



Opinion
Dipak Gyawali

Nepali Congress : **Combative Mood**

Tourism : **Pokhara On Rise**



Viewpoint:
Dr. Tilak Rawal

NEW SPOTLIGHT

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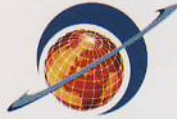
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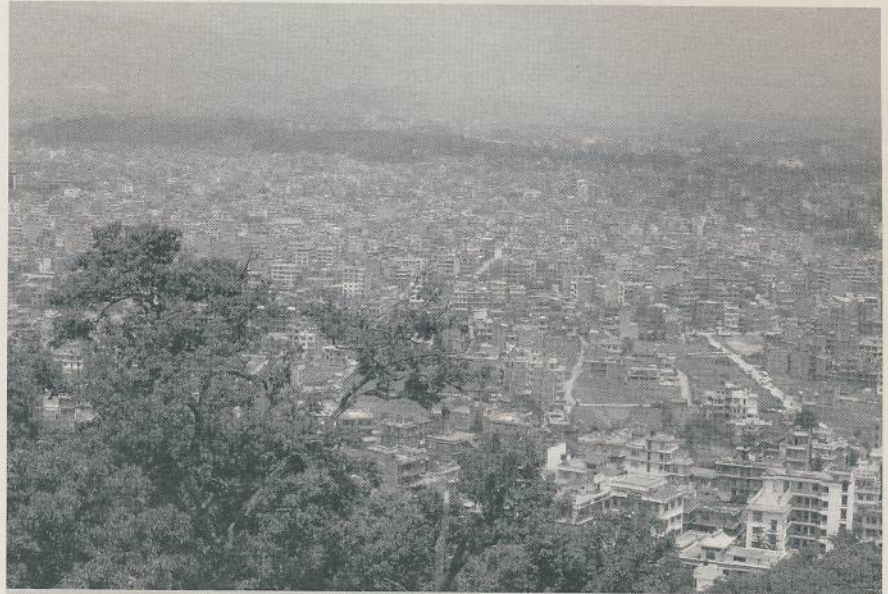
From The Editor

It seems that the Nepalese financial sector has had to go through a series of difficult times. After enjoying about a decade of healthy growth, Nepalese financial institutions are in a crisis again. From paying the lowest interest rate and then the highest interest rate, Nepalese banks are again forced to pay the high interest rate to depositors. They do not have adequate money to cope with the new situation. In the last three months, we have seen a series of events that have been sending a signal that there will be more difficult days ahead for the financial sector. Despite the last minute agreement among political parties to extend the tenure of the Constituent Assembly for three months, Nepal's political instability seems to be extending for a longer period of time. This will definitely affect Nepal's overall economic growth. In the midst of an unstable government and unstable policies, investment opportunities are also shrinking. Interestingly, in a matter of three months, half a dozen banks and financial institutions (BFIs) have become troubled one after another. The collapse of the property bubble is seemingly pulling them down. As over Rs 100 billion of their investment is locked up in the real estate sector, the BFIs are in an extremely vulnerable situation. The case of Vibor Bikas Bank indicates the ultimate nightmare of bankers and regulators. A seemingly sound and healthy bank was suddenly forced to go begging for money after some institutional depositors decided not to renew their matured fixed deposits. Is it the result of mere short term liquidity crunch or does it signal a systemic crisis? There is no doubt a stable banking sector will be necessary for the prosperity and overall development of the country. The more unstable the banking sector, the greater the risk of losing investors. This issue looks into the predicament with a focussed coverage.

Keshab Poudel
Editor

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Indian Election Commissioner Visits Nepal

Dr. S Y Quraishi, Chief Election Commissioner of India, visited Nepal at the invitation of the Acting Chief Election Commissioner of Nepal Neel Kantha Uprety.

Dr. Quraishi also held talks with Uprety in which the two discussed ways to enhance bilateral cooperation between election commissions of Nepal and India. The two Chief Election Commissioners also signed a Memorandum of Understanding for Cooperation in the field of Electoral Management and



Administration on 6 June 2011. The MoU is aimed at enhancing bilateral cooperation and deriving mutual benefits by establishing a mechanism for promoting cooperation for exchange, consultation and cooperation.

Dr. Quraishi also gave a talk on 'Managing Indian Elections- Sharing Experiences and Prospects for Cooperation'. He shared experiences and innovations of Election Commission of India in managing elections with Constituent Assembly members, officials of Election Commission of Nepal, and the media.

Indian Assistance To Tribhuvan University

Indian Embassy and Tribhuvan University signed a Memorandum of Understanding for an Indian grant assistance of NRs. 95.33 lakhs for renovation of Gandhi Bhawan and Zakir Hussain Rose Garden at the Tribhuvan University, Kathmandu, under Nepal-India Economic Cooperation Programme.

The Indian government has a long association with the Tribhuvan University, the largest University in Nepal. Renovation of the Gandhi Bhawan and Zakir Hussain Rose Garden is a part of the continuing cooperation with Tribhuvan University. India has already assisted Tribhuvan University by constructing the buildings of the Departments of Chemistry, Botany and Zoology, University Library, and the students' hostel to provide accommodation for 50 students, among others.

UK Raises Nepal's Human Rights Concerns

The UN Human Rights Council today adopted its Final Report on Nepal's Universal Periodic Review. The UK Permanent Representative in Geneva, Ambassador Peter Gooderham, raised the concern over the abuse of human rights in Nepal.

"We are alarmed by recent reports that the Nepalese Government is seeking the withdrawal of conflict-era criminal cases currently before the courts, relating to State and Maoist forces alike. This contradicts the Government's acceptance of several UPR recommendations to tackle impunity, and is against the spirit of the peace agreements. Furthermore, such a move would constitute an effective amnesty for alleged perpetrators of grave human rights violations and abuses, putting Nepal in potential breach of its international legal obligations. We urge the Government to ensure that police investigations and criminal cases are allowed to proceed," ambassador said.

The Last Minefield Cleared

On 14 June 2011, an event jointly organized by the Ministry of Peace and Reconstruction and the United Nations Mine Action Team, UNMAT sought to clear the last of the landmines planted during the conflict at Phulchoki, Lalitpur.

The minefield in Phulchoki is one of the 53 locations throughout the country where landmines were laid by the Nepal Army to protect military installations and physical infrastructure such as communications and hydropower stations. During the decade-long armed

conflict, Nepal was at risk of landmines as well as other explosive remnants of war that threatened the safety and security of the communities. They continued to maim and kill the people even after the hostilities ceased. The landmines, however, were just laid by the Nepal Army.

EU Delegation Pledges Rs. 20 Crores

In keeping with the longstanding tradition of working with the civil society, the European Union Delegation to Nepal launched its fourth call (first one launched in 2007) for proposals under the Non-State Actors in Development Programme (NSA).

The Call aims at promoting Good Governance under (Lot I) and Trade and Economic Capacity Building under (Lot II). A total sum of EUR 2,000,000 (NPR 20 Crores) has been set aside for the two lots.

"The primary aim of the Call is to work with the local partners in Nepal with the objective to, on the one hand, improve democratic governance through reinforcing the demand side of government accountability, and on the other, support economic development," Dr. Alexander Spachis, Ambassador, Head of European Union Delegation to Nepal said in his launching remarks.

Dr. Spachis said that partners selected under Lot-II will work towards bringing about sustainable economic growth by promoting a strengthened business enabling environment. The overall focus of the programme will be to improve the capacity of stakeholders in the trade and economic sectors so that they can contribute effectively to the implementation of the Nepal Trade Integration Strategy NTIS (2010), Dr. Spachis added.

British Council Reshaping Language Services

The British Council is reshaping its English language services in Nepal to ensure that a wider range of young people and teachers benefit from high quality English products. These changes include the discontinuation of teaching

at the British Council's Lainchaur centre in Kathmandu, with effect from 22 July 2011.

The British Council's focus will shift to providing English language resources for teachers and students through partner organizations. This builds on the significant work already undertaken by the British Council with in-service teacher training. Since 2008, the British Council, in cooperation with governmental and non-governmental partners, has provided training to almost 3,000 teachers of English across Nepal.

"We have reviewed the way in which we provide English language services in Nepal. We believe we can have a much greater impact by playing a more transformational role, encouraging a more widespread improvement in teaching standards and providing opportunities for young learners across Nepal," said director of the British Council Robert Monro.

A Youth Survey Report Released

The Youth Survey report on Employment opportunities in Nepal was made public at a dissemination event recently. Conducted by British Council Nepal, various stake holders including youth organisations, donor organisations working with young people and representatives from the Ministry of Youth attended the ceremony.

The survey was conducted in Kathmandu, Siraha, Rolpa and Bhajhang. The latter three districts were chosen on the basis of their remoteness and being the most affected areas during the insurgency and Madhesh andolan.

During the event the British Council Country Director, Dr. Robert Monro handed over the copy of the report to the Minister Hit Bahadur Tamang, Ministry of Youth and Sports. Dr Monro said on the occasion "The young people of Nepal represent the future of this country and this report gives a valuable insight into how they see that future. It does not make for comfortable reading, but it does give a clear indication to the government on what needs to be done to avoid future conflict and build a more prosperous society. I hope that the government will listen."



Kelly Clements Visits Nepal, Bhutan

Deputy Assistant Secretary of State for the Bureau of Population, Refugees, and Migration Kelly Clements visited Bhutan from June 2 to 5 and Nepal from June 5 to 6 to discuss humanitarian protection and assistance issues for refugees and other vulnerable populations in the region.

In Bhutan, DAS Clements met with government leaders to urge Bhutan to take tangible immediate steps to help resolve the protracted refugee situation in Nepal as a sign of Bhutan's commitment to democratic values and human rights. During these fruitful discussions, the government of Bhutan reiterated its April 2011 offer to the government of Nepal to reengage in bilateral discussions as soon as possible on the modalities for the voluntary return and reintegration of refugees with legitimate citizenship claims to Bhutan. The government of Bhutan also agreed to examine other ways to resolve this humanitarian situation in a humane and expedient manner, especially for the most vulnerable.

UK Minister Visits

Lynne Featherstone MP, UK Home Office Minister with responsibility for equality, completed her 3-day visit to Nepal. Throughout her career, Ms Featherstone has been keenly interested in women's rights, particularly violence against women and girls, and the rights of minorities.

The focus of her visit was to learn more about how Nepal is tackling violence against women and other forms of discrimination. She shared UK experience in this area.

While in Nepal, she met former Prime Minister Madhav Kumar Nepal, the driving force behind the campaign to end Gender-Based Violence in Nepal. She also met Deputy Prime Minister and Home Minister Krishna Bahadur Mahara, Chief Secretary Madhav Prasad Ghimire, Justice Kalyan

Shrestha, and members of the Constituent Assembly. In addition, she held discussions with a range of other leading government and civil society personalities who are active in fighting violence against women and girls and discrimination against minorities and excluded groups.

During a visit to Kavre district, she went to see the work of a paralegal program implemented by the Ministry of Local Development and UNICEF with UK funding.

EU, Norway and Switzerland Welcome CA Extension

The Ambassadors of the European Union Member States in Kathmandu along with the ambassadors of Norway and Switzerland welcomed the extension of Constituent Assembly and called on parties to make use of fresh opportunity to conclude the peace process successfully.

With the agreement among the political parties to extend the term of the Constituent Assembly, consensual politics in Nepal remains on course, the ambassadors stated.

They urged the parties to make use of the fresh opportunity to draft a democratic and inclusive constitution within the next three months and ensure that the agreements they have reached on the integration and rehabilitation of the former Maoist combatants is brought to a successful conclusion.

They have stated in the statement that they are looking forward to the finalisation of the Constitution, which will pave way for free and fair elections and lasting peace and stability in Nepal, the ambassadors stated. ■

VIBOR BANK Crisis Averted

Vibor Development Bank's management has shown the way by successfully managing a capital crunch crisis

Following Nepal Rastra Bank's decision to provide loans of Rs. 500 million to the Vibor Development Bank, the crisis of liquidity crunch was avoided in for now.

After Nepal Rastra Bank pulled out its fixed deposit of Rs 260 million, followed by Nepal Army's Rs 50 million, Vibor dived into an acute liquidity shortage. Nepal Army had taken loans of Rs 50 million against its deposit in the bank.

The Bank was gripped by liquidity crisis due to the withdrawal of big amounts by the institutional depositors.



Vibor Bank's CEO Ghimire Addressing Press Meet.

According to central bank spokesperson Bhaskarmani Gyawali, there are no other problems except liquidity crisis in the Vibor Bank. The loan was provided under the loan facility, said Gyawali.

