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Perspective:
Pramod Kumar Karki



Viewpoint:
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Document:
Ganesh Raj Sharma

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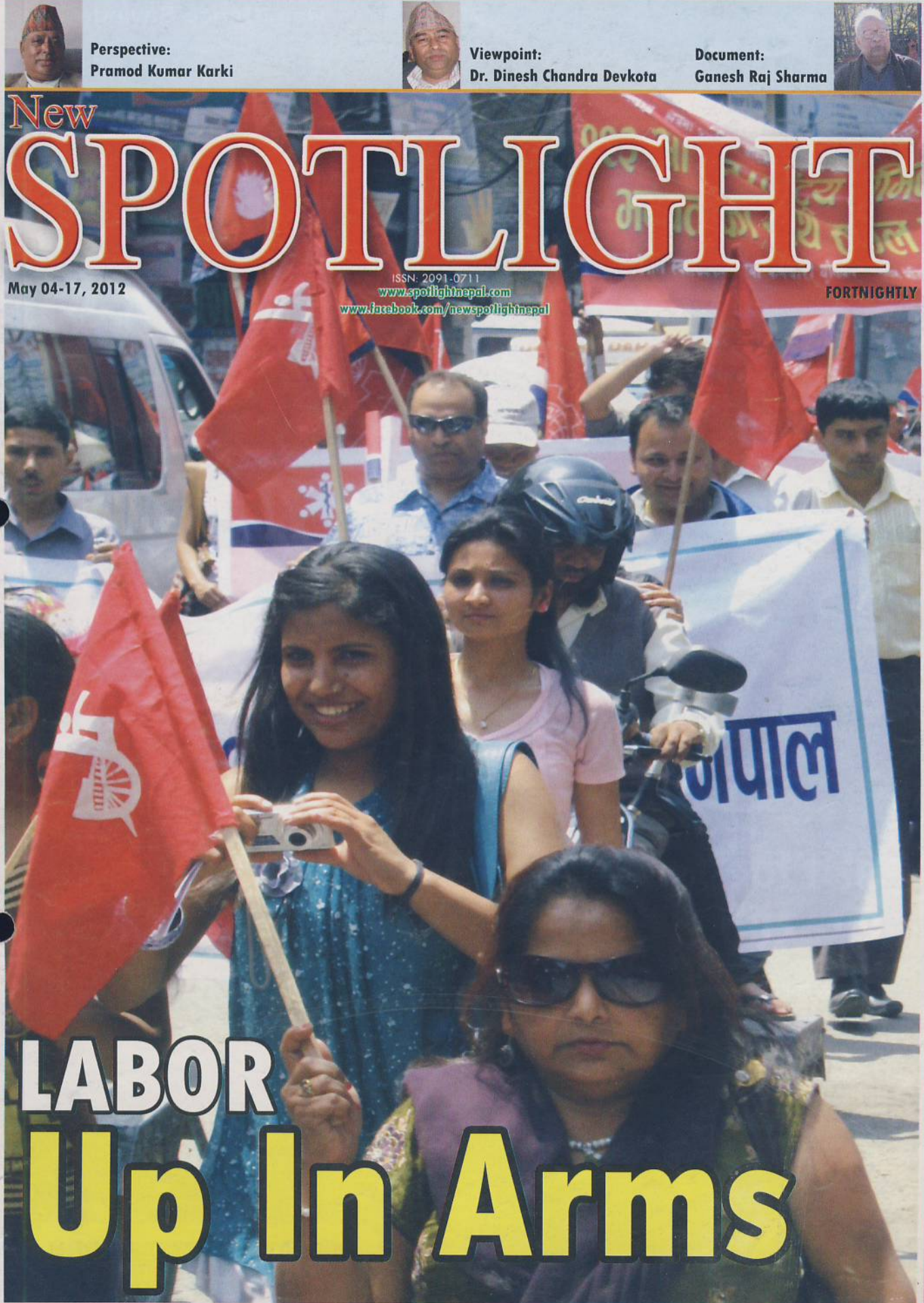
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FORTNIGHTLY



LABOR Up In Arms

उही विश्वास, त्यही खुशी थप सुविधाका साथ

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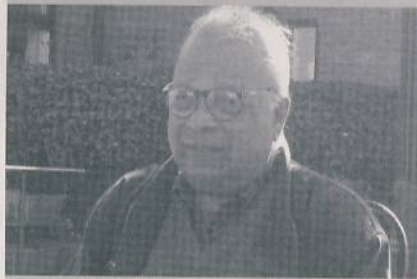
नेपाल इन्भेष्टमेण्ट बैंक लि.
NEPAL INVESTMENT BANK LTD.
Truly a Nepali Bank

Nepal is celebrating Nepal Investment Year 2012. Improving labor relations is important to lure investment. In a competitive environment, with the opening up of new investment friendly places worldwide, countries like Nepal have to prove that they are competitive and friendly as well. For this, Nepal's labor organizations can play an important role. Despite the sporadic incidents of violence and militancy, Nepal's trade union movement is gradually heading towards normalcy. In this context, there is a space to be optimistic. As Nepal's workers celebrated May Day with a great fanfare, we have decided to look at trade union problems and issues in Nepal's context. As Nepal has been passing through a serious political crisis and there is uncertainty over the promulgation of new constitution by May 27, we have decided to reproduce the interview of senior advocate Ganesh Raj Sharma, which was published back in 2006. It is much more relevant in Nepal's present context. Along with this, the regular columns and other development agenda are also there in the issue.



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Editor and Publisher : Keshab Poudel, Senior Editor: Alok Tumbahangphey, Senior Correspondent: Saroj Dahal, Correspondent: Uma Kanta Khanal, (Jhapa) Abijit Sharma (New Delhi), Reporter: Debesh Adhikari
 Marketing Manager : Madan Raj Poudel, Tel: 9841320517, Nabin Kumar Maharjan Tel: 9841291404, Photographer : Sandesh Manandhar
 Cover Design/Layout : Hari Krishna Bastakoti, 9841456791
 Editorial Office : Tel: 977-1-4430250 E-mail: spotlightnepal@gmail.com, P.O.Box: 7256
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Japan Extends Grant Aid To Nepal

The Government of Japan has agreed to extend a grant assistance of two hundred and fifty million Yen (¥250,000,000), approximately two hundred fifty-nine million Nepalese Rupees (NRs. 259,000,000), or approximately three million ninety thousand US dollars (US\$3,090,000), to the Government of Nepal for the Increase of Food Production (KR2), with special emphasis on underprivileged farmers, in Japan's Fiscal Year 2011.

Kunio Takahashi, Ambassador of Japan to Nepal, and Krishna Hari Baskota, Secretary of the Ministry of Finance, signed exchanged notes on behalf of their respective governments, in the presence of Koichiro Gemba, Minister for Foreign Affairs of Japan and Narayan Kaji Shrestha, Deputy Prime Minister and Minister for Foreign Affairs of the government of Nepal.

According to the press release of the Japanese Embassy, the grant is extended for procuring items necessary to increase food production in Nepal with special



emphasis on underprivileged farmers. The grant will be used for the procurement of fertilizers needed to boost agricultural production, thus enabling the country to meet its growing food demand. Good quality fertilizer is an important component for the growth of agricultural production. However, Nepal does not have domestic manufacturers of chemical fertilizers and is forced to depend on imports. The fertilizer procured under this grant will be utilized to cope with acute shortages and rising prices and will be supplied to farmers in remote regions where private market activities are inadequate.

New European IT App To Help Automate Air Safety

The European Aviation Safety Agency (EASA) has welcomed the Civil Aviation Authority of Nepal (CAAN) to be part of the Safety Oversight Facilitated Integration Application (SOFIA), a new EASA IT application that will enable CAAN to reorganize its processes and streamline its technical tasks.

SOFIA, in its initial version, includes in full or part the safety oversight management as described in the International Civil Aviation Organization (ICAO) annexes. The four different annexes—1, 6, 7 and 8 cover the safety concerns linked to personnel licensing, operation of aircraft, aircraft nationality and registration marks and airworthiness of aircraft.

Nepal-India Bilateral Consultative Group Meet Concludes

The 9th meeting of the India-Nepal Bilateral Consultative Group on Security Issues (BCGSI) was held in Pokhara from 26-27 April 2012. Akhilesh Mishra, Joint Secretary, Ministry of External Affairs, Government of India led the Indian delegation while the Nepalese side was led by Deepak Dhital, joint secretary,

Ministry of Foreign Affairs, government of Nepal. The meeting discussed security issues of mutual interest and

as ways to strengthen the bilateral cooperation in security matters.

India reiterated its commitment to continue its support for the upgradation and modernization of Nepalese security forces by making available the required technical and physical support in accordance with the needs and priorities listed by government of Nepal. India has agreed to enhance the slots made available for training of Nepal Army personnel in India in various fields. Government of Nepal has offered course vacancies to Indian Army in Nepal including for UN peace keeping operation. The two sides also agreed to enhance bilateral cooperation between their security forces by undertaking joint training exercises and organizing joint sports and adventure activities.

EU, Norway, Switzerland & Australia Hail Peace Progress

Kathmandu-based EU missions together with Norway, Switzerland and Australia welcomed Nepal's progress on peace process.

"EU missions together with Norway, Switzerland and Australia welcome the present progress on the implementation of the peace process and the commitment to complete the Constitution drafting process within time," countries said.

