1971, the UN identified 24 of the world's poorest countries as LDCs and called upon the world community to help raise socio-economic status of their people. Four decades down the lane, only three countries—Botswana, Cape Verde and Maldives—have been able to

graduate from the LDC status. 48 countries of the world—with a combined population of over 850 million—now fall under this category. Thirty-three LDCs are in the African continent while 14 are in Asia and the Pacific and only one—Haiti—in Latin America and the Caribbean.

The countries with per capita income of US\$ 745 a year are categorized as the LDCs. According to the United Nations, some half of the 900 million people in 48 LDCs live on less than US\$ 2 a day. Poverty, high level of unemployment, poor socio-economic conditions and unsustainable use of natural resources are the common features of these poorest countries of the world.

"To achieve a world without LDCs is not just a matter of upscaling resources, we need to be rethinking both the model and the practice of sustainable development", said Demba Moussa Dembele, President of the LDC Watch, an NGO network formed after the last UN LDC Conference in 2001.

One much-talked about issue is the cancellation of the debt owed by the LDCs to several bilateral and multilateral donors. Another is the need to go beyond food security to food sovereignty. The current market approach to commodities encourages speculation and volatility in prices which makes it impossible for small farmers to have a sustainable livelihood, say civil society activists.

Nepali delegates taking part in the official negotiations lamented that rich and developed countries were not forthcoming to help the poor countries citing recent global financial crisis and high level of unemployment in their own countries, among other countries. They, instead, were focusing on effective utilisation of aid, good governance and democratisation among the LDCs. "As things stand now, there is little hope of a breakthrough in the Istanbul Program of Action that will guide the course of development for the LDCs over the next decade," said a senior Nepali official taking part in the negotiations.

If that happens, that will be seen as betrayal to the plight of millions of poor by many. ■

Roads and Remoteness: Marveling at Mustang

By SRADDA THAPA



Mustang: Development Dilemma

As I bid my family adieu at the airport I remind them of the likely poor phone connection in Mustang and tick myself for having forgotten to put up the automated out-of-office message on my Gmail. Little did I know there would be better reception and faster Wi-Fi in Mustang than in all of Kathmandu!

As I flew Pokhara to Jomsom, I marveled at the snaking road below. It hadn't occurred to me that people could actually drive right into the geographical marvel that this district is. Considering how much less costly the trip by road may be I figured it did boost domestic tourism and local transportation opportunity for Mustangis.

However, as we landed at Jomsom airport and walked the five-minute road to our hotel I did not marvel, as much as sulk to see "Lavazza" coffee being advertised in every second café. The objective of accepting MIREST Nepal's invite to observe their programmatic activities in Mustang regarding the constitution had been appealing precisely because it was Mustang.

After having read about 'New Death Ritual Found in Himalaya' penned by Ker Than in the March 2011 issue of

National Geographic and flicking through countless pictures of the Lo Manthang region in The Great Himalayan Trail website, I was pumped to be setting foot on sacred ground.

Only, as beautiful and breathtaking as scenes really were, it wasn't sacred, as much as trampled upon. True, the Jomsom area is in Lower Mustang and the charm may be better preserved in Upper Mustang, but you couldn't help notice the way the world had marched right up and into this once-hidden district. And imagine what little time is left before it enters Upper Mustang in the same scale.

As a mere visitor, a tourist myself, I was torn between sadness for the death of this no-longer-remote district and joy for the locals who were not as deprived anymore. The roads may soon make Marpha apples a more profitable product to transport to Pokhara and other cities in Nepal and pilgrimage to Muktinath more accessible for the poor and elderly. The roads may equip the state to address issues of education and health accessibility, availability and affordability of medicine and textbooks.

Sipping my Seabuckthorn juice in the lobby of Om's Home I realized my

dilemma resonated with an article titled "Last Footfall in Nepal" written by travel writer, Ethan-Todras Whitehill, in which he describes "hiking the Annapurna circuit in Nepal before roads take over" for the New York Times in March 2010.

Having trekked to Annapurna Base Camp in 2007, there was only talk of a road to-be then. I cannot imagine the impact it has had on the business of those that depended on tourism (whose lodges were perched right on the pathway) or on the lives of those that depend on non-tourism (whose dilapidated huts were hidden from easy view).

The roads, I imagine, will help some and hurt some. Or maybe it will help and hurt the same individual in different ways. If hauling in the essentials (toilet paper, ketchup too but strips of Paracetamol and boxes of stationary) cost more on a flight or the back of porters, then roads would permit flooding the district with such. Yet, would tourists, domestic and international alike, want to use the toilet paper and ketchup in a region that is becoming within increasingly easy-reach?

As a traveler, it's easy to proclaim, the ones that traverse the oceans to reach Nepal do so to go where no man has gone before – or at least to where few have already reached.

More than half the charm of places like Mustang lay in it being remote, a destination that took perseverance to reach. If zooming into Jomsom was a possibility, imagine my surprise laugh when I realized you could literally drive to Muktinath in just three hours from the district headquarter. Few western backpackers waved off jeep tickets as they marched the rough, dry and dusty terrain. The deep gorge and valleys were still breathtaking and the unpaved dirt roads at least did not add insult to injury as it almost barely affected the scenery.

Kagbeni, the movie and the location, was simply a pit stop at this point and the Yak Burger available in "McDonalds"



Beer in Chang out in Mustang

attested to this fact. While it may be a picture worth taking like that of “Starbucks” in Lukla it is also telling of the values and marketing strategies being experimented by hoteliers to lure in customers. But, perhaps I fail to distinguish between varied customers. For, when foreigners trample into Kathmandu they maybe disappointed to see KFC and Benetton, chains they sought to exchange in traveling to “Natural Nepal”, but I know those of us who call this city home enjoy being connected to the rest of the world, albeit through material products.