Chief Executive officer of Vibor Development Bank Ajay Ghimire said the crisis is over following Nepal Rastra Bank's decision to provide loan to us. Despite good credit to deposit ratio of 58.09 percent, the bank has struggled to manage liquidity.

Addressing a pres conference, Ghimire said, "The problem at Vibor is purely a liquidity one, not systemic risk. We've asked the central bank to ease the liquidity problem. We hope that the crisis crunch will be settled following Nepal Rastra Bank's decision to provide the loan."

The bank has collected Rs. 3 billion in deposits and invested 2.20 billion rupees. "There need not be any panic for the depositors since we are in the profit even after our expenditure and investment"

The Bank has now 100 million rupees deposit of Nagrik Lagani Kosh and remaining deposits are of small depositors. At the press conference, chief executive officer Ghimire said that they have already sold 150 out of 160 land plots in Bungmati.

"I will not take any facilities till the improvement of bank's

financial system," declared Ghimire.

According to Ghimire, the bank was struggling to manage liquidity position for a few weeks and had taken refinancing facility from the central bank. "After the Nepal Share Market episode, we'd taken refinancing facility from the central bank and were in a recovery mode," said Ghimire.

The timely action of Management of Vibor Development Bank saved it from heading to a crisis.

Filipino Independence Day Fiesta

The Filipino Community in Nepal (FCN) celebrated 113 years of Philippine Independence in a unique and meaningful way: by giving back to grassroots communities in Dhading district.

In an informal Filipino fiesta lunch Sunday, June 12, the Filipino community presented some of the work it has been doing in the rural areas of Dhading – FCN's way of marking Philippine Independence Day in Nepal this year.

In March 2011, with the help of local partners, FCN identified wards in Dhading district for assistance out of the proceeds of a cultural show which it staged in December 2010. FCN members visited the identified communities – Malekhu, Soraghar, Tingare, Simle in Neelkantha VDC wards 3, 4, and 7 – met with community people and discussed with them about their needs.

In April, FCN came back bringing school supplies (notebooks, pens, pencils, crayons) for 682 students from primary to Grade 5 in five schools, educational materials, and sporting goods for the youth.

FCN came back to Soraghar in mid-May, this time bringing a trainer to pilot a 15-day mat weaving training using natural fibers.

FCN President Joyce Mendez says: "We cannot give school supplies every year, but we can give more enduring gifts than one-time give a ways, something that will help these women help themselves – skills to earn them income, especially during off-farm season. Then, they can buy their children's school supplies next time."

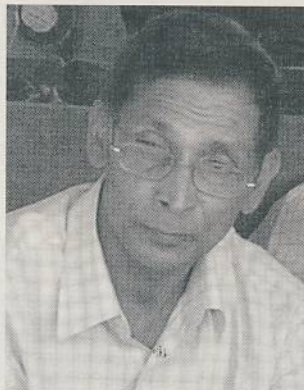
FCN provided the looms and training implements, threads and start-up materials. It also brought in mat weaver and trainer Shila Nepali, Nepal's 'Best Woman Entrepreneur' in 2009, a recognition given by the Federation of Nepal Cottage and Small Industries (FNCSI). Shila Nepali is from the Dalit caste, but she serves as inspiration and role model to many women for having been able to transcend the barriers set by her caste and poverty to make something of herself.

"There are many other projects that we can do in the villages – from organic home gardens to fruit-bearing trees for its community forests, water harvesting, recycling and efficient use of resources, says the FCN President. "We can contribute to making these villages model green communities of the future that other villages in Nepal and the world would aspire to copy. For us at FCN, this is an interesting social laboratory, our learning communities in doing social work in Nepal." ■



Prachanda Losing Fighters' Confidence

The disputes in the Maoist party have begun to affect the ranks of the Maoist combatants also. Chairman Prachanda no longer enjoys the respect that he used to during the people's war as the supreme commander of the people's army. The combatants are said to be unhappy over his position on the army integration issue. They are upset with him after he gave a nod to the Nepali army's integration proposal which they suspect will amount to surrender. The combatants are leaning towards the Mohan Vaidya 'Kiran' camp who are said to be opposing the Prachanda line of thought on the issue. This has encouraged the Kiran camp while scaring the Prachanda camp. Fearing a loss of grip over the combatants Prachanda has sent his trusted lieutenant Barsha Man Pun 'Ananta' to visit the cantonments and take the combatants into confidence. (Sanghu, June 13)



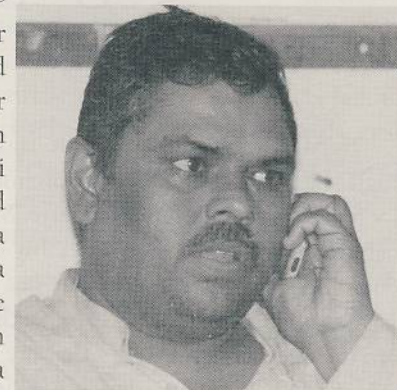
Vaidya

Call For The Integration Of Armed Outfits Also

As the major parties discuss the integration of the Maoist combatants in the Nepali army and the Madhesi parties press for the inclusion of thousands of Madhesis in the national army, the armed outfits operating in the Terai region are also raising a similar voice. Some Madhesi youth groups have demanded that the combatants of the armed outfits also be integrated in the army. The Madhesi Youth Democratic Party said at a press conference that the integration of the Maoist fighters alone would not suffice for the completion of the peace process and that the fighters of the armed Terai groups should also be taken care of. Said the party's chairman, Rajesh Kumar Jha, "as long as the combatants of the Madhesh-based armed outfits are not taken care of, the peace process will not be complete." He warned of agitation if the demand was not addressed. According to him, there are more than 20,000 fighters in political and armed outfits based in Terai. (Drishti, June 7)

Madhesi Parties' Fight Deepens

The Upendra Yadav-led Madhesi Janadhikar Forum-Nepal has vowed to stop the splinter faction of J.P.Gupta from entering the Terai region. This followed suspicion that Gupta was planning a whirlwind tour of the Terai districts to weaken the Yadav faction. Gupta is said to be planning to undertake tour to 22



Yadav

districts to expand the organisation of the breakaway outfit. The MJF-Nepal, led by Yadav, which once was the fourth largest party in the constituent assembly with 53 seats has now been reduced to one of the many smaller parties with just 13 seats. Now there has been speculation that even Upendra Yadav's confidant, Renu Yadav, could form a separate party with five CA members of the party. This has alarmed Yadav who has been busy 'educating' his cadres that India was behind dividing the Madhesi parties. (Tarun, June 13) ■

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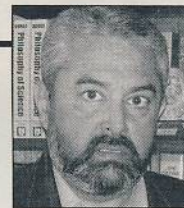
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Emerging Realpolitik Contours

—By DIPAK GYAWALI



Nepal's ship of state is adrift, rudderless on the political high seas, even as the rocky shorelines it is set to crash into loom ahead in ominous silhouette. Meanwhile those on the cabinet and Constituent Assembly decks are fighting over chairs and spoils as is their wont, but those antics will hardly have any impact on the drift to impending doom. What matters are the deep undercurrents that are roiling the ship on the surface. What are these dark upwelling forces from the deep? Some recent incidents give enough indications, even as the political adventurism of 2006 plays out its tragedy to its logical farcical end.

Sometime back the Chinese PLA chief came to Nepal, completely ignored the Nepali Maoists PLA and signed billions worth of support to its nemesis, the Nepal Army – and not a squeak of protest was heard from the parties, their civil society mouthpieces, Maoist or otherwise, and even from the nosybody UNMIN's failed EuroAmerican lefties that equated a national army with the insurgents. A few weeks ago, when the political leadership failed to end the deadlock over the future of Maoist combatants, the Nepal Army proposed its own modality – and all the leading lights of the 2006 movement against the King and his army, including the Maoists, lined up in the race to praise the army.

The Nepal Army has just these past weeks completed the one-year staff training course it runs in Shivapuri for its new crop of senior officers – and among the graduating officers were foreigners from China, India, Bangladesh, Sri Lanka and Pakistan. The graduating Indian Sardarji officer even received the best thesis award for his research on Indian Naxalites and their threat to India's security! It is said that the upcoming new batch will include Americans, Canadians and Malaysians. What makes Shivapuri so attractive to super and regional powers who have their own West Points, Dehra Duns, Abbotabads and Sandhursts? Nepal's peace-keeping expertise abroad and counterinsurgency experience at home, said the army chief in his commencement speech.

There were news reports indicating that the Americans proposed a SOFA agreement with Nepal, essentially a treaty that allows extraterritorial right to members of the American armed forces in Nepal similar to the ones the US has with the allies it provides its security blanket to such as Japan, South Korea, and Saudi Arabia. Instead of the Nepal government and the parties leading it deciding on such a momentous foreign policy issue, the draft was sent to the Nepal Army – who said, Nepal is too politically unstable currently and now is not the right time to sign such agreements. And that was that!

It is clear that a ceremonial army under the King has emerged in these five years to become a political army under Loktantra, and not just national political forces but also foreign ones are *de facto* recognizing it as such. What will this oldest, most disciplined Nepali institution do in August 28 as the self-perpetuating CA fails again, as widely believed it will, to deliver anything meaningful?

Another bit of forensic news was the Maoist leadership finally dispensing with the dual security they enjoyed, and sending their combatant-bodyguards and their weapons to the cantonments. What accounts for this unasked for alacrity when other even more critical issues of demobilization and constitution-making are deadlocked? The answer probably lies in the four rival factions that have emerged among the Maoists (five if you count the previous breakaways such as Matrika Yadav and others). Their hatred towards each other is more than what they feel about other parties including the monarchists. That they promise physical threats to rivals and deliver them effectively is something everyone in the politburo and central committee is only too aware of. Even a senior leader such as Baburam Bhattarai was threatened with liquidation at his very party headquarters recently, not that he is without previous experience in surviving such dangers. This intolerance of opposing views and the urge to destroy rivals before they destroy you is something that Leninist-Stalinist parties have



Nepal Army Honoring Indian Army Chief General Vijay Kumar Singh

genetically encoded in them as part of their historical upbringing. Could it be that the Maoist leadership that lived by the sword feels more threatened by its own sword-wielders than by its erstwhile foe, the disciplined and rule-abiding Nepal Army?

Against the backdrop of these undercurrents, the CA extended its own life, mercifully by only three months instead of the proposed twelve thanks to the Supreme Court's intervention. It pledged itself to a 5-point agreement re-agreeing to do what the parties agreed to do three, even six years ago with the 12-point Delhi deal. The prime minister, who put his signature to the deal promising to resign to clear the way for a consensus government, is now a lame duck. But consensus is an impossible mirage: even the interim constitution did away with the consensus provision to allow for the political reality of a majority government. What unseemly circus will we see in the days ahead as this lame duck government proposes the budget for the coming year?

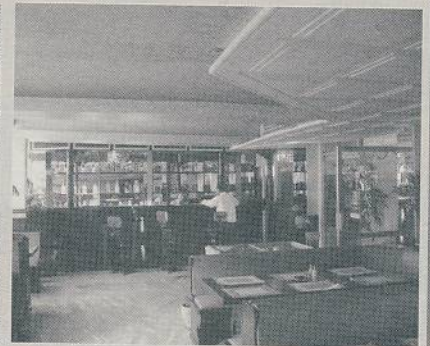
Most of the 601 CA members slept away May 28 before their electorate, proving that they are no political leaders but initiative-bereft, well-paid rubber stamps, to be used as desired by the roughly dozen party warlords who matter. Why does the civil society and facebook crowd demonstrate before this inept body to deliver a new constitution, when it should do so before the homes and party headquarters of these dirty dozen! One never expected much from the old, discredited civil society that is a prisoner of its highly partisan past, but one does hold hopes that the freshly political aware facebook crowd will put their stamp on coming events to stop the drift to doom. In doing so, they should first of all stop taking their lead from the morally sterile civil society and desist from flogging a dead horse that CA has become.