US Special Representative In Nepal

Lorraine Hariton, the State Department's Special Representative for Commercial and Business Affairs (CBA), arrived in Nepal for a five-day visit. She has met with Government of Nepal officials and local business leaders to discuss entrepreneurship and business development in Nepal.

China Welcomes Peace Process

China welcomes the recent important achievements in Nepal's peace process. Spokesperson of Chinese Foreign Ministry of China Liu Weimin says China attaches great importance to developing the friendly cooperative relationship with Nepal, and firmly supports the efforts made by the Nepalese side in upholding independence, sovereignty and territorial integrity, and in achieving peace, stability and prosperity. China will continue to provide assistance within its capacity to the economic and social development of Nepal.

Indian Ambassador Lays Road Foundation

Indian ambassador Jayant Prasad laid the foundation stones of two roads in Sarlahi District being built under India's economic assistance programme in Nepal



During his visit to Sarlahi District, Ambassador Jayant Prasad laid the foundation stones of Barhathwa (Nayaroad) - Madhubani (40.3 km) and Nawalpur-Malangwa (26.6 km).

Envoy Takahashi Represents Japan In SAARC

Kunio Takahashi, Ambassador of Japan to Nepal, has been designated as the Permanent Representative to SAARC (South Asian Association for Regional Cooperation) by the Government of Japan. A copy of the Letter of Credence to this effect was submitted to Ahmed Saleem, SAARC Secretary General, on April 27th 2012.

According to a press release of the Japanese Embassy, Japan has been engaged in building friendly relationships with SAARC through various mechanisms including the SAARC-Japan Special Fund (SJSF), which was established in September, 1993. ■

ADB Senior Officials Conclude Nepal Visit

The Asian Development Bank (ADB) appreciates Nepal's serious efforts and recent progress towards concluding the peace and constitution drafting process, said Zhao Xiaoyu, Asian Development Bank (ADB) Vice President of Operations, at the end of his two-day visit to the country.

"The conclusion of the challenging peace and political transition process will pave the way for the Government to focus closely on its economic development and reform agendas to put Nepal on a much faster and sustainable growth path. Raising the living standard of the country's very diverse population is critical to establish lasting peace and stability, and ADB stands ready to support the Government in this regard," said Zhao.

During his meetings with Prime Minister Baburam Bhattarai, Minister of Finance Barsha Man Pun and other senior government officials, Zhao appreciated the steady and fast progress in reducing poverty in the recent years. He expressed optimism that Nepal would meet a majority of the Millennium Development Goals by 2015, including those on poverty, education, access to clean water supply, and child and maternal mortality. He also expressed ADB's commitment to working closely with the Government of Nepal and other stakeholders in helping to further reduce poverty and promote inclusive growth for all Nepalis.

Zhao also introduced ADB's new Director General for South Asia Juan Miranda to the Government. Miranda assumed office in April 2012. He oversees the operations of seven divisions within the Department – transport, energy, urban services, financial sector, social development and social services, agriculture and agribusiness and climate change. Prior to this, Miranda was the Director General for Central and West Asia Department. He has a long standing experience in project and corporate finance, with an emphasis on infrastructure, selected public services, and utilities.



government officials, Zhao appreciated the steady and fast progress in reducing poverty in the recent years. He expressed optimism that Nepal would meet a majority of the Millennium Development Goals by 2015, including those on poverty, education, access to clean water supply, and child and maternal mortality. He also expressed

ADB's commitment to working closely with

New Envoys Priority: Economic Diplomacy

The Confederation of the Nepali Industries (CNI) organized an interaction program with newly appointed Nepali ambassadors to five different countries and advised them to keep Nepal's economic diplomacy as priority and to make environment to bring foreign investments.

According to CNI, for the economic revolution, foreign investments are must and for that the ambassadors play an important role.

Rudra Nepal, ambassador to Australia, Ram Mani Pokharel, ambassador to Brussels, Rabi Mohan Sapkota, ambassador to Russia, Paras Ghimire, ambassador to Myanmar, Prahlad Prasai, ambassador to Israel and Bharat Poudel, ambassador to Pakistan were present at the program.

"Along with our benefits, we should be able to give enough information to the foreign investors about the investment opportunities," said CNI President Binod Chaudhary.

Multiple Banking Will Be Controlled

MAHA PRASAD ADHIKARI

Deputy Governor of Nepal Rastra Bank (NRB) Maha Prasad Adhikari has said that multiple banking (in which a person or an organization can take loans from more than one financial institution) will be controlled. If the Nepal Bankers' Association comes up with official views regarding multiple banking, he said, NRB will take effective steps accordingly.

"People take loans from more than one banks by keeping the same property as a guarantee and then people do not pay loans to the other bank, this mentality has caused havoc in the financial sector," he said. (Karobar)

Compiled by Debesh Adhikari



घरेलु कामदारको रूपमा बैदेशिक रोजगारमा जान चाहनेहरूका लागि जरुरी सूचना !

घरेलु कामदार (Domestic Worker) को रूपमा बैदेशिक रोजगारको लागि पहिलो पटक कुवेत, कतार, साउदी अरब र संयुक्त अरब इमिरेट्स मुलुकमा काम गर्न जाने कामदारको हकमा श्रम स्वीकृत लिँदा बैदेशिक रोजगार प्रवर्द्धन बोर्डबाट सूचीकृत संस्थाबाट घरेलु कामदार सम्बन्धी सीपविकास तालिम लिनुपर्ने अनिवार्य व्यवस्था भएको हुँदा बोर्डबाट सूचीकृत संस्थाहरूबाट जानु पूर्व २१ दिनको तालिम लिन सम्बन्धित सबैलाई सूचना गरिएको छ । साथै यो व्यवस्था लागू हुनु अघि घरेलु कामदारको रूपमा बैदेशिक रोजगारमा गई १ वर्ष भन्दा बढी अवधि काम गरी फर्की आएका कामदारको हकमा घरेलु कामदार सम्बन्धी तालिम प्रमाणपत्र अनिवार्य नभएको व्यहोरा जानकारी गराइन्छ । सूचीकृत संस्थाको विवरण बोर्डको वेब साइट www.fepb.gov.np मा हेर्न सकिन्छ । थप जानकारी चाहिएमा विभाग वा बोर्डको सचिवालयमा सम्पर्क गर्न सकिनेछ ।



बैदेशिक रोजगार विभाग

तीनकुने, काठमाडौं
फोन नं.: ४११२३५०

बैदेशिक रोजगार प्रवर्द्धन बोर्डको सचिवालय

अनामनगर, काठमाडौं
फोन नं.: ४१०२७११

“The Middle Way The Only Way”

GANESHRAJ SHARMA

Much muddy water has flowed down the Bagmati since the much-touted fusion of jana andolan (popular movement) and janyuddha (people’s war) ushered in a sea-change in Nepali political landscape. Monarchy has been replaced by a republic. Moves are afoot to replace the unitary state with a federal structure. The bloody Maoist insurgency has ended. “The people’s warriors” have been merged into a one-time “royal” national army. Final efforts are being made under an interim constitution to draft a new statute to replace what was once touted as the world’s best constitution. Amidst such mind-boggling changes, there have been persistent concerns over the future of Nepal. Instead of ending the country’s crisis for good, it has deepened. Peace, stability and progress have become something limited to the public speeches of the leaders and the so-called intelligentsia. The frustrations of the general people over the failure of the state to deliver the goods for their good are threatening to assume a dangerous proportion. Nepal has become a fertile ground of foreign manoeuvring and the games of the big powers. Never had Nepal been as weak and vulnerable as it is today. As we mentioned seven years ago, extremism still threatens to replace moderation. With political forces gearing up for the battle royale, it is still a finish-or-be-finished confrontation not a live-and-let-live reconciliation that hits the headlines. We had mentioned then that the majority has remained a silent spectator. It is still the case. Not many have braved the odds to vent the voice of the silent majority. Eminent lawyer and analyst GANESH RAJ SHARMA was one of the few who did it. The interview he gave to VIJAYA KUMAR PANDEY of the-then talk show “Frontline” on the Kantipur Television remains valid even today. We reproduce the excerpts of a 30-minute interview with the scholar who enjoyed the confidence of Nepal’s first democratically elected Prime Minister B.P. Koirala as well as the late King Birendra. The translated version of the interview was published in SPOTLIGHT (October 28, 2005)

You believed that the monarchy can not hang on to extremism for long.

Yes. The monarchy’s character does not allow this. Nepal’s monarchy cannot afford the extremism for long for two reasons. One, this institution which is based on traditional values and beliefs functions under the popular consent. Two, it also depends on loyalty and obedience of the army, police and administration. So, it cannot rely on only one of them. The monarchy cannot embark on a lonely journey on a single leg, while ignoring the popular support.

But extremism appears to be reaching its extreme. Don’t you think that the middle way has no future?

No, not at all. The middle way is crucially necessary to preserve the independence of the country and to bring about its transformation. The middle way is linked with the future of the country. The two cannot be separated otherwise, Nepal’s independence will be jeopardized and the modernization weakened. Give it any name, national reconciliation, middle way or a mutual compromise, we simply can not do without it.

How many political forces are there in Nepali politics?

Six — four internal and two external.

Who are the internal forces?

One, the monarchy. Two, the organized army. Three, the organized political parties. Four, the ordinary people. Known as a silent majority, the fourth force is decisive. This silent majority is not active all the time but it has a decisive role. It speaks up either during the election or in the rebellion. The two external forces are also important. Even super powers cannot bypass them and impose their will on Nepal on their own.