And yet, while a cup of Illy’s coffee sounds delicious, it does strike one as out of place in Kagbeni. The local Tibetan butter tea and cool sweet *chhaang* is what a “tourist” may prefer. Well, some tourists anyway.

When we travel, especially to places like Mustang or Nepal in general it is for adventure and to taste something different – not really to see the comforts of the same old same old. But ultimately it is upto the inhabitants of the last remaining “remote” frontiers of Nepal to decide what may or may not help them.

Just as trekkers do not desire to walk a trail by a motor road (sidewalks are aplenty in cities as it is) the businesses that were blooming before the jeeps vroomed by are now dying. Perhaps, the ones at top are bustling. If travelers can zoom in and zoom out within a matter of days, the flirtatious few days in “exotic” terrain can be peaked at the peaks – the

only places molded to appear rustic and remote to the foreign eye.

Businesses dependent on tourism may experience a loss and gain, simultaneously, as the roads dug start to be paved. More may flood in, race for the ultimate end and rush back to the comforts of Pokhara and Kathmandu.

However, communities that are attempting to be sustainable and that have been “cut off from civilization” so to speak would undeniably welcome the tar lining on their mountains.

Two years ago, I drove from Musikot to Rukumkot in two hours and hiked five hours to get to Mahat. A friend who had followed the same route during the height of the insurgency remarked with delight when I called him from the CDMA landline – “You have connection? You drove most of the way? I walked thirteen hours”. I thought of the roads being constructed even between Rukumkot and Mahat as he screamed with delight “*Nepal ma samriddhi hune bho!*” Yes, it would seem as the people of parts like Mahat are welcomed into the twenty-first century with cell phone and bus tickets, there would be prosperity.

That same year, I walked some eight hours from Manmga to Narikot in Jumla. I walked on a road fit for driving eight-wheelers (most of the way, anyway) and was shoed into a hut by soldiers as they were blasting off mountain-sides to assist with road construction. I wonder if you can drive right through Jumla and into the mouth of Rara Lake in Mugu today.

And I wonder if Rara Lake still holds that magic or not.

The East-West highway, when built, was revolutionary, in that it connected the country. In years past one had to descend the hills and flats of Tarai, enter India, travel the route through India and then ascend to one’s destination by re-entering Nepal. The Mechi-to-Mahakali single strip of highway reduced the time and cost of arduous travel and increased efficiency.

Perhaps someone somewhere in that day and age was mourning the death of the “remote”-ness of the adventurous and luscious Tarai – the joy and adventure both *pahadis* and westerners sought, but perhaps some were also pleased.

As I/NGOs offer food-for-work and the development agenda of the decade is road construction, the virgin hills, and now it would seem mountains, are being hacked and reshaped for motor vehicles to pass through. The proposed (and largely executed) projects will connect the country like never before as every district headquarter will be connected via roads, “Mid-Hill East-West Highway” and the “North-South” highway are more convenient to residents and readily available than rocky runways pretending to be airstrip that serve very few.

As fewer corners of the country will be deprived and disconnected, the same last few will also be corrupted – I mourn and rejoice this development.

Sraddha Thapa is an independent journalist.

“Bhutan should take back its citizens”

US AMBASSADOR SCOTT H. DELISI.

Among third countries that have resettled Bhutanese refugees, the USA has resettled more than 38000 refugees from the camps in Jhapa and Morang. Some of the resettled refugees in the USA have committed suicide. How are refugees in the country? Will Bhutan take back its citizens in future? Our correspondent Uma Kanta Khanal talked to US Ambassador to Nepal, Scott H. DeLisi.

How many Bhutanese refugees have been resettled in your country?

More than 38000 Bhutanese refugees from the camps of Jhapa and Morang have been resettled in the USA.

How is the condition of resettled refugees?

They are doing good job. But the resettled process is quite tough. It is very much problematic to be settled in the new place. It is a challenge for the refugees to get introduced in the new culture, new society and new language. When I talk with refugees about their problems they talk about the same. On the whole, they are doing well. The refugees who were resettled two years ago have come to the camps to meet their family members and they have told everything to their relatives about the life in America.

What jobs do they do there?

I don't in detail about their work in the USA. But what they are doing it's for them only. My grandfather had also been resettled in the USA. Now I have become an ambassador. So, many opportunities are there in America for the refugees.

There have been cases of suicide by resettled refugees, have you looked into the issues that plague them once they are resettled in the U.S?