What is the CA deadlocked over in delivering new a constitution? The answers lies in the politically divergent philosophies that cannot be reconciled by the partisans themselves, and in

Nepal's historical socio-political ground realities into which the imported Nineteenth Century utopian thinking of hirsute European males, or the narrow fancies of international interests, have run aground. Where should the facebook crowd start from? They may begin by looking at what worked, what were the strengths of the 1990 multiparty as well the 1962 Panchayat constitutions. Then they may look at the weaknesses and political failings therein to understand how the Panchayat failed to meet the broader mass aspirations after the 1980 referendum and how the votaries of the 1990 dispensation destroyed their

system by self-inflicted infighting and corruption. Their cardinal sins were corruption that came from not sufficiently separating the executive from the legislature, as well as the failure to devolve development powers to the local village and district bodies. Can we just get at least those two structural mistakes corrected and move on? These political alternatives need approval by a higher body, the sovereign people of Nepal, through a fresh mandate, and not by an incompetent CA whose mandate has run out. The billion rupee question is: does the young facebook crowd have that staying power? If they do, the future is theirs. ■

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Second Extension of CA

By Dr. TILAKRAWAL



In keeping with the tradition, major political parties and their leaders did not waste any time in interpreting in their own way the agreed upon five points contained in the deal that paved way for the extension of the Constituent Assembly for three more months in the morning of 29th May. As was the case in the last extension of CA where pm Nepal's resignation emerged as the major issue outweighing the remaining two points in the deal, this time also of the five points contained in the deal, the one related to pm's resignation attracted prompt and prime attention. Responding to various observations, pm Khanal in his address to the nation made it clear that he would step down only after a consensus was forged for a national unity government. Inter and intra-party differences have surfaced on this issue. While UCPN Maoist, probably waiting for the opportune moment, does not seem to be in a hurry to dislodge Khanal, NC and Khanal's own party UML are divided on this issue. The intra-party feud in UML attained a new height with the parallel factions in the party officially

trading accusations. Leaders of United Democratic Madhesi Front (UDMF), with 70 members in CA, want immediate

resignation of Khanal as is the position of K P Oli and his followers in UML. Despite differences and reservations on some points in the deal and their implementation, all major parties have endorsed the deal including UDMF, which did not participate in the ballot to endorse the agreement reached between the three major parties.

Amidst confusion and controversy, some positive developments have taken place such as Maoist's decision to end dual security system and bringing unregistered vehicles used by Maoists under the legal ambit. Following this decision of the party, the Special Committee meeting praised the decision as being in line with the "gentlemen's agreement" and also decided to return more than 100 Maoists combatants, currently providing security to their leaders, to Shaktikhor cantonment. In view of the latest serious factions seen in his own party and NC's current movement-oriented mood, it seems the Maoist Chairperson Prachanda has an uphill task of implementing not only the five points contained in the deal but also other commitments that he made prior to the agreement. On the implementation front, he could find hardliners in his own party more difficult to deal with than his NC opponents. Despite reservation from within the party;

surrender of weapons by Maoist combatants following decision to end dual security system had provided some relief to the worried mass. For peace and new constitution, people are prepared to show any kind of flexibility that could encompass accepting UML proposed rotational government designed to have the three major parties at the helm alternatively. The newly energized Special Committee has made several important decisions on peace related issues such as finalizing modality of integration and rehabilitation of Maoist combatants by 19th June and consigning their weapons to state arsenal by 27th August. If these decisions/commitments are actualized within the specified time-line, unlike in the past, people will see not only conclusion of the peace process but also a draft of the new constitution before the end of the extended term. Prachand's remarks that integration will proceed in the letter and spirit of the deal have gladdened people who were disheartened by influential Kiran Baidya's observations on the integration issue. Indeed, Maoist chairman Prachanda

If these decisions/commitments are actualized within the specified time-line, unlike in the past, people will see not only conclusion of the peace process but also a draft of the new constitution before the end of the extended term. Prachand's remarks that integration will proceed in the letter and spirit of the deal have gladdened people who were disheartened by influential Kiran Baidya's observations on the integration issue.

looks serious this time in implementing the five-point deal and other tacit commitments made during the

lengthy negotiations with other parties. This is the opportune moment for him to show his opponents within his own party and in other parties that he is sincere and will remain so as far as abiding by the commitments made is concerned. Let us hope that the recent sharp observations of NC at the conclusion of its district presidents' meeting and the critical comments perennially flowing from a section of UML will not derail the peace process but make positive contributions towards implementation of the deal. This is not the time for Maoists to agitate.

Contrary to expectations, it seems some more weeks will be needed to form the consensus government as neither NC nor Maoist leaders are in a haste to dislodge the current government led by Khanal. UDMF, which made insertion of a clause related to PM's resignation possible in the deal at the last minute, is still serious about it and also feels that it has every right to lead the proposed rotational government at one point or the other in the cycle. Despite this stand of Front, it is not likely to impede presentation of budget in the legislative parliament by deputy prime minister Adhikari whose efforts earlier to bring supplementary budget and thereafter early budget were nipped in the bud by the opposition of which

Front is a major constituent. Prevailing economic fundamentals have also not cooperated with Adhikari who is also accused of not taking appropriate action against tax (VAT) evaders and encouraging politically motivated budget transfer at the end of the fiscal year. Instead of indulging in these kind of unhealthy practices, he should have paid serious attention to double digit inflation (11 percent) and negative balance of payment (Rs 14 billion) and a deteriorating trade position with export import ratio standing at 16. It must have been made very clear to him by now that not only the promised inflation level (7 percent) and a positive balance of payment (Rs 9 billion) for the current fiscal are unachievable, the nation is bound to see a short fall of around 2 percentage in meeting even a moderate growth target of 5.5 percent this year. As if this deteriorating macro picture was not enough to disturb the minister, the financial sector that remained relatively sound even during years of conflict, has begun to throw negative signals. Nepal Rastra Bank (central bank) should not lag behind in initiating actions against fraudulent activities of these institutions but care should be taken to see that whatever the central bank throws for mass consumption does not encourage run on these institutions. Actions should precede words. This is the time to inject liquidity and not withdraw deposits from these cash-starved institutions.

Let us not ruin one more fiscal year by not letting finance minister present the budget but the elderly leader will have to frame the budget keeping in mind a bundle of accusations/allegations leveled against him by a cross section of people. More important than anything else is the conclusion of peace process and drafting of the new constitution requiring major inputs and cooperation from the Maoists. Let us hope Prachanda succeeds in walking the long-drawn peace path along with his political rivals in the party, which is now showing growing signs of factionalism and anarchy.

Dr. Rawal is a CA member and former governor of Nepal Rastra Bank. ■

NEPALI CONGRESS

Combative Mood

The main opposition party is not optimistic about the peace process and the constitution

By A CORRESPONDENT

A little more than two weeks after the extension of the constituent assembly hopes for a substantive progress in the peace process and the constitution making are fast fading.

The agreement on a time-table of disarming the former combatants and the drafting of the constitution has not moved beyond the documents the three major parties inked them soon after the dying CA was given a three-month oxygen.

Not unexpectedly, Maoist leader Baburam Bhattarai lamented that the past two weeks had been "wasted."

The main opposition Nepali Congress went one step ahead and almost concluded that the next few weeks are also unlikely to be any different.

The crucial conclave of the district committee presidents at the tourist city of Dhulikhel set the stage clear for what the party sees inevitable: neither the conclusion of the peace process nor making of the constitution.

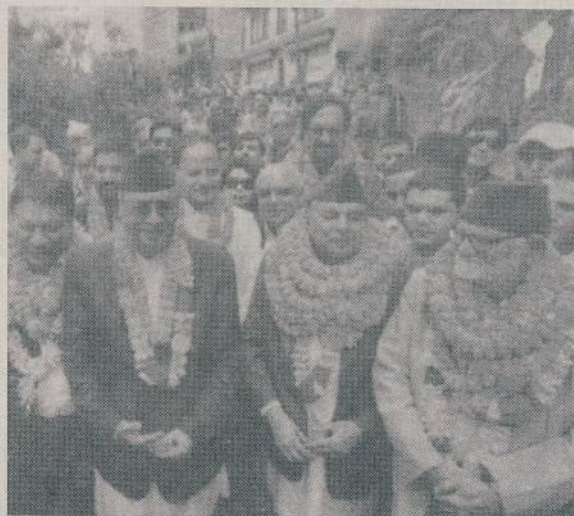
From the party president Sushil Koirala and Sher Bahadur Deuba to district presidents and central committee members, all were in agreement – on the need to prepare for the uncertainty and confusion post the extended life of the CA.

The central leaders called upon the

district leaders to prepare for "a mass movement" to "safeguard democracy".

The latter echoed the concerns and vowed to remain vigilant.

With the Maoist leadership deeply divided on what has been agreed with the other parties including the Nepali Congress, the main opposition has little trust in the



NC Leaders

Maoists to disarm themselves ahead of the constitution.

Without seeing the former rebel outfit disarmed, the Nepali Congress does not want to lend a hand in making what it fears would be a "totalitarian" leaning constitution. ■

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The Word Lab



UCPN-Maoist Leaders

UCPN-MAOIST

Battle Royale

The largest political party and the only party with a separate armed force gets ready for a battle royale that threatens to reduce the country's largest republican outfit into pieces

By SAROJ DAHAL

Even as the national consensus continues to be a favourite pastime in Nepali politics, the country's largest party faces its worst crisis ever.

The division in the party has come out in the open and spread from the centre down to the villages – with three factions flexing their muscles.

Politburo member Devendra Poudel is candid enough, “The UCPN has already split. It is only that none has dared to make it public.”

The bluntness of the pro-Baburam Bhattarai leader is shared by the leaders of the factions led by Pushpa Kamal Dahal ‘Prachanda’ and Mohan Vaidya ‘Kiran’.

While Chairman Prachanda faction blames the two vice-chairmen for the crisis in the party, the latter hold Prachanda responsible.

Said a pro-Kiran leader, Haribhakta Kadel, “it’s up to Prachanda whether he wants the party to remain united.”

For this he will have to give up his current line of priority to peace and constitution and the executive authority of the party.

He is not willing to give up any.

This is why he has called an urgent central committee meeting where he hopes to have his way at the cost of the two vice chairmen.

The central committee meeting due next week is sure to witness a key battle between the Prachanda faction and the

factions led by the two vice-chairmen, although it may not necessarily be a decisive one.

Bhattarai and Kiran factions have own mutual differences, but they are one to keep what they see as the opportunistic and arbitrary Prachanda in check.

Prachanda does not see his future if his powers are curtailed and the dissents are allowed unabated. There have however been serious challenges. Said a pro-Bhattarai central committee member, Kumar Poudel, “If the party is to remain united, the chairman must sacrifice many things. We can not always give shoulders to him just for the sake of keeping the party united.”

At one point, Prachanda was offered a proposal to make way for Baburam Bhattarai to become the leader of the parliamentary party and pro-Kiran leader C.P. Gajurel his deputy.

The idea did not move ahead when Kiran grew suspicious of the increased frequency of Prachanda’s visits to Bhattarai’s residence.

A vertical split in the Maoist party looks inevitable. Sooner rather than later. How soon is not clear yet. Probably it will depend on how the national political drama plays out in the next two months, ahead of the expiry of the extended life of the constituent assembly.

Prachanda is closer to Bhattarai in laying priority on peace and constitution instead of going for a popular revolt that Kiran proposes. But he does not dare to challenge Kiran due to the latter’s grip in the organization and backing of a substantial number of the former combatants who are not very happy with their supreme commander, Prachanda.

He is caught in a dilemma while the other two are flexing their muscles to bring him to the size.

The stage is set for the battle royale. ■

CRISIS IN BANKS

Banking On (Un) Real Estate

In a matter of three months, half a dozen banks and financial institutions (BFIs) have become troubled one after another. The collapse of the property bubble is seemingly pulling them down. As over Rs 100 billion of their investments are locked up in real estate sector, the BFIs are on an extremely vulnerable situation. The case of Vibor Bikas Bank indicates the ultimate nightmare of bankers and regulators. A seemingly sound and healthy bank suddenly forced to go begging for money after some institutional depositors decide not to renew their matured fixed deposits. Is it the result of mere short term liquidity crunch or does it portend a systemic crisis?

By SANJAYA DHAKAL

Few years ago during the heydays of real estate growth, the Vibor management was looked up as an example of innovation. Their investment spree in lucrative real estate was returning huge profit that made others salivate.

Today, the same people are criticizing the bank management for their failure to read the writing on the wall.

As a national level development bank, Vibor had been gaining

credibility. But the last week's turn of events show how fragile their situation always was.

"It is quite clear that most of their credit investments were on real estate sector - up to 60 percent. And they were managing day-to-day liquidity by the deposits from a handful of big depositors. Once those deposits were withdrawn, they went bust," said a source at the central bank.

It was after the Nepal Rastra Bank (NRB) decided not to renew its fixed

deposits of Rs 270 million followed by the decision of Nepali Army (NA) to save its deposits that the Vibor had to run for cover.

"It was during the time when the US economy became crisis-ridden due to burst in real estate that BFIs in Nepal were on a rush to invest in lands. The Nepali bankers, too, should have calculated the possible risks. They did not," said an economic analyst.