Who are the external forces?

The immediate neighbors — India and China. They are there since the unification of Nepal by king Prithivi Narayan Shaha. Nepal still remains a yam between two boulders as explained by him more than two hundred years ago.

What about the other force — the Nepal Communist Party (Maoist)?

You have to find it within the six forces I mentioned. The Maoists have not established themselves as a separate force.

How can you say this when they have been making their presence felt across the country?

If outside force gives weapon, shelter and training to someone, it means that there is a very powerful force behind. One has to reckon with that force.

Isn’t it too simplistic an assessment?

I am convinced on my analysis.

So, you rule the Maoists out as a force.

I said that they are within the six forces that I mentioned earlier. They are not a separate force. You have to find them within the internal or external forces.

Is there any difference between the organized political parties and the silent majority?

There are certain common points of agreements and disagreements among the internal forces. One of the points of agreement is that none wants to see Nepal under foreign control and dictated to by foreign powers. All of them love the country’s independence. The dispute is over how much power one should have and how it is exercised. This is natural in any progressive society. Nepal is not an exception. Questions such as how

much authority the king wants, whether the king should remain a mere spectator etc are decided by the silent majority. Once the silent majority decides, every one has to accept the verdict. It does speak up only occasionally — but decisively. It speaks up either during the elections or the rebellion. Nepali politics would never have been turbulent had it remained within the gambit of the internal forces. Even international actors would have cared less.

Don't you think that the army does not have a separate identity and that it is a part of the other force — the monarchy?

We had the experience of army rule by Jung Bahadur Rana. He ruled the country on the strength of the army. The army had already shown its power, in the past.

Can't a king fail to see the interest of the monarchy?

Yes he can, but at his own peril. That will be his foolishness.

Following the February 1 take-over, don't you see that king Gyanendra is not concerned about the long-term interest of monarchy?

I agree that the immediate actions have not been in the interest of the institution of monarchy. At the same time, I would like to give the benefit of doubt to the king. He might have certain compulsions due to other forces. The monarchy is not that powerful to be able to reverse the tide of sea. There are other powerful actors as well. So I can not blame the king only, without taking into account the actions and reactions of other actors.

About the political parties. What are their interests?

To wield power through the people's participation.

In an earlier interview, vice chairman of the council of ministers, Dr. Tulsi Giri, said that the dispute between the king and the parties is over the sharing of power...

He also mentioned the role of external forces. According to his own observation, there are not two players only — the king and the people. There are other players as well.

Do you agree that the dispute between the king and the people is over the exercise of power?

Yes.

That's what Dr. Giri also said. That there can not be two power centers. He argues that the people's power should be exercised through the institution of the monarchy not through the parties.

I do not buy that argument. When the king has been saying that the people are the supreme, why should one buy Giri's argument. The king is clear in his statements that the people are the sources of power. In real sense, the representatives of the people are the allies of king. The monarch's instrument to rule does not come from outside in an artificial manner. It must come from the people. Election is a means to choose such people. The king not only announced the municipal elections but he surprised by declaring parliamentary elections without even consulting his cabinet members I heard that this was not a cabinet decision. That's why I strongly believe in the institution of monarchy. The point is: the interest of the king and that of his ministers are different. The king cannot rule the country by ignoring popular forces for long time. The present ministers do not have such compulsion.



How do we understand the role of external forces?

Let me quote the late B.P. Koirala in this context. He wrote during his seven years in Sundarjal jail in the 1960s, that "there are other dangers to democracy more than monarchy and the king will also see that there are other dangers to monarchy more serious than democracy." Our immediate neighbors may be friendly with us on most issues, but not on the question of their security. They attach more importance to their security than friendship with us. This applies to both China and India. To take the case of India, for instance, the Indian politicians may have been liberal towards us but security agencies such as army, intelligence agencies are not. This is the conflict within India vis-à-vis its relations with Nepal.

That may be the case, all right. But Nepal's internal forces have also not been able to sort their differences out.

In the course of power sharing and tussle for the leadership, personal egos and ambitions do also intensify the conflict. There are forces which support and back one group against another. It was amidst this background that a new constitution was promulgated in 1990. King Birendra and the leaders of political parties agreed on the document. Suddenly, in 1996, when a sovereign parliament was functioning and sovereignty was being exercised by the government in accordance with this document, a foreign power begins arming and training a rebel group that does not believe in monarchy and parliamentary democracy. This is an open secret, but no-one dared to speak out.

But we have a long tradition of importing weapons from India, no?

It is not as simple as that. If you look at the history you will see that whenever a government in Nepal is deemed unfavourable, rebel groups are nurtured and weapons are supplied to them. If Maoists were not there, there would have been other armed groups today.

International forces would always be there. It is not unnatural for them to play their games. But should not the internal forces keep their house in order to minimize the influence of external forces? What should be the role of monarchy in this regard?

Yes, we need to realize that other forces will take advantage if we keep fighting. There is no denying that the king and the parties must reconcile. Both share a common interest, i.e. nationalism. But the internal forces have not been able to tell a real enemy from a true friend. B.P. Koirala, who braved odds to bring monarchy and people together, always remained an isolated lonely figure.

Is not it natural for external powers to poke their nose into our affairs when internal forces keep fighting?

But no-one seems to realize this. Instead, what we see is that red carpets are rolled out for the intruders. We have strained our relations so much that we are ready to offer bouquets to external players.

So, how do you think should the internal divisions be narrowed?

The onus of taking the initiative lies in the bigger and the taller figures. In an earlier interview, I had categorically said that the king had greater responsibility. At that time, I had expected the king to initiate two measures to resolve the present crisis. Either re-instate the dissolved parliament as a temporary way-out or call new elections for a permanent solution followed by moves to create an atmosphere conducive to the free and fair polls.

What should be the point of agreement for reconciliation?

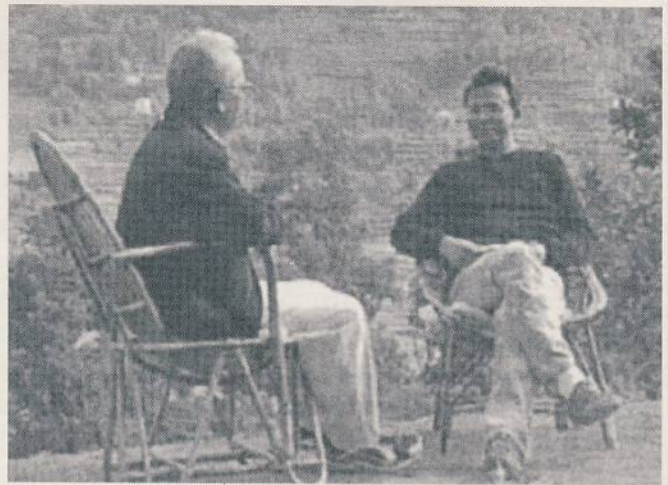
For reconciliation, you don't necessarily need flowery and poetic enunciations. You may even criticize each other, burn tires and heat up the battle on the street. But now that the king has announced elections you must take it as an achievement. If a conducive environment is created for the polls, you do not even talk to each other. If good works are being done, exchange of harsher statements will not matter. If rival politicians can come out of bitter hostilities seen during the elections and the parliamentary debate to get along and be friendly with each other as we have seen in the past, there is no reason why all political forces can not come together for the larger cause of the country. You must understand that what the parties want is power and the elections is the only ladder to reach the seat of power.

What is your prescription to cure the present ills?

Despite hurdles, we are much better off than many other countries such as Iraq, Cambodia and Afghanistan. Unlike them, we already have organized and tested political parties, a constitution and several other institutions in place.

You are trying to blame others for all the mess that we are in. Don't you agree that if the king and the parties worked together, other forces would not find any space to play a spoilsport here?

I have enough credible basis to back up my argument. If the king and the parties saw the common dangers from the



outside, a reconciliation is very much possible. The two need to trust each other.

Some people argue that the present constitution is incomplete and that a new constitution is the only answer to the present crisis

Instead, it will only deepen the crisis and prolong the uncertainties. How long do you want to deprive the people the right to vote? At present, the choice is between the evils. We have to choose the lesser evil. The present constitution is the lesser evil. Political parties are the lesser evil. The king is the lesser evil. If you create an environment for the external forces to play here, that would be the bigger evil. Between the external forces on one hand and the king and the political parties on the other, I will choose the latter. In so far as the king and political parties are concerned, I don't need to choose, as they are complementary to each other.

If you are still asked to choose between the king and the parties?

What will you do if the army steps in? So, I don't feel secure without the king. If the king leaves the country as Prince Sihanouk did in Cambodia, the military may step in. Whom would you look to rescue you in such an event?

But the army can come under the political parties.

The present modern army does not rely on thoughts alone – conservative or liberal. Its professional organization and skills compel it to seek its own role. Thus, we need to work to promote the commonalities of interest of the king and the parties. The king's interest lies in the stability in the nation. The political parties can not think of democracy sans the nation's independence. When the king said that nationalism is a meeting point, it means that there is a common meeting point with the political parties.

How about the Maoists?

As I said earlier, they have to fit in either with the political parties, which would be more honorable and dignified for them, or with other powers which propelled them.

Do you mean that it is the responsibility of the king to create a conducive environment?