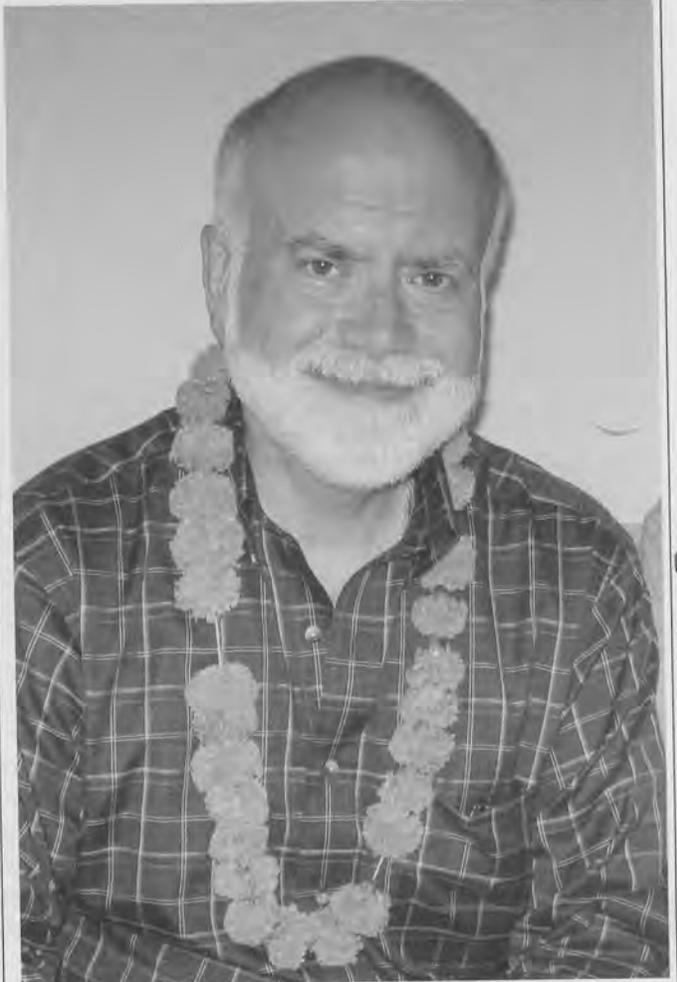
Yes, there are some cases of suicide in the refugee community. We are concerned about this matter. But, overall the number is very small. The American government is much conscious about this matter. We are expanding the programmes in the camps so that the refugees will not have to face any problems after they get resettled in the USA. We are expanding many programmes through UNHCR and IOM by which the refugees feel comfortable after their resettlement in the USA.

What about those who do not meet the criteria for resettlement?

I think 99 percent of the refugees will meet the criteria for the resettlement. But the refugees those who are not registered will not be eligible for the resettlement. But this number will be least.

Families of refugees have been separated due to different categories in the resettlement process, why it isn't possible to resettle them in the same country?

Some cases have happened that some refugee families



have been separated by the resettlement process. We have been trying not to separate the immediate family members. One problem is that some family members will meet the criteria very soon and some later. When they complete resettlement process in different timelines, the refugees have this kind of problem.

How many refugees will be resettled in the USA in total?

We do not have declared the number. As long as the refugees need the resettlement programme, this process will be continued. Until they intend to be resettled in the third countries, we will continue accepting the refugees.

Do you think Bhutan will take its citizens back those who do not want to be resettled in the third countries?

Bhutan should take back its citizens. But the government of Nepal should be active to engage the government of Bhutan in this issue. There should be strong and decisive talk between Nepal and Bhutan regarding this issue. We will keep pressurizing both the countries. ■

Babuji Zara Hatke Chalo...

By ABIJIT SHARMA



Just before writing this piece, I thought I would attempt something different this time. Making a departure from what I had been doing in these columns over the past one year, I thought of becoming, what many may call, a poor man's Vinod Mehta – the larger-than-life editor of the *Outlook* magazine. Now there are primarily two reasons why I decided to go the Mehta way. Firstly, I have been a great fan of his Delhi Diary. I have been an avid reader of the popular column. I find the writer's way of expression and style very fascinating. Secondly, with my Delhi University board exams just round the corner, to tell the truth, I had very little time to prepare for an opinion.

Formalities

Speaking of exams, I had to report to my college in order to collect the admit card just a few days back. Now, anyone would expect a reputed college associated with an equally reputed University to have a proper management and administrative



Vinod Mehta

system. Well, that doesn't quite apply to Delhi University. Collecting admit card was somewhat similar to the experience I had had in 'Maalpot Karyalaya' in Chabahil. The administrative office actually gives you a *deja vu* of a government office in Nepal: unresponsive paan-spitting, lazy, overweight *babus*, dirty and unmanaged rooms and rush of people every second. When I first went to the designated room, I was asked to go to another one. Upon reaching there, I again had to run to another officer. It actually took an hour and a half before I got the admit card in my hand. Happy with my 'achievement', I asked one of the officers why so much fuss to give out just an admit card? Chewing paan and taking a sip of tea he said, "*Formalities hai bhai, pura karna padta hai*" (its formality boy, you have to complete it)!!
FIR

I had been to Nepal for a few days during my study break and upon arrival in Delhi, I found out that I had left my college ID card back home. I had heard that making a new card is a harrowing experience. Nevertheless, I had to. So, I called up my experienced friend (experienced, I say because he has lost his a couple of times already) to ask about the procedures

for obtaining a new ID. To my surprise, he asked me to go the Police Station and report an FIR. 'What, Police Station? That too, to make a new ID card? And FIR sounds heavy. It was as if I had been beaten up and my ID card stolen!' 'Chill dude' was his reply. He was actually serious: once you lose your ID card, you have to go to a police station to report an FIR. The FIR then has to be shown in the college and only then will you be able to receive a new card. So, I went to a local police station. I had never been to one before and I was expecting a typical 'Police Station scene shown in Bollywood movies. Fortunately, the police officers unlike my college administrative officers, were quite kind and helpful. My FIR was ready in a matter of

minutes! I was quite delighted to receive such response from the police officers. I have pledged therefore to have a kind heart for police officer in Hindi movies and not to get excited any more when he gets beaten up or conned up by a cool hero!

Stress Buster laden

With the mercury rising in Delhi and my hectic preparation schedule, I must say the last few days have been quite stressful. During one of my study sessions, I received a couple of SMS jokes from my friends which helped me relieve a bit of my stress. It was right after Bin Laden's death was announced. The first message read "Osama has died! Well, at least he got to see the royal wedding before he went out!!" Another one: "This is good news for the other guys on the top 10 wanted list – finally they get to move up in the rankings." Hilarious!■

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More Difficult Time Ahead

By *GYANENDRA BAHADUR KARKI*

Even after three years of elections, CA is unable to write the new constitution. This is a major setback for the country. It has already invited unwanted situations. The only way out now is the political consensus. Given the growing differences among the major political parties, I don't see consensus in the horizon. Knowingly or unknowingly and like it or not, we have already chosen the new destiny for the country. In choosing the new destiny, we even gave up our basic belief and conviction like equality, freedom and liberty. This is a very tragic part of the change. Instead of taking up the cause of the country's poor people and overall development of the country, we are encouraging sectarian and ethnic politics. This kind of thing is nowhere in democratic politics.