The Vibor management does not agree. In their website they have posted



Nepal Rastra Bank

an information stating that only 22.62 percent of their credit is invested in real estate.

For the time being though, the NRB's decision to provide Rs 500 million worth refinancing by acting as lender of the last resort has stabilized the condition of Vibor and it has already started collecting individual deposits as well. But is the problem solved?

No, say most bankers and analysts.

Crunch of Liquidity

"In my banking career spanning almost three decades, I have never seen this kind of liquidity crunch," the remarks of Ashok Rana, president of Nepal Bankers' Association, sums up the severity of the crisis.

And there are multiple reasons for such a crunch. First and foremost is the continuing political instability that has hurt the smooth implementation of budget. As around Rs 30 billion of the government's fund still lies unutilized

due to its inability to carry out development works, the market has remained squeezed.

"The budget must come on time and be implemented for this crisis to be resolved once and for all," says Rana.

On the other hand, huge chunk of BFIs' money are locked up in real estate investments. As they see the property prices falling, nobody is willing to sell them off at a loss for the time being.

This also has added to liquidity problem. Writes former finance secretary Rameshwore Khanal, "One thing is sure, land prices will not rebound to the level seen at the peak of the property market boom a year and a half ago. The current problem is due to adamant behavior by market players holding on to the same prices, thus freezing much of the liquidity that the market could generate."

The real estate agencies have been saying that following the decision by the

central bank asking the BFIs to reduce their exposure to the real estate (the BFIs have been asked to bring down their real estate credit to below 25 percent of total credit within mid July this year), they have witnessed a free fall. "Transactions have decreased by almost 90 percent," say the agencies.

The central bank officials say that their decision to limit real estate investments were correct. "It could have worsened had we not acted on time," they say.

The central bank officials also claim that liquidity crunch is not as severe as has been made out to be. "We released repo worth Rs 4 billion on June 12 but only Rs 1 billion worth of repo were subscribed. This shows that there is no huge demand for liquidity," said Bhaskar Mani Gyawali, spokesperson of the NRB.

But bankers say that since only class A commercial banks can use the repo facility while the worse sufferers are class

“Depositors Need Not Worry”

GOPAL KAFLE

GOPAL KAFLE, deputy governor of Nepal Rastra Bank (NRB), talked to SANJAYA DHAKAL on the banking crisis and the response from the central bank. Excerpts:

How is the situation?

We have taken measures to ease refinancing to the BFIs that are genuinely troubled so that they can overcome the short-term liquidity crunch. We have also decided that big institutional depositors will not withdraw their matured deposits from the BFIs for the time being.

How do you explain the series of crises in a number of BFIs?

There are two sorts of crises. One is purely due to bad corporate governance and even outright fraud. Another is due to short term liquidity crunch. Take for example the case of Vibor development bank, whose financial state is still sound. After we became convinced about its situation and knew how its crisis could affect financial system, we decided to back it and bail it out.

What do you want to say to common depositors?

NRB is closely monitoring the situation. We are acting promptly where needed. Therefore, the depositors do not need to worry.

Do you think NRB's sudden measures to limit BFI's investment in real estate could have triggered this crisis?

No. In fact, we have saved the system from major crisis. However, we have been hearing about the complaints that the limits placed on real estate could be responsible for this crisis. And we are open to suggestions. We have already relaxed investment on housing sector. If there is a need, we are ready to move towards improving policies. ■



“Banks May Come Under Stress”

ASHOK RANA

ASHOK RANA is the President of Nepal Bankers' Association (NBA) and CEO of the Himalayan Bank Limited. He spoke to SANJAYA DHAKAL about the situation of banking system following the recent crisis. Excerpts:

Will the recent NRB measures solve banks' problems?

It will definitely help reduce the problem. Main thing is that until the budget comes, the liquidity crisis won't be fully resolved. We are not witnessing any increase on deposit collection. But the refinancing facility offered by the central bank to Vibor was necessary.

Is the current crisis only due to liquidity crunch or are we facing systemic failure?

It is bit of both. Due to excessive reliance of some institutions on the real estate loan, they were dependant on few institutional depositors for liquidity.

Does that mean the BFIs will be falling like house of cards?

That won't happen. But they will come under stress turn by turn. If the budget comes on time, then such crisis can be averted.

Is liquidity the sole reason for this crisis?

Not at all. Historically, we were witnessing increase of deposits by 20 percent. That has come to a grinding halt. But the loan/credit growth has not decreased. And in case of many financial institutions, huge chunk of such credit went to real estate sector. They are long term investments. Even then, they were giving fair turnovers. But after the government and central bank introduced stringent measures to limit real estate growth, this sector started performing badly. And the customers started relocating their liquid assets to informal sector.

How much investments have the BFIs made on the real estate sector?

That is the key question. In case of A class commercial banks, they are not more than 20 percent of total lending. ■



B and C institutions, the repo may not have been subscribed fully.

House of Cards?

Three months ago, the Gorkha Development Bank became troubled after disputes among the management itself. It was followed by the liquidation of Samjhana Finance.

Then came the story of outright fraud and book manipulation of around Rs 1 billion in the Nepal Share Market whose chief is still said to be absconding.

No sooner than these stories had died down, there came the story of People's Finance and Vibor.

Does the current spate suggest the BFIs are going to fall like a House of Cards?

“Not at all,” says Ashok Rana. “Many may come under stress, but if the banks and the NRB work together, we can come out of this crisis.”

But he agrees that there may be systemic problem in the banks, particularly the class B and C ones where, he says, the NRB oversight is not as strong as in class A ones.

The NRB officials, too, dismiss the fears of full-blown banking crisis. “We must see that the problems of not all of

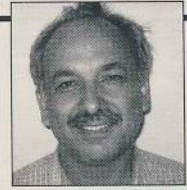
these troubled institutions are same. While Vibor suffered from liquidity crisis, Nepal Share Market and Samjhana Finance suffered from bad corporate governance,” said Gopal Kafle, deputy governor of the central bank.

Whatever may be the correct answer, one thing is quite clear. The worst impact of the current crisis will be the evaporation of public trust – that single most vital thing on which banks are actually based upon.

And that trust is not going to be restored anytime soon. ■

Media And Politics In A Collapsing State

By YUBARAJ GHIMIRE



Journalists are up in arms against the government demanding their safety. The current round of protest is a sequel to the assault on Khilanath Dhakal, a Biratnagar-based correspondent of the Nagarik daily, by activists of the Youth Force, the militant outfit of the Communist Party of Nepal- Unified Marxist Leninist (CPN-UML).

But the way the political parties, including the ones in the government, are responding to the incident makes it clear that they are more interested in taking political mileage out of the incident than in bringing the guilty to book.

Home Minister Krishna Bahadur Mahara went to the extent of asking Prime Minister Jhalanath Khanal to facilitate him in the handover of criminals to the police.

Does a Home Minister need Prime Minister's cooperation to hand over criminals to the police? Mahara, who is also a Maoist leader, was simply trying to send a message across that the Young Communist League and Youth Force are no different from each other, and that Maoists were being wrongly criticised by other parties all these years. In other words, he was also trying to strike a deal with the UML that the YCL-YF atrocities are political in nature, and their atrocities are best left to the Media for criticism.

Media, like the civil society, has been a party to encourage these extra-legal activities, of the outfits affiliated to one or the other political parties, especially during the past five years of political change. Political parties, especially the Nepali Congress and the Maoists, acquired an above-the-constitution status during the

post-2006 phase. Together, they treated the parliament, the one that was revived and later the constituent assembly, as their rubber stamp. The rules and established practices were not guiding the business and conduct of parliament, but the whims of the top leaders of major parties were. Other parties like the UML and the media and civil society condoned these aberrations which took the scale of rules rather than exceptions blindly.

When media, even belatedly, tries to raise its voice against those practices and conduct of the political leaders, chances of their being targeted will naturally increase. Assault on Dhakal in Biratnagar by the Youth Force should be seen as a proof of that. The issue at the root of that assault lies in the correspondent's attempt to report corruption and crime in which the YF activists were allegedly involved.

In the past five years, the authority of the state reached near collapse. Part of it was transferred to or was being appropriated by political parties, mainly the big three. Prime Ministers and ministers using state funds on discretion, recruiting political cadres as diplomats, commissioners of the constitutional bodies, and, now, in the constitutional council, shows the parties are behaving more like the state without having to be accountable at all.

Who else, except the media, will raise their voices against these malpractices? A republican system means empowerment of the people. Treating political parties or their leaders as species above the law of accountability will encourage them to go totalitarian. But as major political parties and their leaders have appropriated the state's role and power in the past five years, even the constitutional bodies seem to treat them that way.

The recent decision of the Commission of Inquiry into the Abuse of Authority (CIAA) giving clean chits to Prime Ministers and Home Ministers in the 450-million Darfur scam by implicating only the police officials brings a dangerous drift in the country's polity. A constitutional body's servility towards political bosses is a clear sign of either a totalitarian or an anarchic regime.

And interestingly, no top leader of the three major parties has owned up any responsibility for the part of corruption in the Darfur scam when they were either leading the government or at the helm of the Home Ministry.

Principles of accountability in governance became the biggest casualty during this period. This is where the civil society and the media, by virtue of their involvement in the movement for restoration of democracy of April 2006, developed proximity with these political parties after the political change even at the cost of their professional virtues and principles. They turned a blind eye when the three parties that have been leading the government alternatively indulged in corruption, mal-governance and went to the extent of turning the state into a fief.

With the system of accountability gone, and with so less transparency on use of state funds by ministers and even the transfer of development funds to the political parties, a pliable CIAA will best suit the corrupt interest of these parties. An assault on independence of judiciary through an equally corrupt deal among the political parties like in selecting members of the Constitutional Council recently, and judges under political parties' quota during the past four years clearly comes as a threat to the independence of judiciary. Can democracy survive in such circumstances?

There are fears that the Maoists are moving systematically in weakening the permanent institutions one after another. After the exit of the monarchy, weakening of the Nepal Army, judiciary and the media would best suit any totalitarian design.

With police discredited by the CIAA—apparently under political pressure—Nepal Army being targeted in one or the other way would not be far away. The assault on the media by the Youth Force comes as a handy thing in the scheme. That suits the Maoists the most. When others perform the dirty job, Maoists stand to gain ultimately like all the times in the past. ■



Media Persons Demonstration



CIAA

Shaking Security

Having faced all kinds of physical and other assaults in the last one decade, Nepal Police is badly shaken this time when the Commission for the Investigation of Abuse of Authority (CIAA) indicted 36 police officers in a case relating to purchases.

By A CORRESPONDENT

Following more than two years of investigation and study of the report by the State Affairs Committee of the Legislature Parliament, the Commission for the Investigation of Abuse of Authority (CIAA) filed a case against 36 persons at the Special Court for their alleged involvement in a multi-million dollar graft while procuring Armored Personnel Carriers (APCs) for the Nepal Police's peacekeeping mission under the United Nations flag in Darfur of Sudan.

As CIAA gave a clean chit to ministers involved in the decision, legal experts pointed out many flaws in its action as aimed at destroying and demoralizing the country's only institution responsible to guarantee law and order.

In the charge-sheet filed last week, the anti-graft body has indicted three former Inspectors General of Police (IGPs)— Om Bikram Rana, Hem Bahadur Gurung, and Ramesh Chand Thakuri, and more than a dozen of incumbent senior police officials, including AIGs Madan Bahadur Khadka and Arjun Jung Shahi. Shahi is currently

the head of Metropolitan Police Commissioner's Office (MCPO), Rani Pokhari.

The CIAA claimed that the corruption amounted Rs. 28.816crores.

Also, the director of London-based APC supplier Assured Risks Pvt Ltd, and the local agent of the supplier Shambhu Bharati of Bhagwati Traders have been named defendants. Following the filing of the case, 26 incumbent police officers have automatically been suspended from their posts. Following the registration of the case at the Special Court, 26 senior officials have been automatically suspended from their posts, thereby,

Former IGPs

OM Bikram Rana
Hem Bahadur Gurung
Ramesh Chand Thakuri
Incumbent AIGs

Arjun Jung Shahi
Madan Bahadur Khadka
Former AIGs
Shyam Singh Thapa
Deepak Singh Thangden
Dipendra Bista

Incumbent DIGs
Ramesh Bikram Shah
Topenhra Dhwoj Hamal
Former DIGs
Deepak Kumar Shrestha
Niraj Pun

Surendra Pal

Incumbent SSPs
Ravi Pratap Rana
Shyam Bahadur Khadka
Shiva Lamichhane
Dr. Ajit Kumar Gurung
Ramesh Kumar Pande
Bijaya Lal Kayastha
Former SSP
Narendra Kumar Khaling
Incumbent SPs
Manoj Neupane
Niraj Bahadur Shahi
Gupta Bahadur Shrestha
Ram Krishna Rajbhandari
Krishna Prasad Guragain
Sanjay Singh Basnet

Pitambar Adhikari

Incumbent DSPs
Bidhya Raj Shrestha
Prakash Adikary
Dinesh KC
Former DSP
Harihar Shrestha
Inspectors:
Arjun Prasad Timalsina
Giridhari Sharma
Lal Govinda Shrestha
Others:
1. Michael Rider, the Director of Assured Risks P Ltd, the London based APC supplier
2. Shambhu Bharati, proprietor of Bhagwati Trader

creating a void in the police structure.