Yes, he needs to show more patience and courage than the political parties. Compared to the political parties, the king is on a bigger trial. He has to deal with our neighbors, manage internal peace and transfer the power to the people. So his wisdom, character, courage and restraints are on trial. ■



Senior Political Leaders

Power Matter

As political leaders shift their discussions from constitution to power sharing with an agreement to form national consensus government, Nepal's overall situation is gradually heading to become chaotic

By A CORESPONDENT

After weeks of marathon negotiations on constitutional issue, political leaders turned down the table and agreed to form national consensus government under the leadership of Dr. Baburam Bhattarai. This abruptly shifts the state political process from constitution writing to formation of government.

"As per the seven point agreement, we will form a new national government till the completion of new constitution," said NC leader Ram Chandra Poudel. "After the completion of constitution writing, there will be national government under the leadership of our party."

As per the deal, Prime Minister Baburam Bhattarai will dissolve his cabinet tomorrow afternoon and formally request the political parties to form a national consensus government as agreed in the seven-point deal signed on November 1 last year.

The national consensus government, which is likely to comprise a 11-15 member cabinet, will be formed within the next two days.

The parties have also agreed that Prime Minister Bhattarai will resign once the parties reach an agreement on all the contentious issues of the constitution and a government led by the Nepali Congress will promulgate the constitution.

"A NC-led national unity government will be formed after agreement is reached on the new constitution and before it is promulgated," said NC General

Secretary Krishna Prasad Sitaula, who played a key role, along with Maoist Chairman Pushpa Kamal Dahal, in brokering the deal.

Given internal and external support Bhattarai enjoys, ultimately Nepali Congress and CPN-UML agreed to join the government and leaders of Madeheshi parties to resign.

Disputes On modality

As soon as political parties presented three different versions of state restructuring proposals, various forces including political parties, ethnic groups and regional groups announced agitation. Although State Restructuring Committee of CA proposed 14 provinces, the State Restructuring Commission has 12 and 6 district models, Nepali Congress proposes 7 provinces, CPN-UML 10 and UCPN- Maoist 12.

The demand for Mithila and Undivided far west raised the following in the presentation of various models of state restructuring by three major political parties. The entire process of constitution writing is now overshadowed by the issue of federalism and various groups have already made it clear that state restructuring is key to their struggle.

At a time when various ethnic groups are demanding provinces, a group led by Brahamin, Chettri, Dashnami, and Thakuri handed over the memorandum to prime minister and chairman of CA asking them not to divide the province on the basis of ethnicity and identity.

As political leaders failed to find the consensus on constitutional issues, many unorganized groups are spontaneously coming to lead the sentiments. Although it looks like the coming political scenario will be more chaotic and unpredictable, Nepal's past experience is that Nepal's political chaos cannot go for a long period of time. One of the well known political analysts termed it as controlled anarchy.

Possible scenario

CA members have already lost the hope that the constitution will be promulgated before May 27 in the present scenario. If things go as usual, political parties will extend the tenure of . The resignation agenda will push the constitution writing process in the back seat. Politically prime minister Baburam Bhattarai has several options before him. According to the Interim Constitution, he and his coalition can continue even after May 27, even if final day for the CA elapses.

Similarly, given the growing political unrest in various parts of the country, he can also recommend for emergency. The violent indefinite general strike in Janakpur and tense situation in far west give ample reasons for this government to use emergency tool.

Technically, the prime minister is likely to resign after the Constitutional Committee of the CA prepares the final draft of the constitution and before the full CA endorses it.

As Nepal's internal political forces are so weak and divided, they will invite the outside intervention. In this context, predict what you. One thing is almost certain that there will be controlled anarchy and dramatic political results.

Whoever may lead the government and whatever the forms of government and state system, given Nepal's last six decades of experiences, it is certain that Nepal will have to pass through unstable political course for a long time to come.



What Type Of Constitution Is In Making?

By MAN MOHAN BHATTARAI

It looks like a destiny for Nepalese, over the last five years, to be optimistic at one time and pessimistic at the other regarding the constitution. Whenever questions of the constitution arise, we always remember the 12-point agreement. Under the agreement, Maoists expressed their commitment to give up the series of violent politics and join the peace process. However, Maoists had added certain conditions and pursued their own values in complex languages under the agreement. Along with Nepalese leaders, Indian leaders also took the credit for this 12-point agreement. India's former defense minister and current finance minister Pranab Mukherjee has publicly said that India has played a major role in the 12-point agreement.

People have stopped discussions on the 10 years long, so-called People's War. Nobody talks about why this? For what and with what purpose was it launched and what results the country has achieved from the 'War'. Which power is behind it? It was said that People's War was for salvation of oppressed, backward and marginalized communities. The Maoist party constituted armed groups, equipping them with arms to eliminate the oppressors. However, People's War later turned into a movement to illuminate established political workers by expanding violence in society and to weaken the country. By harping on communal slogans, the objective of the so-called People's War was to increase the political power. The violent movement passed a series of stages destroying the unity and harmony of Nepal. So called People's war created hate and distrust in society on the basis of religion, caste, communal, and ethnical basis. During the period of violent movement, they declared the state on the basis of ethnicity and formed a parallel government. Living under tyrannical rule for a long period of time, aspirations of people were high, when democracy was restored through Janandolan in 1990. However, the state failed to address all the aspirations of the people and Maoists cashed this frustration to fuel their violent struggle.

Actually, in fewer than four years after the experiment of parliamentary system, Maoist launched the violent war against it. In the initial four years, Nepal made a sound economic progress with positive economic indicators and there were no chances for criminalization in society like now. Corruption was not out of control and social harmony was not deteriorating as is now. People held high aspirations for recognition of their identity and the state was also addressing them. As media enjoyed freedom, private sector came to invest on it. There was linguistic and cultural freedom in the country. The state has not controlled Radio, Television and newspaper on the basis of language, culture and education. State has given the right to protect the language, culture and education of various communities. As the society was in the process of gradual

transformation, armed insurrection was launched suddenly. People have made rare efforts to investigate where it came from and why it was launched. As six years have already passed since the signing of the 12-point agreement, Nepal is yet to get peace. The time has come for all us now to ask questions to those who launched the violent movement against a constitution which was an outcome of popular movement and the government elected under constitution. They have to reply what demand the change fulfilled?

Is not it time to think about this question realistically, whether Nepal has moved to more unstable scenario in the last 16 years following the launching of so-called People's War? Whose responsibility is it to raise fingers against those who pushed Nepal into the current darkness? The question is not the 12-point agreement or anything else. The question was to remember the day when a man was killed in the name of so-called People's War. Do people have in memory the person, his address, village or locality? Do people know the person who planned this entire violent event and assigned them to launch so called People's War? If people do not know all these matters behind the episode, they cannot say anything about Nepalese politics. If they don't have the capacity to interpret it, Nepal's integrity will also be at stake.

Now we have been busy discussing about the type of constitution we need and what elements we need to include in it. Constitution is not merely a bundle of papers. One section believes that power is more important than the constitution. Other believes that the constitution is the law of the land and country needs to protect the constitution. They hold the view that law is required for public security and law is supreme. Thus law and sovereignty need strengthening. This is the real reason behind the present crisis or two political thoughts represented in constitution writing. Just making a populist expression and commitment is enough for one group. In a revolutionary slogan, we have pushed the country into federalism. The country is in this agenda now. We pushed the country into secularism and we are dragged on it. We pushed the country into caste and ethnicity and now we are trapped in it. With the launching of violent politics, violence is legitimized as a part of politics. Because of all these reasons, the constitution writing process is totally trapped in the present crisis.

Nobody raised anything when the agreement was made at the Constitutional Committee to reverse things in the meeting at a resort or hotel room. There is a trend in politics to blame others by putting all the problems beneath the carpet. Even if he has seen dirt many times, UCPN-Maoist leader Pushpa Kamal Dahal is showing he has seen nothing. There is a routine in the Maoist party to blame each other as foreign agents. It is



pretty confusing who is whose agent. Even if one follows their statement, Maoist leaders issue three different statements on one single day. It is very difficult to recognize which is a genuine statement of a particular leader.

Why is there the demand for federalism? It is now difficult to justify. They said earlier that federalism is for identity. Now the situation is that they are themselves searching their own identity. Are they Marxist? Maoist? Leninist or Stalinist? Where is Prachandapath and what is it all about? Are these slogans sent by somebody to demand? Does anybody have the answer how Baburam became the prime minister in a party where Prachanda is the president? Out of ten years, both of them lived in India eight years together. Why does nobody contradict the words that one is popular in India and the other is unpopular? Now, their party workers themselves are exposing them.

As said earlier, the question can be raised in other fronts also. Was Maoist violent conflict or in the Maoist leader Baburam's word "civil war" not originated in Nepal? It is very strange that Nepal's stability is unacceptable to others. Four or five factors or interests are involved in Nepal's instability. It looks that Indians dislike a stable, strong, people-participated democracy, people's dignity, autonomy and sovereignty exercised by Nepal. Whenever any government around the world strengthens its own intelligence agency to work outside the country, it weakens diplomatic service and the intelligence gradually surrounds political leadership. In a situation like this in the neighborhood, countries like Nepal will have to face this kind of situation. For example, the government of Pakistan may not know what ISI has been doing. Russia's legitimate government may now know what KGB is doing outside. The US president is said to be all powerful. In reality, CIA can reportedly has the capability to destabilize over 60 countries around the world. This is not an exception in intelligence agency of our neighbor India. Similarly, India's intelligence agency RAW is reportedly said to be more powerful than South Block in dealing with neighbors. Nepalese people have a fair knowledge now that India's intelligence agency is more powerful in Nepal's policy matters than political leadership or External Affairs Ministry. It is not difficult to know that demand of various political parties for 7 provinces, 14 provinces or 10 provinces or one Madhesh, two madhesh or Akhanda Tharuhat is also part of this changing reality. There may be constitution by May 27. But, how will it come or where will it come from and what would it look like? All Nepalese need to be watchful about the event.