Nepalese had a high expectation from the CA about the promulgation of the new constitution. They harbored a fallacy that within two years, a new constitution would be in their hands and the peace

process would have reached a logical end. Even we (politicians) promised political stability and directed the country towards

prosperity with social security and peace. It is unfortunate that we are unable to promulgate the new constitution in time. People are angry with us and that is natural from their part. Had we promulgated the new constitution in time, we would have done justice to all the Nepalese. As the deadline is approaching, I don't think the new constitution will be promulgated in time.

But in the given timeframe of two years, if you ask me personally, nothing was done. The interim constitution has it that within six months there should be a logical end to the peace process. Sadly, even in two years the matter is still in debate. Now one thing is for sure that we have lost faith among the public. Nobody believes in what we talk. Important point to note is: whichever agendas protracted the promulgation of constitution in the two years period, still, they are the ones to hinder. And if we really want to make a constitution then Maoists have to leave their dual characters and we also have to work wholeheartedly. And within a short time span we can revive the crisis of faith prevalent among the public. Even if you extend the CA term there is a problem and even if we don't there is the same problem. We are on such a dilemma.

There has never been such debate of races, castes and ethnicities in the history of Nepal which has spawned in the recent years. And this is sure to have a long term effect in the national stability. When I recently visited my constituency, I faced an awful situation. The law and order situation is getting worse and there are racial and ethnic tensions. By raising the

question of ethnic states, we are creating tensions in society. With this I don't mean that the debate should not be held. It's our duty that the backward castes should be brought to the forefront. But there are procedures, many experiences for its processing.

Peace and constitution are the two sides of a coin. Without peace even the most democratic constitution would be impeded. I sometimes give an example of Hitler: he was elected as the head of the state from the most democratic constitution; however, he transformed himself as a ruthless dictator. The blame game is an easy task. Nepali Congress is not a hindrance in making a democratic constitution. And Nepali Congress wants peace and constitution to go along.

Extending the term of CA will not bring joy among the people unless we assure them that within this time frame constitution will be promulgated. So you should give a basis

But in the given timeframe of two years, if you ask me personally, nothing was done. The interim constitution has it that within six months there should be a logical end to the peace process

for the extension of the term. And there is no assurance that the peace and the constitution will go hand in hand. But, on the other hand, if the existing CA is dissolved

then what next is the question. And what will be the fate of the nation then? It's not clear. So Nepalese people should forget the anguish and let the CA members do their homework.

The role of Nepali Congress is very important in the present context. As an oldest democratic party, we need to play the leadership role in the coming days. Frankly speaking, we are yet to play the role given to us. Our party needs to unite and reconcile within. If we go as a divided house, our party will lose its base further. The party's elected leadership must agree on reconciliation and unity in the party. The leadership must agree on give and take. This is the need of the hour.

I don't hesitate to say that our party has sacrificed its own conviction and ideology in the course of making the peace process successful. Our party went to the poll allowing Maoists rebels to carry guns. Frankly speaking, we have even compromised our ideals. Due to this, we are paying the price now. The time has come now to speak and defend our convictions on equality, fraternity and democracy. National reconciliation is our heart and we need to retain it.

Federal Democratic Republic is now the fate of this country as Constituent Assembly has already declared it by abolishing the monarchy. What is required now is to unite all the people together to make Nepal's federal democratic republic workable. I don't think we will reverse the change. Whether one likes it or not, Nepal needs to go with the changes by preaching the tone of reconciliation.

Karki is a central committee member of Nepali Congress



Taming The Kosi To Prevent The World's Greatest Catastrophe

By DR. A.B. THAPA

Governments of India and Nepal were completely taken by surprise when year before last the eastern embankment was suddenly breached and the Kosi shifted its course to the east. Despite that horrifying flood disaster experience both the governments are not as yet seen taking much interest to find satisfactory ways to protect the life and property of millions from the oncoming Kosi floods feared to strike again anytime soon. The year before last's flood disaster is indeed the forewarning of a far greater catastrophe.

Hanging River

Kosi river held back between the embankments since the last half a century and now flowing well above the adjoining lands has already turned into the world's deadliest river. World might be heading for the rerun of the worst flood

disasters reminiscent of the past Yellow river disasters when each time the flood took the life of a record number of people. Already the peoples of Nepal and India are in grave danger.

Unfortunately the governments of both countries are seen even until now unable to get to the root of the Kosi flood problems. Indian Government was even telling just few years back that the Kosi flood control problem does not exist. During the run up to the 1997 Indo-Nepal joint committee meeting on Kosi several letters were received from the Govt. of India explaining our government that the Kosi flood control problems have already been solved once for ever after the completion of the construction of the embankments

Analogy with Yellow River

The Yellow River of China known as "the Sorrow of China" resembles to a considerable extent the Kosi River similarly known as "the Sorrow of Bihar". The killer Yellow River has already been tamed after the completion of the construction of several storage dams and it has completely relinquished its aggressive character, whereas the greatly feared Kosi River held back by side embankments and now flowing well above the adjoining surrounding lands remains a great danger to life and property of millions of our region.

Judging from the angle of similarity between these two rivers the way they roamed rampaging their vast floodplain quite often completely changing their course, it appears,

the world might be very close to the deadliest catastrophe triggered by the failure of the Kosi embankments. Now the safety of the peoples living in the Kosi floodplain must be at the top in priority.