Although the decision for the purchase of the carriers for UN Peacekeeping Mission in Darfur was taken by the cabinet headed by Girija Prasad Koirala, in which Krishna Prasad Sitaula was the Home Minister, strangely the CIAA gave a clean chit to minister Sitaula and then home secretary Umesh Mainali. Similarly, remaining funds were released during the tenure of home ministers Bam Dev Gautam and Bhim Rawal, they too were given clean chits.

Instead of charge-sheeting them on the legal basis, CIAA took action arbitrarily on the basis of pick and choose, critics said. Now whatever the outcome, CIAA's decision has already done a great damage to Nepal Police ruining the career of several intelligent and capable police officers who survived a series of operation in the last one decade.

This is not the first time when senior police officers were humiliated by unaccountable bodies like CIAA. After People's Movement II, several senior police officers have seen this. For example, Assistant Inspector General of Police Rajendra Bahadur Singh was forcedly retired and then chief of Police Shyam BhaktaThapa was given compulsory retirement.

In the Rayamajhi Commission Report in 2006, Nepal Police force was badly shaken from the top to bottom paving the way for deterioration of law and order. As Nepal Police is in the process of recovering from earlier shakeups, CIAA's recent action will again demoralize the police threatening the process of normalization of law and order situation. CIAA's action has damaged the police worse than what it faced during ten years long Maoist insurgency.

Whenever there is a political turmoil, Nepal Police, Nepal's oldest and largest internal security agency, is the front line organization to suffer. ■

“Peace-Justice Trade” In Transitional Nations

By ANKIT DHAKAL



To post-conflict nations, peace comes at a price- Nepal is no exception to this. Having lived with the perils of conflict, there is surmounting pressure from all sides to restore peace in post-conflict transitional nations. It is also natural for such a nation to deal with the issue of ‘restoring peace’ as the primary agenda in its attempt towards nation-building. Grim reminders of past atrocities and gross human rights violations, therefore tend to be undermined in an attempt towards securing peace; thereby, trading ‘peace’ over ‘justice’- especially by the grant of amnesty to human rights perpetrators. Although, a complete ‘peace-justice’ trade may come with a host of short-term benefits and could therefore be attractive to such a nation; it however accompanies a host of future repercussions.

Basis of a New Nation

To begin with, failing to address severe human rights violation of the past cannot be the starting point for any new nation. The determination of a new nation to deal with issues of gross human rights violations needs to be solidified from the very beginning, and this will only be possible by the prosecution of past human rights violators. In this context, the proposed preamble to the new constitution of Nepal (as proposed by the preliminary draft of the Constitutional Committee)

reads as follows- “WE, THE PEOPLE OF NEPAL...Committing ourselves to...fundamental rights, human rights...and the concept of the state of law;” If the spirit of the preamble to the new constitution is to be upheld, then it is paramount that past human rights violations be addressed with an intention towards delivering justice to the victims of such violations. Furthermore, “awareness that gross human rights violations will be punishable in future” seems to be one of the crucial objectives as set out in the preamble to proposed Bill providing for the Truth and Reconciliation Commission 2066 (B.S). The importance of prosecuting offenders responsible for serious human rights violations has therefore rightly been reflected in proposed Bill. It will also be vital for a new nation to book gross human rights violators to live up to its aspirations of upholding human rights not only through words, but by actions when necessary.

Perpetuating the Culture of Impunity

The proposed Bill providing for the Truth and Reconciliation Commission 2066 (B.S), on the very outset has explicitly dealt with the issue of ‘ending impunity’ as one of its primary objectives. If gross human rights perpetrators are not prosecuted as per due procedure of the law, the culture of

impunity will thrive. Often, views have been expressed to the effect that conflict related actions must not be made agenda of national discussion, but should rather be set aside as ‘political issues/ issues of political nature’ to fall outside the purview of the judiciary. This practice of reserving issues concerning human rights violations as ‘political issues’ will prevent human rights accountability and will thus pave the way for ‘politics of threat’. Impunity will lead to normalizing violence and the nature of future politics can shape for the worst. One of major justifications for prosecution in criminology is associated with the value of deterrence it imparts on future offenders of the society. When gross human rights perpetrators are brought to justice, precedence will be set for days to come and the culture of impunity would receive a major set-back. The circumventing of judicial powers to check

human rights violations in the name of ‘political issues’ will set a disastrous trend in the long run. Therefore, lack of prosecution even for gross human rights violations will institutionalize the dreaded culture of impunity- one that may be too hard to break.

Reasons for a Retributive Society

When justice is delayed- it is frustrating; but when it is altogether denied- it fuels retribution. Blanket amnesty or forced reconciliation (especially in the case of mass/

community reconciliations) should not be the way to seek rehabilitation of a society in the aftermath of a conflict. As much as we would like it, political agreements at the high level sadly do not always resonate with the voices of those in the grass-root level. It becomes the responsibility of the State to develop mechanisms for the prosecution of gross human rights perpetrators so that the victims are not forced to seek justice themselves. Every effort should be made by the State towards prosecuting the guilty and securing the rights of the victims as a precursor to lasting rehabilitation of the society in a post-conflict nation.

Although, terms such as ‘human rights, ending of impunity, addressing past wrongs, bringing gross human rights violators to the confinement of law’ and their likes, have found their mention in documents such as the proposed preamble to the New Constitution and the Truth of Reconciliation Commission Bill; the complete trade of ‘peace’ over ‘justice’ cannot be ruled out in reality. Experiences from the past have shown us that legal documents can be toothless tigers without the necessary mechanisms and will of the State to pursue their objectives. ■



Seeking Justice



Bonn Meets

UN CLIMATE TALKS

Storm Clouds

Stalemate over carbon cut thwarts the latest UN meet, throwing future climate negotiations into serious doubts

By NAVIN SINGH KHADKA
in London

Attending a low-profile meet in Bonn this week, the United States' chief negotiator Jonathan Pershing may appear to have wronged some section of American press that predicted slow death for the United Nations climate negotiations. But he hasn't.

When the biggest climate summit began with a big bang and ended in a whimper in Copenhagen in 2009, most media in the US wrote off the future of the UN climate regime.

They argued that the collapsed conference in the Danish capital was a proof that 190 plus member countries of the UN cannot be expected to agree on a contentious issue like who should move first to contain the changing climate. That too even when more than two thirds

of official delegation chiefs were heads of state or government.

The following year in Cancun, most countries chose to send their environment ministers as their representatives.

"And now from next year, we may see environment secretaries or ambassadors leading their teams in UN climate talks," a veteran climate negotiations commentator said in the Mexican resort city.

Although it remains unclear what level of participation Durban will see later this year, all indications are that the meet will hardly be meaningful towards having a legally binding global climate treaty.

This week's preparatory meeting in Bonn for the annual conference in the South African city has barely moved from the Copenhagen deadlock: who should mandatorily cut down the Earth warming

green house gases and how to verify the reduction?

Major players have stuck to their guns, in the hope that the negotiator across the table will blink first.

Developed countries have once again argued that all major economies – implying that fast developing ones like China and India are included – will have to agree to a legally binding framework for carbon reductions.

While emerging economies have yet again insisted on the continuity of the Kyoto protocol that requires developed countries to compulsorily cut down carbon emissions while they themselves are exempted.

The treaty's first commitment period is ending next year and many developed countries are against its extension.

While Japan and Canada amplified their opposition to the continuity of the Kyoto protocol, Russia was even blunter: "No one should be under the illusion that Durban is only about the second period of the Kyoto," it said during the Bonn meeting.

Such is the twist of climate politics that the one-time close ally of India, Moscow was seen toeing the line of the US that never ratified the Kyoto, so far the only legally binding international climate treaty.

While Indian and Chinese negotiators were harping on the agreement reached in the UN climate conference in Indonesia's Bali in 2007 because the Bali Road Map, to their advantage, envisaged the continuity of the Kyoto protocol after 2012.

As if the standoff on the Kyoto was not enough, US negotiators put on the table pending thorny issues like climate financing, green technology, transparency on who is cutting carbon emission by how much, and so on.

"No individual element can move without all elements moving together," their chief negotiator Pershing conditioned during negotiations in Bonn.

The verdict of some section of American press on future UN climate negotiations does not seem baseless. ■

Junk Nutrition

By DR. ARUNA UPRETY



I went to Achham in December 2010 when I saw many positive as well as negative changes in the villages, especially in terms of people's food and nutrition habits. In Chanidka village, among the children I saw was a 3-year girl. She was malnourished. "Your child seems very small for her age, what does she eat?" I asked her mother. She was breastfeeding the baby.

"Yes she is small and she does not eat anything except noodles and biscuits," the mother answered. I asked her if she had lentils or flour at her house. She said she did. Does she have cows and milk? Yes, she does. Does she grow vegetables? Yes.

"So, what is the problem, why don't you give your child rice and dal, vegetables and milk?" I asked. The mother told me, "But why? Chow-chow is a good food and it has a lot of nutrition. Why give the child other food?"

We had failed to disseminate proper information about what is nutrition. The result was many mothers like this one in Acham saw nutrients in noodles.

The knowledge, passed down from generation to generation about local lentil, soybean, millet, and buckwheat, seems to have been erased in a few decades through relentless misinformation through advertising.

"I wonder why our pediatricians do not do something about wrong advertisements on the junk foods showing them as good for children," Dr. Neelam Adhikari, a renowned child specialist told me. "I see many children with malnutrition as well as obese children consume those foodstuffs. In my clinic, every day, at least four children with malnutrition are brought by their parents who do not understand that those foods are very harmful. I try to explain the dangers to them but we don't have enough time to convince them."

The food industry, TV ads and silent health workers and policy makers have contributed to the promotion of the idea that expensive, processed, foods in colorful foil packs, are healthier than easily available home foods. Even in rural areas, where we may not have simple pain killers or similar medicines, those colorful ads and junk foods are easily available. Children become malnourished after consuming them. They fall ill and then parents demand expensive bottled vitamins and tonics for their children from health workers in the



villages as well as in urban areas.

"There is absolutely no evidence that supplemental vitamins are good for growing children," says Ramesh Kant Adhikari. He has been advocating for the home made foods for the children for a long time and feels that health workers are also to blame as instead of taking the time to explain parents, they prescribe some food supplements and expensive vitamins, even when the child doesn't need them. Health workers find it tedious to explain to parents that all they need is enough carbohydrate, vitamins, and proteins—all available in the traditional Nepali diet.

Dr. Adhikari is one of the authors of

Child Nutrition and Health, a book full of recipes made from local Nepali food items rich in vitamins, minerals and proteins like *surbottampitho*, *jaulo*, millet porridges, roti, rice, and dal. But this information has not been disseminated to the villages.

All that the government does from time to time is to distribute some food packets to combat malnutrition. But with the food packets, there is no information about how one can prepare nutritious food from what is available at home. Our TV program do not talk about this, our radio programs are busy with songs and entertainment. Someone wants to talk about these issues on the radio, there is no time slot for that.

Children are easily influenced by TV commercials. Be they in Kathmandu or Achham, they demand what is shown on TV. Parents have to oblige when their kids blackmail them with tears.

I remember, ten years ago, my daughter used to take chapatti and potato as lunch for school. But one day she came back with tears in her eyes and told me "from tomorrow, I am not going to take those chapatti and potato. My friends teased me saying that the food was dirty. They bring chou chou and cheese balls for lunch?"

It took a long time to make my daughter understand that it was her friends who were eating junk food, that eating wholesome home food was nothing to feel ashamed of. It took a lot of effort and time for me to show her various pictures of children who consumed junk foods and got ill.

Of course, it is not an easy task to make children understand why junk food is bad for them. But should we not give our children a healthy life? After all, the packed foods are known to have links with heart problem, diabetics, and cancer. Parents need to choose. ■

World Bank

Downsizing Office

The World Bank office in Nepal is downsizing in a move that will have significant impacts in the long run despite claims by officials that the multilateral donor agency was initiating a process to make its operations more efficient

By A CORRESPONDENT

Be it a coincidence or the country's declining importance, Nepal is gradually losing its capacity to mobilize aid in the international level. The recent decision of the World Bank to downsize its operations in Nepal is an indication of this. The WB, however, has said it initiated a worldwide process to make its operations efficient.