(Translated article published in Nagarik Daily)

Our Convention Is For Representation

RAJENDRA MAHATO

Minister for Population and Health RAJENDRA MAHATO has been involved in the Madhesh movement for a long time, comparable with late Gajendra Narayan Singh's time. At a time when his Sadvabana Party is holding the fifth national convention in Janakpur on 4-6 May, chairman Mahato spoke to NEW SPOTLIGHT on various issues. Excerpts:

How important is the forthcoming convention?

We are holding the convention at a very crucial phase of the history of Nepal as we are in the process of finalization of the constitution of federal, inclusive, democratic republic Nepal from elected Constituent Assembly. The CA will promulgate a new constitution as per the aspirations of the people. Thus, the forthcoming convention is very important.

What are the agenda?

Our agenda are the same as perceived by our late leader Gajendra Narayan Singh, who raised the voice of Madheshi people and spent his entire life to end the discrimination against Madhesh and Madheshis. Madhesh and Madheshis suffered more than two and a half centuries of oppression and discrimination. When Gajendra Narayan Singh raised this issue, he was a lone fighter.

How do you view the present state?

Our party will work with Janajati's, dalits of hill and marginalized communities of hills to end the political, cultural, social, economic and linguistic discriminations. Our party is fully committed to sacrifice everything to bring all oppressed communities and groups from all parts of Nepal including Madhesh to the fore. We want equal representation in all sectors. By bringing all ethnic groups, Madheshis and dalits into the mainstream, we can strengthen our national unity and

integrity. Equal participation of oppressed and backward community is a must to make Nepal prosperous and developed. The representation of all



the communities should be based on proportional numbers in all spheres of society. Madheshi, Dalit and Janjati consist of over 50 percent of total population. They should be given their rights to participate in nation building.

Do you see any possibility of bringing the constitution by the CA?

There is no alternative other than to bring the new federal republic constitution from CA. if we fail to bring the new constitution, there will be chaos and political trouble. For the people of Madhesh, bringing the constitution written by CA will be historic. This is the reason Samukta Loktantrik Madheshi Morcha is concentrating to promulgate the new constitution by May 27.

But, Nepali Congress and CPN-UML have already demanded the resignation of prime minister saying that this government failed to write the constitution. How do you look at it?

This is not a time to change the leadership of the government as such a move will delay the promulgation of the new constitution. SLMM has already made it clear that the government led by Baburam Bhattarai will be there till the promulgation of new constitution. There is no question to change the government. Nepali Congress and CPN-UML can join this government to make a national government. As this government is formed under the four point deal, we will support this government till it is committed to our four point agreement.

As proposal of major political parties show that they want fragmentation of Madhesh, how do you look at it?

Our party will oppose any move to fragment the Madhesh. We have waged such a long struggle to push our agenda of one Madhesh and one Pradesh. This is our bottom-line. ■

Nepal And The Sino-Indian Rivalry

By SANJAY UPADHYA

The inevitable passing of the Fourteenth Dalai Lama, the radicalization of the Tibetan diaspora and the fervor of the international campaign to free Tibet are bound to keep the Himalayan dispute on the world's front pages.

India, which has sheltered the Dalai Lama and tens of thousands of his followers, today increasingly sees Tibet as a bargaining chip with China in its overall bilateral relationship. Home to some 20,000 Tibetan refugees and wedged precariously between the assertive Asian giants, Nepal is likely to become an even more important theater.

From Nepal's perspective, at least, the issue of Tibet goes beyond the freedom of a land, the liberation of a culture and a celebration of a way of life. The region always has been a conduit for major external protagonists to pursue wider objectives. The British Empire considered Tibet a critical part of the imperial chessboard, a legacy that lives on in today's geo-strategic milieu where China sees the region as a front rivals are intent on using to contain its rise.

The Tibet issue has a peculiar psychological subtext in Nepal. Some of the same people, who profess the greatest admiration for the Dalai Lama and his cause, also hope that Tibet remains under Chinese control. Many Nepalese recognize that an independent Tibet would leave their country without a border with China. They believe such a situation would allow India, which has long invoked its own version of the Monroe Doctrine in the land-locked nation, to tighten its grip.

Although Tibet has been central to the Sino-Nepalese relationship, Nepal's formal contacts with China did not originate through the region. It began with China's quest for Buddhist texts, artifacts and codes from the wider Gangetic heartland. In the mid-seventh century, a powerful Tibetan king extracted consorts from Chinese and Nepalese royal households on the principle of peace through kinship. The two wives helped bring Buddhism to Tibet and opened a direct Himalayan route between Nepal and China, bypassing the more arduous one across Central Asia.

As religion and trade began traversing the same Himalayan passes, peace and goodwill began losing ground. As the British sun rose higher over India, Nepal fought two wars with Tibet, precipitating a Chinese invasion. The Nepalese gained peace by entering into a tributary relationship with the Middle Kingdom, a duty they would discharge with utmost diligence. The Nepalese became the last foreigners to pay tribute to the Qing, as the arrangement helped maintain their independence as most of modern South Asia fell under the sway of the British Empire.

Nepal, which fought a third war with Tibet in 1855-56, refused to aid the Tibetans against a British invasion in 1904, but helped secure the withdrawal of the invaders. The diplomatic triumph was short-lived as the tottering Qing formally claimed suzerainty over Nepal. Seeking to preserve its interests in Tibet - and project its independence - Nepal mediated between Beijing and Lhasa in 1912, after which Tibet enjoyed a period of de facto independence.

For all their antipathy for the Qing and for each other, Chinese nationalists and communists pressed their country's claims on Nepal: Sun Yat-sen and Mao Zedong both included Nepal among territories China had lost to imperialism.

The Chinese invasion of Tibet in 1950 impelled the leaders of independent India to restore the monarchy at the top of a

multiparty democracy in Nepal to forestall a communist advance southward. On the eve of Nepal's first democratic elections in 1959, Tibetans rose up in a failed revolt against Beijing, prompting the Dalai Lama's flight into exile in India.

Nepal's first elected prime minister, B.P. Koirala, sought unsuccessfully to consolidate democracy by asserting Nepalese independence from India and China. When King Mahendra dissolved parliament, jailed Koirala and most of the elected leadership, and abolished multiparty democracy, much more than royal ambition was at play.

Nepal had become a center of Cold War intrigue where the United States and India - the world's two largest democracies - were working to undermine each other as were the communist giants China and the Soviet Union. By the end of the 1960s, Sino-American rapprochement put the two nations on the same side in Nepal for the duration of the Cold War.

As the 1980s drew to a close, a new round of unrest in Tibet merged with student protests in Beijing, culminating in the bloody crackdown in Tiananmen Square. The fall of the Berlin Wall inspired the Nepalese to bring down the palace-led partyless Panchayat system, with Beijing a mere bystander.

With the kingdom's democracy turning rancorous, Nepalese disciples of Mao launched a bloody insurgency, a convulsion exacerbated by the assassinations of King Birendra and almost the entire royal family in a June 2001 palace massacre. India, like the United States and Britain, opposed King Gyanendra's February 2005 coup, widely perceived to have enjoyed Chinese backing. Beijing, which accused the Nepalese Maoists of soiling the Great Helmsman's memory, armed the palace against the rebels. Yet a year later, as the royal regime faced massive popular protests, Beijing distanced itself from the monarchy and befriended the Nepalese Maoists.

Chinese policy toward Nepal has been marked by much ambiguity, which both Beijing and Kathmandu have benefited from. One school of thought sees limited Chinese interest in Nepal, where phases of Beijing's assertiveness are the exception. In keeping with its foreign policy of unsentimental pragmatism, this school contends, China could easily concede Nepal as part of India's sphere of influence.

Chinese assertiveness, however, is likely to grow as its interests in Nepal go beyond the issue of Tibet to encompass its wider South Asian strategy. Nepal is only country that maintains diplomatic representation in Lhasa and Beijing reminds Kathmandu with ever greater regularity the responsibility that flows with the privilege. Enticing Nepal with promises of greater commercial benefits as part of its massive investments in Tibet, Beijing is intent on committing Nepal to firm political, security, economic and cultural agreements.

Should tradition become a more dominant part of Chinese regional diplomacy - as also seems likely - Nepal's status as a former tributary to the Middle Kingdom is likely to drive Beijing's policy. This is bound to raise anxiety levels in India, whose own relations with China sit uneasily atop planks of cooperation, competition and confrontation that are vulnerable to extra-regional pressures. (Global India Newswire)

(Sanjay Upadhyia is a U.S.-based Nepalese journalist and author. This essay was excerpted from his latest book, 'Nepal and the Geo-Strategic Rivalry Between China and India' (London and New York: Routledge, 2012, 228 p)



Chinese Ambassador Visiting Nepal-China Border in Dolakha District

MAY DAY

Labor: Up In Arms

Nepal's labor movement started along with the political movement and it is yet to change its political alliance. Instead of carrying their own agenda for negotiations, Nepal's labor unions are turning more into a militancy mode

By KESHAB POUDEL

In the last week of March, CPN-UML affiliated Nepal's Civil Service Employees Association locked up the door of Ministry of General Administration for a couple of days over the transfer issue. Similarly, Secretary at the Ministry of Education Kishore Thapa walked out of the room when members of Civil Employees Association threatened to physically assault him.