World's Worst Natural Disasters

Among the world's top five worst natural disasters are the 1931 Yellow River flood in China, the 1887 Yellow River flood, the 1938 Yellow River flood, the Bhola Cyclone of 1970 in East Pakistan (now Bangladesh) and the 1556 Shaanxi earthquake in China. The next five in order of severity are the 1839 Cyclone in Coringa India, the 1642 Kaifeng flood in Henan province China, the 2004 Indian Ocean Earthquake and Tsunami in various nations, and the 1138 Aleppo Earthquake in Syria.

The 1931 Yellow River flood devastated

already deposited on the river bed. At present the capacity of the embankments to safely hold back the maximum flood might have been reduced to the extent as low as only about 5 lakh cusecs, and even such greatly diminished capacity is decreasing further year by year due to continued bed level rises.

A New Cycle of Disasters

It is pretty obvious that in future the breaching of the Kosi embankments even during minor floods would be a regular phenomenon and on such occasions there would be a rerun of the year before last's flood disaster episode. If there would be a breach in embankment at the time of maximum flood discharge close on nine lakh cusecs., a discharge already recorded twice within the last fifty years, there could be a total devastation of the north-east Bihar. Most of

The Kosi embankment and barrage had been designed for a maximum flood discharge of only 9.5 lakh cusecs. Within the last 50 years twice the flood discharge close to 9 lakh cusecs have been recorded.

the low lying areas would be quickly submerged way deep inside the water particularly if the breach coincides with prolonged incessant rain. Too many people would not have time to reach the safety of the

high grounds. No wonder in similar circumstances the loss of life in China used to be in astronomical number!

Physical Process

When the Kosi bursts the embankment at extremely high river discharge several very adverse hydraulic factors would be brought into play. All of them are compounded to result in the most dreadful flood disaster. In this process the relegated old Kosi channels would be reactivated one after another.

If there is a breach in embankment, say at a flood discharge of 9 lakh cusecs, perhaps the initial flow channeled through the newly reactivated Kosi old channel could even reach 18 lakh cusecs, which would be the combination of the base flood discharge and the flow from the negative surge moving upstream. These hydraulic phenomena would result in very rapid current of the positive surge heading downstream all along the fully reactivated old channel expected at that time to be full of water drained from the local catchment.

Sediments Play Havoc

Sediments previously heaped up on the river bed of the Kosi would be quickly flushed down to the reactivated channel by the fast running flood water gushing out from the original course. Soon the upper reach of the newly reactivated channel would be throttled with sediments. Thereafter the bulk

the China in summer. It took the lives of people numbering between one to four millions. It is the worst natural disaster ever to have been recorded of any time. The 1887 Yellow River flood resulted from a long period of rains which caused the river water to rise above the man made dikes. When that happened, it resulted in the worst natural disaster ever recorded prior to the 1931 flood. It is believed that between 900,000-2,000,000 people had lost their lives in that horrible disaster. The 1938 Yellow River flood disaster claimed the lives of people numbering between 500,000 and 900,000.

Existing Kosi Project

The Kosi embankment and barrage had been designed for a maximum flood discharge of only 9.5 lakh cusecs. Within the last 50 years twice the flood discharge close to 9 lakh cusecs have been recorded. Surprisingly, the maximum flood discharge recorded within the last 40 years was only around 5 lakh cusecs. As a result, it was not necessary to face up to the problems of the breach in embankment.

The annual rate of the sedimentation upstream barrage based on the observations as of the early 1980s is about 5 cm per annum. It implies that within the last 50 years after the commissioning of the barrage a layer of 2.5 meters thick sediments might have

of the flood water would be concentrated on the next adjacent reactivated channel. This channel too would be choked with sediments. This process of reactivating the old channels would be repeated again and again until the Kosi flood water reaches the far end of its floodplain unless the flood quickly subsides. Thus the sediments would be playing havoc. Prevention of the breach in embankment must be at the top in priority.

Buffer Channel

At present the capacity of the present Kosi river channel to hold back big floods is greatly reduced. It would not anymore be possible to confine always the river within the boundaries of the embankments to prevent the rerun of the last disaster. However, the loss of life and property can be greatly reduced by preventing the Kosi to roam freely to rampage its vast floodplain. For this purpose one of the relegated old Kosi channels must be developed as a buffer channel for the diversion of the high flood water in excess of the carrying capacity of the present Kosi course. A spillway must be provided to discharge safely the flood water across the embankment into the buffer channel, which could also help to hold back the sediments already accumulated on the river bed.

Postponement of Kosi Dam Project

It would be a big mistake to opt to implement at the very beginning the mammoth Kosi dam project to resolve the rapidly worsening flood situation. It will take a very long time to complete the detailed study and construction of the optimum sized Kosi dam project, that might have a dam perhaps the highest in the world and a hydropower plant capable to generate about 16,000 MW in accordance with further studies based on more correct recent data and well tested evaluation procedures recently applied in the Karnali project study

Recommended Method of Kosi Flood Control

The implementation of relatively small Sun-Kosi Project and the Tamar-I Project provided with adequate flood control storage would suffice to resolve the present Kosi flood problems at least for a period of next 50 to 60 years. There could be a possibility to incorporate to a limited extent the provision for the Arun river flood storage also by raising the present dam height of the Arun-3 project.