The World Bank has announced merger of Nepal and Bangladesh country director positions to increase efficiency and achieve greater synergies between the bank offices and staff based in the South Asian region.

"We have conveyed to the Government of Nepal that our office in

statement added that the decision by World Bank senior management is guided purely by internal needs and is in line with management's efforts, over many years, at consolidation. Though experts say that the decision of the World Bank to downsize its office in Nepal and oversee Nepal operations from its Dhaka-based office could weaken the country's capacity to mobilize aid, the World Bank has assured that forthcoming changes will not affect its programs in Nepal.

"Over the past four years we have significantly strengthened our presence in Kathmandu and the size of our portfolio has grown four-fold. These internal changes won't affect the volume of Bank assistance to Nepal. The volume of assistance has always been determined by Nepal's development policies, performance and economic management. That's the way it has been and that's the way it will remain," the statement quoted Goldmark, the World Bank Country Director for Nepal, as saying.

"Nepal remains an important partner for the World Bank," Goldmark further said. A year ago, International Monetary Fund (IMF) downgraded its Nepal office. Three months ago, United Nations High Commission for Human Rights downgraded Nepal's National Human Rights Commission to B Grade.

INGOs Problems

If things go like these, many International Non-governmental Organizations (INGOs), which bring more than 10 billion rupees annually to implement programs to uplift the poor people of Nepal, are also in the process of scaling down their offices in Nepal. Since the last one year, the Ministry of Women, Children and Social Welfare has held the project documents submitted for clearance to implement development projects in various parts of

Nepal. Due to delay in the clearance process, many INGOs are compelled to withdraw the projects.

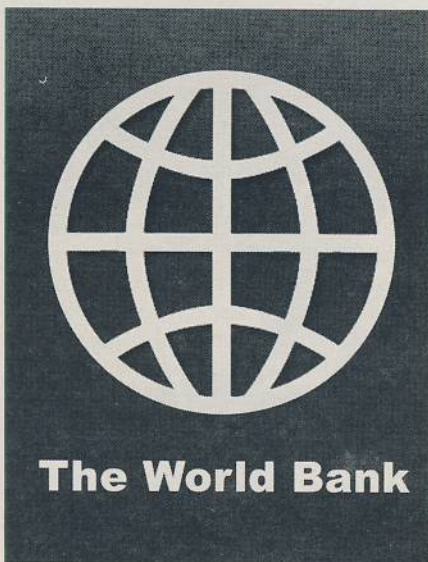
Although the Ministry of Women, Children and Social Welfare is said to have started giving clearances to the projects, the damage has already been done to Nepal as many international donor communities have raised the question of Nepal's credibility.



"If the government continues to delay the process, many INGOs have no options other than to pull out or downgrade their position in Nepal. This will badly affect development projects directed to the poor people of Nepal," said a senior official of an INGO. For the programs and projects implemented by INGOs complementing and supplementing the government's development projects, the Ministry needs to give clearances quickly so that projects are implemented in time.

Registered with Social Welfare Council, INGOs have been active partners of Nepal's overall development activities for long time. "We are aware about the situation and the Ministry has already started the process to give the clearance to the projects pending in the Ministry," said a senior official on condition of anonymity.

"We don't understand the reason behind holding the files of development works for such a long period of time." Nepal has suffered a lot in the last three years gradually losing its own stature and capacity to mobilize aid. If Nepal does not work carefully, it will have to face more shocking decisions from the international community. ■



Kathmandu will remain operational and fully staffed under the leadership of a new Country Manager, who will be permanently stationed in Kathmandu to serve Nepal's needs," said Susan Goldmark, the World Bank Country Director for Nepal. A press statement issued by the multilateral donor agency said other large World Bank programs in Africa, Latin America, the Middle East, Eastern Europe and East Asia have already undergone similar changes. The

Fast And Fury

By ABIJIT SHARMA



Baba Ramdev's political *aasans* hogged every possible headline early month. Unlike his highly successful and hugely popular yoga *aasans*, the Baba's political *aasans* went awfully awry.

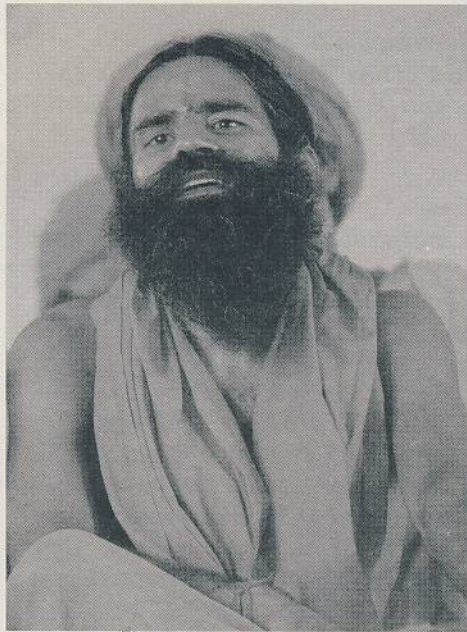
The cause behind the Baba's indefinite hunger strike was genuine. He wanted to protest against corruption and 'black money' of Indians. Hours after he went on the fast at the Ramlila grounds in Delhi, the police launched an all out offensive against the gathering resulting in chaos and complete disruption. From then on, everything went downhill for the Baba.

Several factors led to the Yoga Guru's *anshan* fiasco. First and foremost, his demands had clear traces of unfeasibility. Take for instance, the issue of allotting death sentence to corrupt officials. True, corruption stands as one of the major headaches but dirty and conspicuous politics that is existent in India means that many innocent people run the risk of being framed. Death sentence can result in the execution of many innocent. The call for the immediate return of all black money stashed away in tax havens abroad too is unviable. As Chief Minister of Jammu and Kashmir Omar Abdullah rightly said, "black money cannot be brought back to the country with a snap of fingers by the government".

The demand for abolishing the 500 and 1000 rupee note was equally absurd!

By calling for the replacement of the British-inherited system of governance, administration, taxation, education, law and order with a swadeshi alternative, the Baba tried to show traces of Gandhian thought. But such pleadings can only be left to the realms of imagination, for it is hard to imagine a developing nation like India to abandon all its modern system and opt for a *swadeshi* alternative.

The educated middle class which was instrumental in the success of another crusader, Anna Hazare's anti-corruption campaign only a couple months ago, was also very much absent during the Baba's movement. The protestors mostly included the Yoga Guru's blind followers – who mostly hailed from villages. Without the support of the urban middle class, it was very foolish of Baba Ramdev to think that he would succeed. One of the main reasons which might have caused hesitation among the middle class was the politicization of the whole movement. The right-wing main opposition party, Bharatiya Janata Party, remained a supporter of Baba throughout and the yoga guru's association with leaders of the Hindu outfit, RSS, turned the protest into a more right wing-like political agitation. In sharp contrast, the Hazare campaign had shunned



Baba Ramdev

politicians of all hues., keeping the movement free from political games which largely contributed to mass participation in the campaign.

The drama that followed the police crackdown could not have been worse for the baba who tried to evade arrest by changing into the women's gear. The government would have automatically been on the backfoot had the Guru stayed back and faced the suppression. Instead, the government gained more advantage. Anna Hazare, who had shown support to Ramdev and criticized the police action, later claimed that Ramdev was indeed 'immature' to lead. As a political novice, independent decision making should have been the last thing on the yoga guru's mind. He should have done whatever he wanted to do only after the consultations with others. ■



पढने, पढाउने
र पढ्न पठाउने
सबैको साथी

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'Invest In Agriculture For A Prosperous Nepal'

RAJENDRA ARYAL

RAJENDRA ARYAL works for the Food and Agricultural Organisation as the Senior Regional Emergency Coordinator for Asia. He was born in Gyaneshwore, Kathmandu, in 1967. Aryal is one of the few Nepalese who has achieved a great deal at his age. He completed his School Leaving Certificate (SLC) Examination from Shanti Vidhya Griha. His high grades in academics earned him a merit scholarship for a Bachelor's of Engineering degree in India. Aryal completed his Bachelor's from the National Institute of Technology Trichy (NITT). Lack of job satisfaction took him to get a Post Graduate degree abroad. He went to Germany and Switzerland for a Master's degree in Civil Engineering. But then he faced problems in reintegration. He joined GTZ and worked there for about two years. Then he joined UN in Nepal in 1999. Aryal believes that agriculture is the principle source of food, income and employment for a majority of the population, particularly the poorest, in Nepal. Growth in agricultural sector is important for improving food security and reducing poverty. Aryal spoke to SHRADHA GYAWALI on various issues. Excerpts:

How satisfied are you with your current occupation?

Well, I am very satisfied with my job. Once I joined the UN Systems I understood that we could contribute a lot to Nepal. After having worked in UNDP for nearly 3 years in Nepal I went to Afghanistan, just after the 'War on Terror'. At that time even the Kabul airport wasn't properly operational. After Afghanistan, I worked in Pakistan, Bangladesh, Indonesia, Sri Lanka, and Thailand. In addition, I carried out different need assessment missions in China, Mongolia, DPR Korea, the Philippines, Timor-Leste, Laos, and Cambodia and provided backstopping support to other countries like Vietnam, the Maldives, and India. However, I still understand that there is a lot that needs to be done in Nepal, which I am still trying to do.

How was the work in Central Asia for which you were very much applauded by the government there?

The two countries I have intensely worked with in Central Asia are Kyrgyzstan and Mongolia. I worked in Kyrgyzstan after the ethnic conflict in

2010. I did need assessment works there and developed a rehabilitation program. In 2010 Mongolia was affected by a snow disaster (called *Dzud*) and I carried out a rapid need assessment, made presentations to the International community, and developed a post-disaster rehabilitation program. My work therefore was acknowledged by the Government of Mongolia, and I was awarded with one of the most prestigious awards in the country. Awards and interviews on media were definitely not my priorities, but I do realize that recognition of one's work in this manner certainly adds on to the motivation and encourages doing more.

How do you look at the food security situation in Nepal and what do you think the government and the private sector need to do?

It's very grave. The government is putting a lot of efforts and is giving due importance to this sector, which is most appreciated. However, the need is much greater. The government cannot do everything and there is a large room for the private sector. I see that there are a lot of things that the government, private sector and we as individuals can do to improve the food security situation in the country.

Having travelled around the world and especially the developing countries, what do you think that Nepal is missing? Don't you think that the people here deserve much, much more than the state at which we are in now?

There are a lot of politicians here but not a true and honest leader and a true and honest leader is missing in Nepal. It's painful to see where we are today as compared to others. The countries in South East Asia have moved a lot further and most of them have already become middle income countries. The South Asian countries have moved a lot forward too. Having said that, I would still look at the things positively - I can still see light at the end of the tunnel. If we have a dynamic leader with vision and integrity we have a lot of potentials to grow.

How can you help Nepal with your experience especially in the policy formulation level in terms of information, communication, technology, Disaster Risk Reduction, Hydro Power Development, and Tourism Promotion? Is it the government policy that is lacking or



is it the lack of vision of the private sector that is an impediment for development of these sectors?

I don't claim to have expertise in everything but I can sure help Nepal in improving food security and agriculture related issues as well as Disaster Risk Reduction which I have already been doing. I don't think there is a lack of policies as there are a lot of strategies and master plans. What is lacking is the leadership and commitment to implement these policies into practice. I don't say that all these policies are perfect.

Where do you see yourself ten years from now?

Ten years from now I hope to be still working in Asia with strong linkages to Nepal. I am proud to be a Nepali and will remain a Nepali wherever I am and will continue to do good for Nepal and for the well being of the Nepali population.

Why do we need to give priority to the agriculture sector?

Nepal is an agriculture based economy with more than 70% of the population dependent on agriculture. With not enough investment in agriculture, the productivity is low. People in rural areas have lack of access to improved varieties of agricultural inputs, such as seed, fertilizer and tools, and technology. The state of agriculture infrastructure is very low and irrigation facilities are very poor. The situation is very complex, and is further pushing the country towards food insecurity, malnutrition and poverty. In order to have a food secure Nepal down the line we need to have concrete programs in agriculture, both short-term input supply and long-term development. Investment in agriculture would also help us get many people out of the vicious cycle of poverty. ■

INFORMATION TECHNOLOGY

Security Alert

As computer users and their number of electronic transactions continue to increase, security concerns are rising as well

By A CORRESPONDENT

Tens of thousands of Nepalese use the electronic system to acquire information related to them and an equal number of others rely on electronic transactions to get several things done. But only a few people are sensitive about how secure their passwords and user names are. This seemingly simple reason opens up enormous risks where one can misuse the password of another.