Just a week back, members of Maoist affiliated Civil Service Employees Association threatened the director general of Customs Department to face serious consequences if he did not leave the office.

This trend is not only a feature of government offices now. Private sector industries, including the hotels, have also been facing hard times in a similar manner. Construction workers have launched a strike, paralyzing many development projects. Be it in the government or the private sector, Nepal's Trade Unions are turning into groups of violent people, who can physically threaten managers, owners and other senior employees, who do not bow down before them.

As Nepal celebrated 123rd May Day by organizing various programs and calling for harmonization of relations, the reality is different and the environment is very hostile. Instead of going for negotiations, trade union leaders start their agitation by locking the industries.

Due to the growing militancy in trade unions, more than a half a dozen industries have already shut down in the last one year and many industries are

under a constant threat of physical assault by trade union workers.

Although several efforts have been made in the past to improve the relations between industrialists and labor, major progress seems elusive as ever. As growing tensions are more of norm in industries and business, the need to maintain harmonious relations between trade union workers and industrialists and managers has become more urgent.

"Despite suffering from intense and long political instability, high interest rate, and increasing energy crisis, Nepali industries have been running smoothly, with sporadic incidents. This is possible because of the important role played by labors," said Binod Chaudhary, industrialist and president of Confederation of Nepalese Industries. In his message to May Day, Chaudhary said in the recent past Nepal's labor relations were heading towards harmonization.

"CNI and its affiliated industries want to see Nepal's labor relations more industry-friendly. For this, support and help of laborers affiliated to various Trade Union organizations are inevitable. Labor and industrialists need to join together to make progress," said Chaudhary.

In the last one decade, labor relations have changed much, but they are not free of problems. "Despite improvement in the overall relations, there are still a lot of things to do in this area," said Suraj Vaidya president of Federation of Nepalese Chambers of Commerce and Industries.

The situation in labor sector is still

volatile. A recent example is the labor dispute in Surya Nepal, where the government intervened. It asked the management and trade unions of Surya Nepal, a multinational company, to resolve the tension through dialogues.

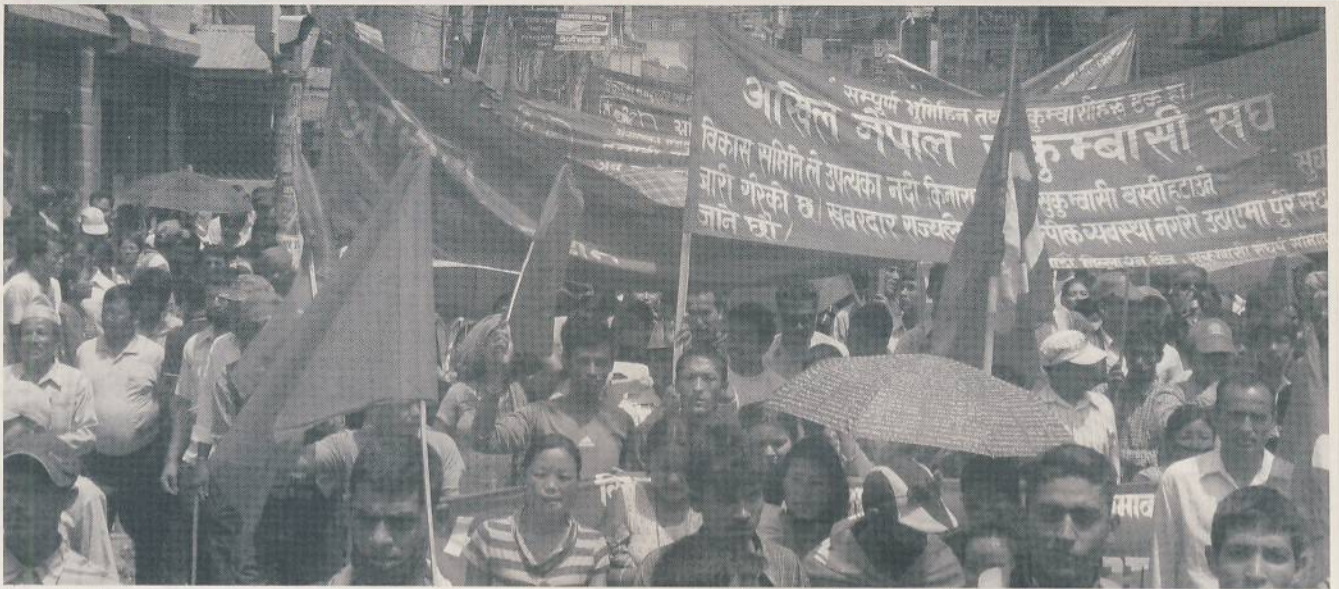
At a time when the market for foreign investment is competitive, countries like Nepal need to prove that their domestic environment is friendly to investors and climate is conducive. However, the situation is yet to improve in Nepal's case for the desired outcome.

The long-running labor dispute at Surya Nepal - the largest tobacco manufacturer in the country - has come to an end after the management addressed the demands placed by the workers.

Rabi KC, corporate vice-president of Surya Nepal, said the company lost around 60 percent of daily production during the protest period.

At a time when industrialists are complaining about the rise of trade unions, the number of trade unions in Nepal has increased drastically. A total of 86 new trade unions were added in the last six years, that is, after People's Movement II. As of now, there are 286 trade unions registered at the Department of Labor (DoL), up from 200 in fiscal 2005-06.

In the first half of the current fiscal year, six new trade unions were registered at the department. They are the Press Workers Association (PWA), National Democratic Handicraft Workers Association (NDHWA), Rastra Sewak Karmachari Sangathan and Sarkari Asthahi Karar Jyaladari Workers



Association.

Out of the total 286 registered trade unions, 135 were affiliated to 10 trade union federations while the rest were working independently. Most of these trade union federations are affiliated with the major political parties.

According to the DoL, the Communist Party of Nepal (Unified Marxist Leninist)'s General Federation of Nepalese Trade Unions (GEFONT) is the largest trade union federation in the country with 29 trade union associations under its affiliation. Similarly, the Maoists' All Nepal Trade Union Federation (ANTUF) has 14 and the Nepali Congress' Nepal Trade Union Congress (NTUC) has 10 trade union associations under their affiliation.

Pashupati Murarka, chairman of the Employers' Council at the Federation of Nepalese Chambers of Commerce and Industry (FNCCI), said that with the growing number of trade union associations and federations, the industrial sector has become the victim



Binod Chaudhary

as these unions are mainly busy in their own ego tussles.

"The recent labour unrest took a long time to be resolved due to the different voices from different trade unions," said Murarka. He added there were many factions within a trade union federation.

On April 28, General Federation of Nepalese Trade Unions (GEFONT) extended its best wishes to all the workers in both national and international workplaces for a healthy, respected and secure life on the occasion of International Commemoration Day.

"Our major agenda is to strengthen the health safety and minimize the accidents to the zero level because health is one of the important labour rights," it said.

Ignoring the guarantee of health, rights, decent work and respected life of workers, government and employers are only concentrating on productivity. "We appeal to the government and employers to provide a guarantee to a healthy, respected and secure life of the workers for high productivity."

Extending condolences to all the workers of the world who lost their lives because of industrial accidents and occupational diseases, it referred especially to the Nepalese workers, who lost their lives in the foreign lands in difficult circumstances.

"Many of those have returned in the coffins, many of them are buried in the foreign land; we pay our commiseration to all of them. And to those who are injured and sick, we wish them to get well soon. To achieve our goal, firstly we have to have the safe and healthy working place. Thus, we wish all the best for our

work to achieve our goal with unity and commitment."

Trade union leaders see the situation differently. They held the view that the problems in the industries are related to the problems generated by management. "Labor relations have much improved now and laborers are disciplined and organized compared to past few years," said Bishnu Rimal, president of GEFONT.

There will be no stability in the absence of peace and constitution.



Suraj Vaidya

"Labour agenda is yet to be heard by all top brasses of political parties," President Rimal opined.

"The issue of representation, as of other segments of society, is among major demands. The provision of national labour commission as constitutional body is other important issue. It will be just insufficient if we could able to include only right to organization and collectively bargain as the fundamental rights in new constitution." ■

“Transparency Key To Solving Labour Issues”

SOM LAL SUBEDI

Secretary of Ministry of Labor and Transport Management SOM LAL SUBEDI is one of the young and dynamic secretaries in the government service of Nepal. Subedi, who spent his long career in the Ministry of Local Development, is also known for taking quick decisions. In the context of May Day or the World Labor Day, Subedi spoke to NEW SPOTLIGHT on various issues.

How do you describe the present state of labor disputes?

There are two sides to labor disputes, legal issues and practices in case of non-compliance. Ambition is another aspect. There are high expectations and low achievements. On the question of benefits and benefit sharing, disputes come up. Most of the disputes appear due to lack of transparency and accountability. There are various reasons behind the labor disputes in the country. There is a multiplicity of dimensions.

How do you see them in Nepal's context?