The useful life of the above proposed reservoirs could be prolonged to last for ever by applying the technology widely used in China to vent sediments as a density current. Further aggradations of the Kosi river bed could also be prevented if it is found commercially feasible to transport in big barges the sediments drawn from the Kosi river near Chatra for use in construction by using the proposed Kosi canal waterway. ■

“Success Is Reason To Do More”

HARI KRISHNA UPADHYAYA

Executive Chairperson of the Center for Environmental and Agricultural Policy Research, Extension and Development (CEAPRED) Hari K. Upadhyaya, Ph.D, likes to avoid publicity but he leads an organization that has over the years transformed the lives of many people across the country. He shares the credit for the success with friends and well-wishers, donors and staff but as Nepal chairs the World Summit of Least Developed Countries with a hope to transform the plights of the poor in countries around the world, Upadhyaya's working style could be a model for those involved in development to follow. Upadhyaya spoke to KESHAB POUDEL on these issues. Excerpts:

How do you view the last two decades of successful performance of CEAPRED in Nepal?

We heard a lot about it and there was much for us to take pride in and be complacent. But we only consider this a strong reason for us to be inspired to do more and better in the future, and not be complacent.

Who are the sources of your inspiration?

We understand that the main source of our inspiration lies in the encouragement and support that we received from our friends and well-wishers, including donors, and in the dedication and commitment that our staffs have shown towards bringing positive changes in the lives of the people.

How do you share the credit for the success?

I would like to salute the collective initiatives and interests that people themselves took to make their development happen and sustain at the local level, and to our staff without whose dedication, commitment and hard work the organization would not have reached to its present level.

What are the prospects for agriculture in Nepal?

Agriculture has enormous potentials in Nepal but what we need to do is to reorient it to suit the local needs as well

as to take local and national advantages.

Can we transform our livelihood by focusing on subsistence based traditional crops?

Rice, maize, wheat and millet based traditional crop system had its own characters. It guided the research with its production system. In Nepal's context where average farm size is 0.8 hectare and 48 percent population has less than 0.5 hectares of land, the farmers cannot generate additional income and additional production by following food crop oriented agriculture. Even if they enhance productivity as much as they can, these crops cannot feed them for the year.

What crops have advantages in Nepal?

As Nepal's advantage lies in diverse ecological settings, the country needs a crop which fits in ecological settings and in markets without losing competitive advantage at the national and international level. If we follow this, Nepalese farmers can generate enough money even from small farmlands. This has remained the orientation of CEAPRED since its inception.

Under this orientation, we launched vegetable farming targeting 1500 households in Dhankuta district. The idea is that elevation from Dharan to Bashtapur was the most appropriate for growing the vegetables. Between these areas, there is a tropical crop that can grow in Dharan and temperate crop in Basantapur. The advantage of this diversity is that our market reaches across the India. There is a tremendous market in India in case we supply the right commodity in the right time.

What commodity do you mean has ecological advantage?

Vegetables have ecological advantages. If we produce vegetables in a season when others cannot produce them across the border and in terai's plains, our products have advantages. During the hot season of May, June, and July, one cannot grow cauliflowers in the plain, but the hills of Dhankuta and Basantapur

can produce it because of low temperature or natural climate. The products which are produced in natural conditions in hills will be off-season products in plains and across the border. This means farmers do not need to compete in India.

What challenges do you see for farmers here?

The challenge for them is to produce as much as possible so that it feeds them round the year. Farmers have very little choice as either farmer can produce the food products which can meet their annual demand or they can produce other cash crops that will generate cash to buy food stuffs from market.

How do you see the impact of vegetables farming in poverty reduction?

It has a good impact. When we started our project in Dhankuta with support from the Danish Embassy, our target was to generate Rs. 10-15 thousand per household. Fortunately, we were able to generate an average of Rs. 19,000 in two years through off season vegetables. The project triggered the idea that if we tap local potential and ecological advantage, things and development can happen. When CEAPRED phased out in 1994 from Dhankuta, they produced 5700 tons of vegetable worth of Rs.20 million plus in a net of 570 hectares of land. In four years, the areas had tripled the production and income.

What were other impacts?

Along with income, it had far reaching implications in nutrition also. Visible implications were on the price of the land. The price of land, which used to have no real value, has gone up. Due to increase in nutrition, the number of school going children increased. The mobility of market increased too. Because of more income, services developed. It was just not limited to vegetable growing and consumption. It had many linkages. Along with us, other organizations also took off-season vegetable as entry port to reduce the poverty. We did help people to come out of poverty in accessible areas where roads were there.

But, what are there in remote parts of the areas where poverty is rampant and the situation is very different than accessible areas like Dhankuta?



CEAPRED came out with an option for such areas. We decided to introduce low volume, high value and nonperishable commodities. One commodity for such places would be vegetable seed. In 1996/97, we piloted this project in Dolakha. This is a more technical and specialized activity and there is a need to enhance the capability of farmers and, linkages with the market.

How do seeds matter?

Whether it is productivity enhancement or increasing production, ultimately it boils down to the availability of good quality seeds. It was seeds which made green revolution possible. Even if we want another revolution in terms of bio-technology, eventual output is based on seed. It means there is a need of quality seed production. This is still an issue in cereal products. Production of quality seed is contributing to the whole process. If we produce quality seed locally, it will enhance the production sector.

Other potentials from seeds?

It has tremendous potential for export also. For instance, the countries like Bangladesh and India are importing seeds worth millions of dollars. After looking at all these factors, we thought

that the vegetable seed is one of the prospective sector. Piloted from Dolakha district in 1996, the seed project worked. With the support from SDC, we have been doing this in mass scale since 2002. Now we are in 16 districts and we exported a large amount of seeds. We have quality control mechanism with well equipped labs.

What options do you see for those who do not have the land?

Many landless people are left out. According to a report, there are over one million landless households. For them, CEAPRED introduced livestock and non-farming enterprises. In livestock also, we introduced the collective livestock. One cannot change the livelihood just by offering one or two goats. There is a need of a sizable scale of livestock. The strategy to encourage sizable scale livestock is one of them.

Is poverty reduction an economic phenomenon?