The process of identifying an individual in the virtual networks is usually based on the user's name and password. In the electronic security system, authentication is distinct from authorization, which is the process of giving individuals access to system objects based on their identity. Authentication merely ensures that the individual is who he or she claims to be but says nothing about the access rights of the individual.

Realizing the importance of security in day to day use of computer networks in the government and banking sectors, the Office of the Controller of Certification at the Ministry of Science and Technology coordinated with the Computer Association Nepal to organize a program, the Best Practice Workshop for Information Security, recently to celebrate the national ICT Day.

Participated in by senior officials from various government ministries, officials from private banks and members of the Computer Association Nepal, the program aimed to generate awareness about information security.

During the workshop, Sudeep Kumar Das, technician consultant, RSA, presented Information Security Threats and Challenges in the current Scenario and Rajan Pant, the controller of certification presented a paper on Password Best Practice and Information Security Authentication.

In his paper, Pant offered various

examples on how to follow secure password practices. "A secure password practice is a set of rules designed to enhance computer security by encouraging users to employ strong passwords and use them properly. A secure password practice is often part of organization's official regulations and may be taught as part of security awareness training," said Rajan Pant.

Pant highlighted the importance of passwords in computer and information



Electronic Transaction : Cautious Approach

security, expressing the view that passwords are the main protection for user accounts. Pant argued that all employees, who have access to organizational information systems, must adhere to the password practices to protect the security of the network, data integrity and computer systems.

At the workshop chaired by chief secretary Madhav Prasad Ghimire, expert Sudeep Kumar Das said that there are challenges as well as opportunities in the information technology sector. "Electronic transaction helps to enhance efficiency but there is also a lot of threat," said Das. "Whatever the threat involved in it, one cannot ignore the need of ICT use and development."

In Nepal, the banking sector is widely using electronic transactions and even the government offices have started going digital. Private hospitals are also using the information technology. The Inland Revenue Department of

Nepal Government has already introduced ICT in doing its businesses.

"While making transactions, information security is a must," said Das. Participating officials raised questions about the utility and other aspects of the information security systems in Nepal.

At a time when the awareness about information technology is lacking, the Ministry of Science and Technology has been making efforts to increase the level of awareness by organizing various programs. "In the context of globalization, one cannot remain isolated from the development of IT sector but there is the need to take a cautious approach. The Ministry has been working to promote IT sector in line with government's IT policy to extend the information technology for the benefits of the poor and rural population," said Dr. Ram Hari Aryal, secretary of the Ministry of Science and Technology.

"As Nepal is still at the initial stage of ICT development, we still need a lot of time to make the use of IT more secure as well as efficient to carry out development projects. Nepal government is ready to support promotion of the information technology," said chief secretary Madhav Prasad Ghimire.

In the context of growing use of IT and concern over its security, the Electronic Transactions Act, 2063 (2008) is a major step. The act says that it is expedient to make legal provisions for authentication and regularization of the recognition, validity, integrity and reliability of generation, production, processing, storage, communication and transmission system of electronic records by making the transactions to be carried out by means of electronic data exchange or by any other means of electronic communications, reliable and secure; and, whereas, for controlling the acts of unauthorized use of electronic records or of making alteration in such records through illegal manner.

As a line ministry, the Ministry of Science and Technology has a greater role to play to provide necessary environment to use information technology for broader use of Nepalese living in various parts of the country, including rural and remote parts of Nepal. ■



My Visit To Organic Farms In Malaysia

By UMESH LAMA

I participated in the Organic Agriculture Development Program (OAD), one of the advanced international training programs of the Swedish International Development Cooperation Agency (SIDA). Jointly organized by Grolink Sweden and Organic Alliance Malaysia, it was a full time training program, which took place between 21 to 31 May, 2011 in Federal Hotel, central Kuala Lumpur, Malaysia. It was in fact a follow up program, the previous phases were conducted in Sweden and Thailand. The overarching objective of the training program was to build and enhance participant's capability as actors for the development of the organic agriculture in their place of work and country. The follow up program mainly included; updates of sector development scenarios at global and regional levels, study visits and case studies of selected development projects in market development; organizing production; certification; sector organizing, policy and advocacy. Similarly consultations were held between participants and course tutors for individual Development Plans.

The training was based on an interactive participatory approach. Contents were covered through seminars, lectures, small group discussions, study visits to organic sector initiatives and interaction with organic sector actors in the country. The participants were represented from 13 nations, mainly from Asian countries. During the training course, one of the exposure visits was held to Cameron Highlands, a 4 hour drive by coach to the west from Kuala Lumpur. Cameron highland is one of the most beautiful highlands in Malaysia and is premier highland vegetable producing area. We visited some of the organic farms where slopes are intensively farmed mainly with vegetables crops, flowers and teas. The land rented by the farmers from the state government has been under cultivation for the last 20 years. Although organic

standards do not permit plastic to be used as mulch in the farming system, farmers in this slope have been practicing plastic sheet as soil covers to minimize heavy erosion from rain water and also for controlling weeds so that the land productivity could be maintained and labor cost reduced. In a cursory glance the slopes look like a combination



Lama Visiting Organic Farm In Malaysia

of white and green revolution. The intensive cultivation of the slope using organic inputs particularly Bokashi fertilizers and organic pest control measures was inspiring. An interaction with Nepalese youths who were working as farm labors in these organic farms was a good coincidence.

Further we had an exciting visit to various organic shops, restaurants and icons of Kuala Lumpur city and also to other places of interest coinciding with different events. The welcoming dinner was hosted in resort restaurant at Firefly Park Resort Bukit Belimbing in Kuala Selangor. The park is the only place in this region where one can witness the sight of millions of fireflies flashing in synchrony, often referred to as the "Eighth wonder of the World". It seems to be one of the 'must visit' places of interest in Malaysia. Following the dinner, the participants were taken on a boat ride along the Selangor river, where the fireflies inhabit around the branches of "Berembang" trees along the mangrove forest. We saw thousands of fireflies

grouped together with flashing lights on trees, the trees looked like as they were Christmas trees.

The training program came to the end and on 31st May eve, we had a concluding event together with a wonderful farewell dinner party.

Overall, I have greatly benefited from the training program. I am truly thankful to the organizing team and the sponsoring organization the SIDA, and last but not least to the untiring, patient and hard working facilitators for their service and generosity they have showed towards me. The OAD program was a success in many sense: I made new friends and renewed old friendships. The exchange of sector development scenario, experiences, insights and network being built have been an asset to boost or nurture the organic movement ahead in my country. I enjoyed Malyasian food, unique culture, and many wonders and returned home with colourful memories of Malaysia.

The author is the Chairman of Organic World and Fair Future (OWF) Pvt. Limited, Kathmandu, Nepal and can be reached at umesh.lama@yahoo.com

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Damming Fewa Lake

TOURISM IN POKHARA

Changing Landscape

By ELIEN VAN HEE, in Pokhara

The surroundings of the Fewa Lake give tourists everything that they want for a relaxing moment during their Nepal trip. Tranquility and beauty combine here to lure visitors, who stay longer than they were expecting. A French traveler describes it as a “black hole of Nepal,” that is, “once you arrive here you just don’t want to leave.” For who gets bored, when tennis and golf, paragliding, and a wide range of trekking, and in the future, even sky diving, are there.

A consequence of the success is a building fever. In a few years, a hill with jungle turned into a hill with hotels. Everybody wants a piece of the pie. The scenery is obviously changing quickly. Besides that, there is the public construction project at the dam going on today. Ever since the construction of a road to Pokhara in 1968, the city never stopped evolving.

Illegal tourism

While wandering around in Pokhara, it would come as a surprise for tourists to know that the height of the

buildings is limited to two floors. The law dates back to 1977, when there was still enough land to implement this visually nice law. But the reality has changed. The expansion of the population (both tourists and residents) created demand for higher buildings. Everywhere in the city are buildings that are too high according to the law. “We would rather see the law change from a maximum-law to construction-laws,” says Bharat Raj Parajuli, a hotel owner and vice-president of Western Regional Hotel Association. Currently, there is no real monitoring of the construction-standards and the accessibility of the houses, which makes the area very vulnerable for disasters like earthquakes or fires.

A lot of the hotels were built in the last few years, because people know that the government of this new federal democratic republic is weak. Today there is almost no control by the government. Everyone takes the illegal jump in the tourism-trade. “If you look at the law, almost every house in Pokhara is illegal. Like everywhere in Nepal. But now it is too late to make that undone, what is built is built,” states Parajuli.

Fewa Lake

A very delicate subject is the around three-year old law that says that the distance between the lake and the houses should be at least 65 meters. The District Development Committee made this decision to create a buffer zone. Suddenly the land of a lot of people became worthless. The logical agreement would be that those landowners receive a monetary compensation for the loss of their land. Sadly, that still did not happen. Megha Nath Kafle, Executive Officer of Pokhara Submetropolitan, explains: “The District Development Committee didn’t get the support of the political parties for that decision. And with the current tension in the political world, compensation seems further away than ever.” That sums up an extra reason why people decided recently to start building for tourism, whether it is legal or not.

Though almost every house has some illegal aspect, the uncertain situation makes the owners insecure about their business. They would rather keep silent on the subject and if someone breaks the silence, he will get a warning with bricks and sticks. A sudden governmental change is not expected, but the long term vision stays uncertain and that scares people.

Dam

Besides the numerous private constructions, there is currently also a public one. The goal is to enlarge the lake and keep it that way with the help of a dam made by stones. Last year, the lake was enlarged by 20 – 30 meters, by taking out mud and sand. The piles became the new contours of the river. “But the force of the monsoon would create erosion and make the job undone. That is why we want to protect the dam by building one of bricks in front of it,” explains Kafle.

Gathering the funds for this project was not an easy task. According to Kafle, ten million rupees comes from the development ministry, but besides that four million was collected from businessmen and tourism organizations, who all made some donations. Parajuli speaks of his vision: “I hope that there is enough money provided to finish this project before the tourist-season starts again in October. The dam can be nice for tourists and is a good initiative to support the Tourism Year 2011, although it would have been better if the job was finished before the start of 2011, but the funds were not there yet.”

Character

With the dam, Pokhara tries to bring more structure. For example, the lake will

be less accessible for women who now wash their clothes where they want and in the end the community will get a cleaner lake. In contradiction with these plans, stands another law from 1977. Arun Raj Poudel, head of the planning and building permit section of the City Office explains: "There should be two meters between every house, so the Fewa Lake is easy seen by everyone. The Fewa Lake is seen as the wealth of the whole of Pokhara, it is not just the property of the Lakeside-people." The dam will create an opposite situation.

So will the Nepali character, that tourists like so much, get lost? Three years ago the place was filled with rice fields, today there is the dam that has to protect the many hotels. Can the community of Pokhara carry all those rapid changes? Mayor/Executive Officer Kafle is full of confidence that the dam will only have positive effects on the city. **No return**

Despite the current efforts, the general feeling about construction in Pokhara (and similar with a lot of places in Nepal) is not positive. There is almost no long term planning and that has its effect on the implementation of laws. Poudel, of the planning and building permit section, feels sorry about this situation. "All the monitoring bodies have failed. We do have a small team of municipal police, but that is not functioning well." He feels that it should get supported by the law, local communities, stakeholders and so many other concerned authorities. "Not only the owners of the illegal buildings can be held guilty; all the concerned authorities, land mafia as well as the political instability are equally responsible for this situation of no return."

And yet, Pokhara wins on many things, compared with other cities in Nepal. Pavements are widely available, there is a lot of electricity and the city feels very clean. Why is Pokhara able to do this, although it gets tested by the same problems as cities like Kathmandu? Parajuli says: "First of all, tourism in Pokhara started later than in Kathmandu. We could already learn from the mistakes that the capital had made and increased our awareness. The tourism in Pokhara is also mostly run by local people who love their hometown. They feel the responsibility for their land to do it good. Despite the lack of help from the government towards Pokhara, we are able to construct most of our facilities and infrastructure ourselves. And that is and will be the strength of Pokhara and its Fewa Lake." ■

AASTHA'S ALBUM A Young Hit

In her second musical album, young singer Aastha B. Bhandari shows her talent in playing music and melodies.

If one has the dedication and courage to do something, age does not make any difference. This is what one can see in the life of young singer Aastha B. Bhandari. She is still in her teen age, in the process of completing higher secondary education, but her love and passion for music is incredible.