In the context of Nepal, they are related to transparency. There is the need to have transparency at all levels, including the management as well as the labor level. If there are transparent ways of sharing the benefits, I don't think major labor unrest will appear. Misunderstanding between labor unions and industrialists are another reason for labor unrest in Nepal. Of course, in some cases, trade unions are carrying political agenda with focus on the question of rights of the workers, ignoring the responsibilities. Similarly, entrepreneurs also make the mistakes by trying to undermine the genuine demands of workers.

Industrialists have been talking about the need to amend the present labor act. How do you look at it?

We have very good acts and policies. So far as their implementation is concerned, we can see many lapses. We formulate the laws in haste and realize during the process of implementation that it is difficult to realize them. Sometimes, the acts are promulgated by inadequate legislation processes. This

is the reason amendments become necessary. Labor act is no exception.

It is said that foreign investors are wary of investing in Nepal because of labor unrest. How do you look at this aspect?

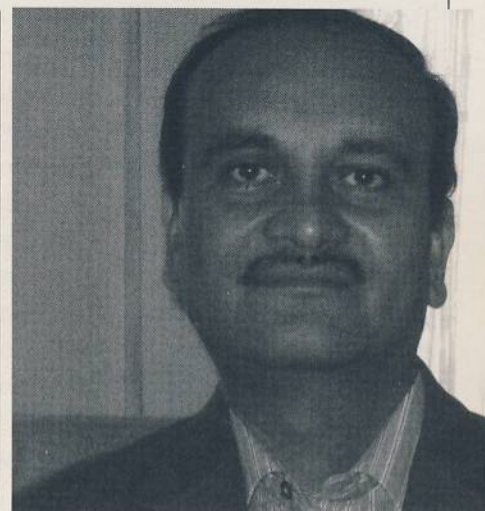
One can interpret it in both ways. There exists labor unrest. If seen from the other side, it does not exist at all. If there are other infrastructure, this is only one part. The labor issue is unnecessarily over raised. This is not only one part of the process of industrialization. If there is basic infrastructure like electricity and market, no laborer will prefer unrest. If laborers get a tangible individual benefit from a particular factory, there is a rare possibility of labor unrest. I don't agree that labor is only reason behind the declining foreign investment options. Good governance, transparency, accountability and infrastructure, power generation and access to market are also equally important. Besides that there must be right persons in the right places. Labor unrest can be minimized by making the system accountable and transparent. I am not saying that there is no labor unrest but what I am saying is it is one of the elements to discourage the foreign investors.

What is your opinion about what needs to be done?

Our country has no strong social security. This is the reason nobody wants to lead the agitation or unrest that can make them unemployed. Nepal does not have a long history of the industrialization. Most of the workers available in labor market are unskilled and illiterate. They don't know their rights and responsibilities. Discrimination in salary and facility also provokes the workers to go for strike. Our experiences have shown that most of the labor disputes are related to right demand/ issues in the enterprise.

What are lacking?

There is no platform (tripartite) in district level as well as in central level for social dialogue in order to make harmonic industrial relations. There is



no separate act for occupational safety and health. Some provisions of occupational safety and health are included in existing labor act which are not sufficient to improve the working environment. Workers give more focus on monetary benefits and management takes investment in improving working conditions as blocking of capital. Due to poor working conditions, occupational accidents occur and increase. If we have a good system, we can minimize the existing labor problems.

How do you look at the frequent incidents of lock up and physical mishandling of management by workers. How do you look at this?

There is a system to take steps. However, this kind of scenario appears because of the tendency of jumping. I have to admit that there is a weak labor enforcement and inspection mechanism. There are only 10 labor officers through the country. Human resources as well physical facilities are inadequate. Labor offices are mostly engaged in trade union registration work and they don't have time to inspect he offices. There are district administrative offices and labor offices. The government's role is just to facilitate. The role of facilitator is a very difficult work.

There is the need to take rights and duties together. We talk much about rights but not about duties. We have two things, vested interests and political interests, that are hindering smooth work. ■

Laws Online



By PRAMOD KUMAR KARKI

Nepal Law Commission is still in the early stage of its evolution. It is in the process of completing its setup and getup. Frankly speaking, the government is yet to allocate adequate resources to the commission. There is a lack of manpower as well. Despite all these lacunas, Nepal Law Commission has been fulfilling its objectives by drafting laws on its own. The commission itself sends the laws to various ministries as required by them. Similarly, it also drafts the laws as per the request of other government offices. The commission also assists the government to draft the model laws. Although short, the history of this institution is a proud one.

In the changing context, every government makes policies in the first

The commission needs highly qualified members because they need to have broader knowledge on various forms of laws. The laws are of several kinds like corporate law, administrative law, criminal law, constitutional law. For instance, within the corporate law, there are taxation laws. Law commission deals with various drafts of the law. Thus, it requires teams of experts. In other countries, members of Law Commission are full timers and the offices are updated as per the need. The institution is made resourceful. Along with the manpower, it is also given resources. The job of the commission is to conduct research and advise the government to formulate the laws. If the government wants to give value to Nepal Law

person's ignorance about the law. Realizing the need to disseminate existing constitutions, laws, regulations, orders, policies, Nepal Law Commission has set up a website where people find almost all the existing laws, regulations and constitutions, orders and policies. Besides, the website also includes previous constitutions and laws. This access is open to all. We are in the process of placing all the necessary legal documents on our website. One of the problems we have been facing is to update the laws. As a series of amendments to the regulations happen, it is very difficult to give all the updates and details. Despite all these difficulties, we have been able to place the laws related to documents in our website.

Along with the Nepali version, we are also adding laws in English. One of the aims of placing Nepalese laws in English transition is to make our legal system accessible to other language speakers too. By placing Nepalese laws translated in English, the commission website has been helping foreigners, including investors to know about Nepal's legal system. We have already placed a large number of laws and regulations on it. Along with contemporary laws and regulations, the commission's website includes the legal system that prevailed during the Lichchhavi, Malla and Shah periods. The process of updating the laws in our website continues. This website also helps researchers to understand Nepal's legal system as well as the transformation of Nepalese society in various stages. Law helps to understand the society that existed in various times, including the exercise of authorities and modalities. For instance, the law can tell what the society liked during the period of monarchy or the present republican system. This helps one to know social, political and economic aspects. One can find this in our archive sections. I cannot claim that we have done enough work but what I can say is that the Commission has done something which contributes in the legal history of Nepal.

(Karki is a secretary at Nepal Law Commission. As told to New Spotlight)

At a time when Nepal's traditional mail delivery system is too slow, it takes them months and months to reach the law through the mail delivery. One cannot get the pardon saying that for a person's ignorance about the law.

place and later the country drafts the law. However, the situation in Nepal is different. We draft the law and later formulate the policies. This is creating problems. We draft the law without having proper knowledge including why does the country need such laws. In formulating the laws, we rarely consult experts and stakeholders, but various other persons will be involved in implementing the laws. Just recently, the government issued an ordinance to provide state facilities to the former prime ministers, ministers and high level security officials. Of course, every government in the world can promulgate the ordinance in case there is no parliament. This ordinance should be sent to parliament within six months. However, the context in Nepal is different and the government promulgates the ordinance randomly without wider consultations with various stakeholders. Such ordinances address the short term interest of the government and ignore the longer interests. This is not a good culture for the country. We should make these arrangements through regular processes instead.

the members, there is also the need to look at the staffing. It is unfortunate that we don't have staffs. There is no provision for training. One needs regular refresher training conducted from time to time. There is no orientation program for our office bearers and training for other employees. There is no provision for executive level orientation for them also.

Due to our failure to understand the importance of law, we try to interpret the laws as per our wishes. We don't have adequate knowledge of law. This is happening because we table the bill without sending it to broader audiences for discussions. We rarely interact with the people on the concerned laws. We immediately implement the law soon after sealing it. We don't give even the time to the people to think about the law. However, due to our own system, people are sent to prison without his/her knowledge. We have disseminated to the people why we need the laws.

At a time when Nepal's traditional mail delivery system is too slow, it takes them months and months to reach the law through the mail delivery. One cannot get the pardon saying that for a

The screenshot shows the Nepal Law Commission website. The header includes the logo and the text 'नेपाल कानून आयोग' and 'Nepal Law Commission'. Below the header is a navigation menu with links for Home, About Us, Documents, Links, and Contact. The main content area is divided into two sections: 'LATEST DOCUMENTS' and 'TOP DOCUMENTS'. The 'LATEST DOCUMENTS' section lists three documents with their dates and titles: 'Industrial Enterprises Act, 2038 (1981)' dated 19.Apr.12, 'Greater Baraha Chhetra (Area) Development Board (Formation) Order, 2067 (2010)' dated 16.Apr.12, and 'आम त्पा केबन्धन नीति, २०६७' dated 01.Apr.12. The 'TOP DOCUMENTS' section lists three documents with their download counts: 'आम त्पा केबन्धन नीति, २०६७' with 30752 downloads, 'आम त्पा केबन्धन नीति, २०६७' with 18720 downloads, and 'आम त्पा केबन्धन नीति, २०६७' with 17951 downloads.

NEPAL LAW COMMISSION

Hits To Archive

After launching of its official website, Nepal Law Commission has already archived many laws, regulations, orders and constitutions for access to wider public

By **ACORRESPONDENT**

With the history of over a century of practicing the law and over 60 years of modern laws, Nepal is rich in the legal system. After the launching of the website by Nepal Law Commission, Nepal's judicial transformation is now in its archive.