Poverty reduction is not only an economic phenomenon, it has social, political and economic dimensions. But, for sure, you need to address the issue of economic empowerment. Overall, total poverty reduction is related to economic empowerment. Just educating a poor

individual, socially and psychologically, cannot bring tangible changes. In the context of gender, women are lagging behind men. I use this example that there is a poor woman in a rich family but there can never be a rich woman in a poor family. Economic empowerment is the bottom line.

We are guided by this idea. All human insights and potential will be harnessed only when one can understand 'who I am'. That will not happen without economic empowerment.

How does economic empowerment work?

One does not need to be a millionaire. Only after economic empowerment, then you can talk about environment, health, nutrition, climate change. Our bottom line is economic empowerment. In Nepal's context where an overwhelming majority of people including the poor and disadvantaged are involved in agriculture, there is the need to reorient the agriculture for a sustainable poverty reduction. Our vision is an agriculture-led economic empowerment.

What's your experience so far?

For almost twenty years now, I have always advocated three Ps: right policy, right program and right process. Policies are pillars and program structure and process the way you mix the raw materials in construction of building. The policy should not hurt the poor and the program should focus on activities where the poor are involved.

Who is the poor?

Conceptually, a typical poor is psychologically disempowered with a small piece of individual production unit. He or she cannot send his/her production to the market because of the lack of strength. Poor don't have individual access to services and they don't have collective voice, capacity and organization. The poor don't have money, infrastructure and opportunity as well.

Do you think off-season vegetables can reduce poverty in countries like Nepal?

For a country like Nepal, with an overwhelming number of poor, off-season vegetables are best way to reduce poverty. This is what we have done successfully not only in Dhankuta but

also in Kavre district. Farmers are harvesting money through this. Many people are wondering when they see a small farmer with one ropani of land generating up to Rs. 70,000 by growing off session vegetables. A small farmer is really cultivating money. He is harvesting money. It shows that something can be done but many do not know how to do it.

What other stages are there in this process?

The second stage is capacity building in terms of technologies. They don't know where to get the varieties and when to grow them. Farmers, who used to produce cauliflower during the winter, are now producing it in spring or April and May. They need ecologies plus resources to bring the changes. For instance, the poorest of the poor do not have even five hundred rupees in their hands.

They don't have access to minimum financial resources. They have little money to purchase seed. They don't have water to irrigate the land. If they manage all these things, they face another problem, that is, access to market. If the market is far, they cannot carry it individually. If there is a collection center, farmers can sell it to the market. In such circumstances, there is a need to develop financial and technical capability of the farmers.

So what do you propose?

For instance, we have not changed the ecology of Dhankuta as farmers were growing cauliflowers even then. But, they were producing it individually in small volumes. When prices of cauliflower elsewhere used to range between Rs. 10 to 15, its price in Dhankuta was two to three rupees. The disadvantage was that the farmers used to sell it individually. Private businessmen carried enough in bulk. Price was used to be set by businessmen. In economic terms, there used to be monopolistic buyer and monopolistic competition. Farmers were saying that they could all come together and set the price. There is a competitive market on the buyer side. We termed it a human centered delivery system. In this process, the local capacity also enhanced so that the activities we have started continued even after the phaseout.



Do you think your programs are sustainable?

When we left after two years, many challenged the sustainability of the program. However, farmers have shown that they can sustain in case they have the institutional capability. One can build the institution within a year of implementation but in some cases one cannot sustain even after running it for 30 years. Our strategy is that we don't want to stay for a long period of time in one particular community. This is the reason we are able to expand services to 134,000 households. This is an ideal number. We are not saying that we are providing this kind of facilities to all families.

How does the climate change affect poverty? In the context of the new issue of climate change, agriculture like elsewhere in the globe, is still a risky business. It is riskier now due to climate change. It will suffer from inadequate rainfall or drought or heavy rainfall. In this context, there is the need to think about risk mitigation. Interestingly, it is the poor who can mostly internalize the risk. The rich has access and opportunities and resources so they can cope. But those who have limited livelihood options, particularly the poor, cannot cope with the situation. The need for countries like Nepal, which is probably the fourth or fifth most affected country; we must do something to develop resilience to climate change and to increase the adaptation capacity.

We have started to do it. We are also a part of regional climate change program. We are in the process of economic transformation from subsistence to specialization. In early stage, our agriculture was based on subsistence, now we are also doing specialized agriculture in pocket areas. Our next stage will be agro industry. ■



First Destination : A shopkeeper in Thamel waits for customers

“Same Same” Syndrome

By ELIEN VAN HEE

When tourists arrive in Nepal, the first place they end up visiting is the tourist capital, Thamel, in Kathmandu. The general feel about that place is usually not that positive: besides the great food, nice hotels and lively nightlife, Thamel is also doomed with a lot of traffic, pollution and a lot of the same shops.

But in a way, that captures the general feel of a lot of capitals around the world. Although it is striking how there is an overload of the same type of shops in Thamel. Every gift shop is selling the exact same thing. When you see that phenomenon from a western point of view you start questioning why self-employed people don't try to find a niche in the market. They could then offer something to the customer that their neighbor isn't already selling, and have a better path

of business in the long run.

In the search for an explanation, a lot of aspects come to light. In general it can be captured by the predominant way of thinking influenced by a lack of education and a long history of 'thinking inside the box'.

Since the Rana regime was broken down in 1951, the borders of Nepal were

open for tourists. Tourism became the new way of making a living, and a lot of people jumped on that train. Sadly, the train is overloaded with the same concepts.

When starting a business, you first examine the competition, the western capitalist vision is to distinguish yourself from that market by offering a new and unique concept. This includes taking a risk. Since most Nepali people don't have the savings to take the jump into the unknown, they will just copy the existing market. 'If that shop is still there, it will work, and it might also work for me.' That then leads to four of the same shops next to each other, which makes the struggle to survive a lot harder.