Although she came to the field of music just four years ago, Aastha Bhandari has made a tremendous progress in terms of modeling her sounds, balancing with the rhythm of music. Two years ago when her first album was released, she was in the process of learning.

But her second album, which has already gone to the market, is expected to be a hit as the numbers are diverse and there is a variety in music. With lyrics by veterans like Durga Lal Shrestha, Dinesh Adhikari and Krishna Hari Baral and with the composition by Nhu Bajracharya, the first few songs represent the earlier generations.

The music album also includes the music composed by young lyricists and musicians of new generation including Bhupendra Khadka, Rajanraj Shivakoti, Nirnaya Shrestha, Hari Lamsal, Kali Prasad Banskota, Kalyan Singh, Vishan Yonjon, Binod Khumbu, Hercules Basnet, Prem Krishna Shrestha, Naresh Bhattarai and Mahesh Rana.

"I wished to be a singer from the early childhood. Two years ago, I was able to release my first album. It introduced me as a singer. I was able to get the Image Music Award," said singer Aastha B., a student of Himalayan Whitehouse International College.

Dedicated to the younger generation, all the songs are about love and affection of the youngsters. Aastha Bhandari is able to mix her sounds in the wordings like Timro Satha, Maya, Bhulna Sakdin, Priye, Kahile Lagchha and Bhaigo Nahasha and Hiramoti.

"After succeeding to get a hit in the



music sector, I spent my two years to produce this second album. I hope all the music lovers will like it," said singer Aastha.

The lyricists see a great potential in the voice of young singer Aastha B. "Although she is a new comer and a youngster in the music industry, Aastha B. Bhandari has great potentials to bring a change," said Dinesh Adhikari.

"When she came to my office requesting me to be her musician, I reluctantly accepted her offer. In the course of the last two years, Aastha emerged as a good young singer in the Nepalese market," said musician Nhu Bajracharya.

Scores of musicians and lyricists of various groups jointly released Aastha B.'s second album Aastha Ko Aash in a grand ceremony at Indreni Food Land, New Baneshwor.

Produced by Aastha Music Pvt. Ltd, the new album consists of 13 songs written by Nepal's renowned lyricists with the music composed by various musicians of different age.

"I am very proud to release Aastha Ko Aash (Aastha's Hope) as a first album of my newly established music company. My company wants to promote Nepal's music industry," said Bhadra Bhandari, managing director of Aastha Music and mother of the young singer.

"I am very proud to say that this album is my daughter Aastha's commitment and dedication. As a guardian, we have supported and encouraged her," said Arjun Bhandari, father of Aastha. ■



SCIENCE AND TECHNOLOGY

Role Search

Despite the high importance attached so often to science and technology for national development, this sector is far from getting its due priority

By A CORRESPONDENT

Science and technology as an area of specialist knowledge is taken to be the key to national development, especially in the wake of serious concerns ranging from rising temperature to nuclear risks. Dealing with such issues demands proper database and scientific research. But in Nepal, although the Ministry of Science and Technology was established more than fifteen years ago, it is yet to be assigned a leading role to carry out research in the sector.

In the existing scheme of things, the Ministry is supposed to coordinate among other ministries in formulating the policy on science and technology and conducting research in various fields. But in practices, that is hardly happening.

Due to the lack of coordination among ministries, there is duplicity in the research work. Realizing this, the ministry has initiated some urgent steps of late.

"This is the age of science and technology. The growth in national production and in productivity of economic sector is not possible without the development of science and technology. The Ministry's annual budget is overwhelmingly spent for the administrative purposes. That is why, crucial aspects of research in science and technology sector receive less priority," said Dr. Ram Hari Aryal, secretary to the Ministry of Science and Technology.

In the last four decades, many efforts had been made at the institutional, functional and policy level for the development and expansion of the

science and technology sector. The National Science and Technology Council and the Royal Nepal Academy of Science and Technology (RoNAST) were founded in 1976 and 1982 A.D. respectively, and the Ministry of Science and Technology was instituted on 15 April, 1996 A.D. to ensure coordination amongst all the bodies to perform the functions relating to science and technology in the process of national development and to effectively accelerate the activities relating these by creating a conducive environment for the proper development of science and technology.

The major objectives of the Ministry are to promote environmentally sustainable economic development of the country, identify a new technology through the development and promotion of research activities in the field of science and technology and contribute to achieving the national objectives regarding poverty alleviation by developing appropriate and new technology through the research and develop and promote traditional indigenous technologies and encourage the intellectual groups working in the field of science and technology by creating appropriate opportunities.

MoST Initiative

Despite lack of adequate resources,

the Ministry has taken some important initiatives to expand the science and technology sector in the country. The Ministry has already announced Information Technology Policy, 2067, Biotechnology Policy, 2063, Nuclear Policy 2064 and Science and Technology Policy, 2061.

Enforcement of the Electronic Transaction Rules, 2061 and Information Technology (Procedures) Rules, 2061 framed under the Electronic Transaction Ordinance Act are some of the achievements.

Other highlights are completion of construction of the office building of the Information Technology Park and commercial as well as residential buildings in Banepa of Kabhrepalanchwok District and creation and operation of the Government Web Portal (www.nepal.gov.gov.np) of Government of Nepal through the development and expansion of internet facility in various ministries, secretariats and departments.

National Nuclear Policy, 2064 (2007)

In the last two years, the Ministry of Science and Technology has taken certain drastic steps as it has already announced the National Nuclear Policy. As Nepal has been using nuclear technology in medical sectors for last many decades, there are already problems related to waste management.

With support from IAEA, the ministry has already sent several Nepalese experts for training and knowledge sharing workshops held abroad in this regard.

In the context of making maximum use of nuclear science in basic research in sectors of food and agriculture, health, energy, industry, geo- science, geo-chemistry, geo- physics and pollution measurement, it is useful for Nepal, too, to achieve better results in these areas by utilizing nuclear technology for peaceful purposes.

Importance of nuclear technology has increased since it is environmentally friendly and may be useful in different disciplines of medicines. As well as, it would be a better alternative to minimize



Secretary Dr. Aryal

the short supply of mineral fuels and to reduce severe environmental impacts caused by large scale hydroelectric power projects.

Nepal being surrounded by several nuclear power plants in its neighborhood and in the context of their number increasing continuously, Nepal cannot remain untouched from any possible nuclear accident that may occur in its neighborhood and therefore, it is urgent to make necessary measurements on the present status of radiation level and there should be regular monitoring and evaluation and proper safety measures in this regard. Moreover, there is an urgent need to inform the general well regarding the benefits and consequences of nuclear science.

One of the objectives of the policy is to enhance overall national welfare

through peaceful use of nuclear science, undertaking its research and development for the economic and social prosperity of the country. To regulate, control and monitor the use of nuclear energy as per IAEA guidelines and to enhance national capacity by developing, expanding and promoting human resources and physical infrastructures related with nuclear science are other goals.


To take sufficient safety measures for the development and use of nuclear energy and to enhance public awareness about benefits and consequences of it is another objective of the policy.

In the areas of Information Technology, the Ministry has already taken several steps. In the context of globalization, the role of information technology is very important and the Ministry has already implemented several policies and announced a system to properly use information technology.

As the electronic transaction is growing and the issues of safety and security are emerging, the execution of electronic transaction act is necessary. In this regard, the Ministry has already conducted discussion with concerned stakeholders.

Although the Ministry has already started to promote science and technology in the country, the present efforts amount to being too little and that needs to be enhanced with sufficient budgets. ■

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The Treatment of HIV

-By BUDDHA BASNYAT, MD



June 5th 1981 is an important date in the annals of HIV (human immunodeficiency virus) disease. On that day an outbreak of an unusual form of pneumonia was reported in Los Angeles in the United States which later turned out to be the manifestation of AIDS, the life-threatening complication brought on by HIV. Since then about 25 million people have died of AIDS and about 34 million are infected by the virus. This is the 30th anniversary of the disease's discovery, and there is no question that despite the absence of a vaccine to prevent the illness, the treatment of the disease has come a long way. In a sense in many parts of the world including the developing world, by effectively treating patients with this disease, the transmission of this virus to newer patients has been inhibited.

There was a time when being infected by HIV was a death sentence. This is no longer true especially in the western world. Eight or ten years ago sitting down and writing out your will was a common practice when infected with HIV. Now patients can have their disease

under control but may not be actually cured of the virus. This transformation has been due largely to anti retroviral therapy (ART) group of drugs. HIV infection now is another chronic illness like diabetes, coronary artery disease, or rheumatoid arthritis which may require not only continual effective drug therapy, but also periodic laboratory tests and knowledgeable supervision on a long term basis.

As is true about many things in life, affluent nations are more readily able to afford ART and long term care. In Nepal for instance, of those patients with HIV that require ART, some estimates suggest that only 10 to 15% have access to free ART. The Global Fund to Fight Aids and other INGOS and NGOs provide grants to supply free ART drugs in Nepal. "Rack" prices for these drugs are easily thousands of rupees per month which most Nepalis will be unable to pay for.

Evidence is mounting in favour of early initiation of ART to decrease the rates of death from HIV. Death results from HIV when the disease progresses to a full fledged version,

that is manifestations of AIDS such as concomitant fungal or bacterial infections in a HIV patient. Starting ART drugs in a HIV infected patient is dependent on sophisticated laboratory tests (CD4 count, for example) which are available in only a few centres in Nepal.

So, especially in a resource poor country this is a disease all too difficult to treat. The focus has to continue to be on prevention. The good news is that myriads of INGOS and NGOs are working on preventing this illness. In fact many care givers working with other common illnesses (chronic lung disease, typhoid, chronic renal disease) that plague this part of the world feel that HIV steals all the limelight (and the funds).

Some report the incidence of HIV in Nepal to be less than 1% of the adult population, but let us remind ourselves never to be complacent regarding this killer disease. Finally it is indeed heartening that this disease which was thought by some religious people to be punishment that was handed down by God for man's sins has been stopped in its track thirty years down the line. ■

Where Apples Meet Politics

By RADHA PAUDEL



The months of April and May are for the apples to bud in Nepal. This is the time when it is amazing to see the apple trees suddenly flower after a tough life of long winter and give way to their buds. The naked and black trees seem like smiling in mixed purple and white color. Many people must have tasted apples. But having a single bite of original and fresh apple is beyond many Nepalese. Could you imagine that the apples are juicy like the lemons when they are young and ripening. In Nepal, a few places are rich and popular for apple cultivation, namely Mustang, Jumla, Dolpa and Humla. The marpha, golden and red apples are common species of apples found in Nepal.

In Kathmandu and other cities, people buy apples for prices anywhere between Rs. 100 and Rs. 2500 per kilogram (price of May 2011). People from all religions, castes and regions consume apples, especially during the festivals of Dashain and Tihar. Fruit entrepreneurs bring apples from China and India via long routes, using harmful pesticides/chemicals to preserve them for days before selling them in Nepal. Rub the

peel of an apple with any material, and you will see the white dust immediately.

But take the Jumla's apples, they are different. Just that they are only trying to get into market with proposals at place from the Prime Minister's Office to London (2010). These organic apples are grown in our land. Most Nepalis, however, never get a chance to taste their own Nepali apples, particularly from Karnali, because of the region's lack of access to easy roads and markets. At the Nepalgunj airport, a main gateway to Karnali, you will get the white and shining apples for NRs 120 per kilogram (October 2010 prices) without original taste and adequate juice. On the other hand, at the Jumla airport, apples are found in traditional bamboo baskets, wrapped by small pieces of cloth and held by women and children. These apples are characterized by scratches, and are punched and too much wrinkled. None of the customers seems interested to buy or taste them because they are unattractive as people there have not used any preservatives. As strong winds beat the apples, they are wrinkled badly. Like guava in the terai, pieces of apples are thrown

everywhere and they are not considered as food or a good stuff to eat or gift to someone. In addition, if you enter the apple growers, you can observe huge piles of apples under the bed or on the floor. There, the price of apples is NRs 25 per kilogram or NRs 5 per piece. If you walk ahead, you can see a few houses with apple chips around the house which is kept open. The sandy and dirty wind blows dirt over them easily. Some people also prepare jam, pickle, and cider (a kind of wine) from these apples. But there is no market at all. All their varieties might be spoiled within a couple of days/weeks.

Thus, it is already too late to think about production and consumption of Nepali apples in a sustainable way. However, there is still a ray of hope if the political leaders/parties and civil societies of Karnali, Mustang and Manang come forward with single and common voice in the coming days. Meantime, the funding agencies such as UN and others should also think about different strategies while intervening with programs on food security, employment and livelihood activities, to make the people there independent, secure and empowered for a sustainable way for a peaceful, prosperous, equal and just society.

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