The goal of the working people of Nepal is not necessarily making a lot of money, but to fulfill the basic needs for that day. Is there food on the table or not? The Nepali society does not leave a lot of space for 'climbing the ladder', as they are still stuck in the caste system. This leads to a feeling of fatalism, which shows in their business decisions. Although the skills are there, for example, wood craftsmanship, everyone who makes the wooden masks delivers the same final result. The drive to develop something new is just not alive. Hopefully the Tourism Year will bring not only one million tourists, but also a deeper understanding of the tourism trade. Consequently, having the drive to think outside the box could be the first step towards a more comfortable and self-fulfilling life.

(Elien Van Hee is from Belgium)

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Somerset Maugham

-By BUDDHA BASNYAT, MD



In the 1970s at the St Xavier's Godavari School library, books by the physician-turned writer A J Cronin were in prominent display ; but I can't recall if another physician- turned writer Somerset Maugham's books were even in the library. Just like Maugham's life (1874-1965), his books may have been hidden from view. In a recent comprehensive and fascinating biography entitled "The Secret Lives of Somerset Maugham" (Random House), Selina Hastings traces the life of this acclaimed story teller who was predominantly homosexual. Maugham was also an amazingly observant human being, a talent he put to good use as a dramatist, novel, and short story writer. For certain this gift would have been very handy had he continued his career as a physician.

"It seems to me that I could see a great many things that other people missed," he once remarked. And what he saw has enthralled us over the years. He wrote about the London slums, eccentric characters in colonial outposts in South-East Asia, and the hypocritical upper class in England in memorable classics as "Liza of Lambeth," "Of Human Bondage," "The

Painted Veil," "The Razor's Edge" and a captivating collection of short stories.

In "Of Human Bondage", probably Maugham's most popular novel and partly his own life story, Philip Carey, the principal character has a clubfoot which is thought to represent Maugham's stammer. This stammer often made Maugham painfully self

conscious. Some think that Philip Carey's clubfoot is actually a metaphor for what Maugham perceived to be a graver disability, his homosexuality. In his time homosexuality was sternly frowned upon by the political establishment and you could be thrown in jail for homosexuality. Furthermore, Maugham was afraid that if he came out of the closet this would spell ruin for his writing career. So he played it safe. He pretended to be straight as far as possible.

Some think Maugham married the wife of Henry Wellcome, the famous owner of the pharmaceutical company so that he could use her as a cover for his

life as a homosexual. There is some truth to this as he had many male lovers when he was still married to her. Although in English departments in universities the world over, Somerset Maugham's books have probably been replaced by many more modern writers, there is no question that in the 1940s and 50s, he was perceived to be one of

the most successful and well known writers. At one time he had 4 productions running simultaneously in London's West End and his novels were best

sellers. More than his books it is thought that Maugham made his money writing plays which were a big hit time after time.

For many of us his short stories cast a spell. Like the one about the baffled psychiatrist, Dr Audlin who treats the snobbish Lord Mountdrago whose dreams and reality became inseparable; or a story about a fateful passion that seizes Violet and Knobby in "The Back of Beyond"; and finally like "Rain" about the excessively self- righteous missionary and a prostitute. Because his personal life was painful, he probably found release and happiness in these magnificent stories. ■

BASANTA CHAUDHARY

Man With Passion

Lyricist Basanta Chaudhary released his fourth album 'Only Love' recently. Composed by Chaudhari, the music album consists of 11 songs by prominent singers with the music by renowned musician Nhu Ratna Bajaracharya.

Singer Ram Krishna Dhakal, Yogeshwor Amatya, Rima Gurung Hoda, Cine Gurung, Shiva Pariyar, Hemanta Rana, Nilanjana and Shreya Shrotang gave their voices in the songs. Similarly, Indian singers Shreya Ghosal and Kailash Kher also gave voice to Chaudhari's lyrics.



All the songs in the album are sound and diverse. The latest sound recording system has enhanced the quality of music. According to Chaudhari, he used all modern technologies in the recording. Lyricist Basanta Chaudhari has three albums to his credit already making an impact in the market.

Along with hitting the market, his album Reflections of Love also received award. Unlike his previous three albums, the recent fourth album is first production of his own recording company CG Entertainment.

CG Entertainment is Nepal's high quality recording company which provides entertainment services. ■

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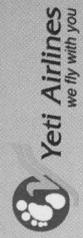
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PARTICULARS	FISCAL YEAR		Rs. in '000
	2065/66	2066/67	
CAPITAL	963,755	1,373,755	2,224,746
RESERVE & SURPLUS	65,449	164,645	426,016
DEPOSIT	11,779,989	17,883,519	17,869,530
LENDING	9,830,894	14,102,430	17,359,131
GROSS INCOME	936,951	1,932,251	1,896,289
OPERATING PROFIT (After Loan Loss Provision)	222,913	514,119	410,589
NET PROFIT	142,712	324,985	261,283
NO. OF NETWORK	1	17	24
NO. OF ATM	1	12	15

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DRSP (District Road Support Programme) has initiated Nepalgunj Green Project to plant one tree for every ticket sold in Kathmandu-Nepalgunj sector. Rs. 20 on one-way ticket on this sector will be set aside for the programme. Project areas include: Bahadi District.

Tiger Mountain Nepal has initiated Bardia Green Project to plant one tree for every ticket sold in Kathmandu-Nepalgunj sector. Rs. 20 on one-way ticket on this sector will be set aside for the programme. Project areas include: Bindrapuri Madhyawarti Samudayikhan, Upavokta Samuha, (Bindrapuri Community Forest) in Bardia District.

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