Launched three years ago by Nepal Law Commission, the website includes all existing laws, regulations, orders and constitutions of Nepal. These include both in Nepali and English versions. As there is an increase in Nepal's legal documents, the number of people visiting the website has drastically increased.

According to Under Secretary at Nepal Law Commission, Rajendra Bahadur Thapa, the number of visitors has increased drastically. "We are now in the process of placing all the legal documents in our website," said Rajendra Thapa.

From the Laws of ancient Nepal to current one, Nepal Law Commission's archive is full of legal documents. "We do a regular update. We are now working to put all Nepalese laws in English version," said Thapa.

There are 265 laws in English and 309 laws in Nepal. There are formations orders including 74 in Nepal and 74 in English. Out of 24 government policies, on can log 19 in English language. At time when the

government has already connected all 75 districts with telephone connections and many government offices, including the various levels of judiciary, are using computers and internet, Nepal Law Commission's website can help them to get updates on the legal system. Due to geographical conditions and mailing systems, it usually takes a month to reach the printed version of laws and regulations in the districts. However, officials can download the legal documents from the website shortly.

The website www.lawcommission.gov.np also includes outdated 61 acts and 15 regulations and five scrapped constitutions of Nepal.

Along with Nepalese readers and officials, the web-site is also a Nepal's legal face where people can download Nepal's legal system from various parts of the world. As the number of visitors continues to grow, Nepal Law Commission's website is establishing itself as legal archive.

To Read and Download Nepalese Laws free of cost

Please log on:
www.lawcommission.gov.np



For details contact

Nepal Law Commission

Singha Durbar Kathmandu, Nepal

Phone: 977-1-4211191, Fax: 977-1-4211194

Changing Caste Relations In Nepal



By BIPIN ADHIKARI

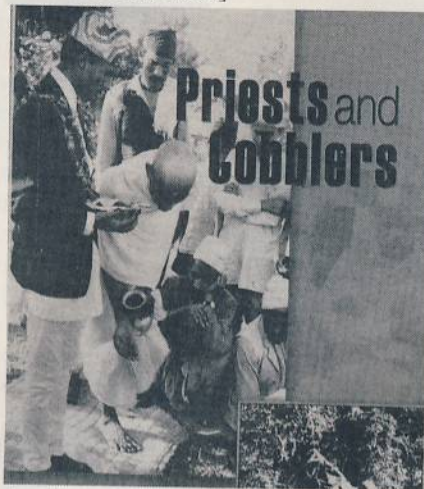
The book *Priests and Cobblers* is a study on the changing caste relations in Nepal. The system still exists here, especially in rural Hindu areas, dividing people into a hierarchy based upon heredity.

As a rule, the state of Nepal cannot discriminate against any citizen in the application of general laws on grounds of religion, race, gender, caste, tribe, origin, language or ideological conviction or any of these. Similarly, no person shall, on the ground of caste, descent, community or occupation, be subject to racial discrimination and 'untouchability' in any form. Such a discriminatory act is to be punished and the victim is entitled to compensation as provided by the law. The country continues to have legal provisions prohibiting caste discrimination for many decades.

However caste prejudice continues in Nepal in many places. In places where it continues, it not only dictates one's occupation, but dietary habits and interaction with members of other castes as well. Members of a high caste enjoy more power, wealth and opportunities while members of a low caste perform menial jobs. The most discriminated in the lot are the poor and historically suppressed people considered 'untouchables.' There is tendency toward endogamy, meaning that people marry within the same caste exclusively. Upward mobility is very rare in the caste system. The system is full of discrimination. It is a scar on the face of humanity.

The focus of this book, however, is on the changing relations between members of the priestly caste (Bahuns) and group of so called 'untouchables' (cobblers) in a Hindu village in Western Nepal. Even though these cobblers continue to suffer under extreme forms of discrimination, exploitation, and violence, and their caste still imposes enormous obstacles to their full attainment of civil, political, economic, social, and cultural rights, the book explains how the deprived 'untouchables' from a position of almost total economic dependence on the priestly caste, had become increasingly independent because of the new opportunities available in the expanding economy of the area. This also enabled

A. Patricia Caplan, *Priests and Cobblers: A Study of Social Change in a Hindu Village in Western Nepal* [Aylesbury Bucks; International Textbook Company Limited, 1972] [Reprinted in Nepal by Mandala Publications, 2006]



them to oppose the Bahuns, who have been exploiting them, in the interest of their community.

The author of the book, A. Patricia Caplan is a senior professor of Anthropology at Goldsmiths, University of London. This was her first work published as a book in 1972 when she was a young researcher. It was republished in 2006 – again after 34 years. The field work on which this book is based was conducted from January to December 1969, as part of a project of research on aspects of social change in Nepal, sponsored by the Social Science Research Council of Great Britain. The study covered a period of several decades up to the time of field work at the end of the 1960s. Caplan has analysed the situation on the basis of available resources, opportunity for earning a living, recent changes in the village economy, the factional politics in the village, and the growth of caste conflict.

In her own words, "this book focuses on a mixed-caste community in the far western hills, here called 'Duari', where the upper-castes had successfully consolidated themselves at the expense of the lower castes (untouchables, now called Dalits) not only in terms of land-holding but also educational opportunities, trade and government posts. Nevertheless, at the time of fieldwork, the lower castes had begun to

achieve a modicum of economic independence because of new opportunities, and as a result, had dared for the first time to challenge the upper castes politically."

In republishing this book, the author had two objectives in mind. One was that the original version, written for a commission to a US publisher which wanted to launch a student-friendly series on social change in different parts of the world, was never available in South Asia, and particularly in Nepal. A second reason was that this book was originally published in 1972 and since that time, more than three decades of history have changed the face of Nepal. This book, according to the author, 'gives a snapshot of a particular moment in time which may go some way to explaining the roots of the radical changes now taking place.'

In her concluding paragraph, the author notes: "first I have examined economic development, to note, in particular, whether or not it leads to a reallocation of resources or a weakening of the tiers of dependence of the lower castes upon the higher. Second, given universal adult suffrage, the demographic composition of the village, and, indeed, of the region surrounding a village, is important. Where low castes are in very small numbers, they are unlikely to be in a position to defy the higher castes, nor is their support likely to be sought by aspiring leaders.

Third, the lower castes must receive some concrete support from external agencies. It is not enough merely to introduce new laws and a new constitution: these have to be enforced at the village level. Alternatively, the wider society has to provide other mechanisms which give members of lower castes some opportunity for mobility outside the village, such as government jobs, political parties, or reform movements." There is little to disagree with the author.

When it was written in 1972, the book was certainly the first of its kind in Nepal. Now there are several such studies, in both Nepali and English. Nevertheless, the book is still an important work on 'Duari' village, and the author's finding on changing social relations is still as valid as it was 40 years before. ■

“We Need To Use Foreign Aid Effectively”

LAL SHANKER GHIMIRE

LAL SHANKER GHIMIRE, joint secretary and Chief of Foreign Aid Coordination Division of Ministry of Finance, joined civil service in 1989 as a section officer at the Ministry of Finance. Ghimire, who also worked in the capacity of Director's Advisor in the Board of Directors of the Asian Development Bank in Manila, the Philippines, between 2004-06, was promoted to joint secretary in 2009 after working as undersecretary for 13 years. Ghimire, who did his MSC from University of Bradford, United Kingdom, spoke to NEW SPOTLIGHT on various issues. Excerpts:

How do you see the state of foreign aid in Nepal?

Globally, the number of donor countries has increased but the volume of foreign aid has declined. Despite increase in the number of donor countries, the volume of foreign aid has declined in Nepal too. The number of recipient countries has also increased. Many countries like Singapore and the United States of America do not want financial assistance but they want assistance in knowledge. One of the reasons behind the decline in foreign aid is their own economic burden due to change in demography as well as due to financial crisis. Due to financial crisis and other social volatilities, direct impacts have been seen on the volume of foreign aid in recipient countries like Nepal.

How do you see foreign aid expenditure?

In the context of Nepal, over 70 percent of capital expenditure is financed by foreign aid. The ratio between bilateral and multi-lateral is fifty-fifty. However, it depends on the project approval. For instance, the World Bank's contribution is the highest for last year but it is not necessary that it will continue for this year also. Even if it increases, Nepal cannot absorb it as Nepal has half a dozen of projects now financed by the World Bank.

What is the status of foreign aid?

At a time when we are searching donor agencies to support our projects and programs, it is unfortunate that the

government agencies are unable to spend the money. The scenario is that we have funds equivalent to Rs. 200 billion as unused money which we can easily access. There is 1.6 billion dollars of new aid commitment to Nepal. But, there is low expenditure.

Why is there no or low expenditure?

In the last five or six years, rare cases of hard conditions were attached in the foreign aid, including in the criteria for imbursement and institutional change. On the one hand we have been demanding more foreign aid but we have failed to spend them. It is very strange. Recently, there has been a trend in the government offices to use Nepal's budget or money. Because of good revenue generation, there is an increase in the availability of Nepal's money. It is easy to spend Nepalese money compared to foreign aid as there is weakness in accountability parts of Nepalese budget. Even if there is no condition attached in donor's money, there are certain criteria to fulfill for foreign aid. For instance, concerned ministry or department has to prepare the financial report annually, to submit the progress report timely and hand over the audit report. This is one of the reasons Nepal failed to spend the foreign aid. Money is available from two sides, the government and donors. Enforcement and accountability part is weak in government expenditure. Thus, officials feel it easier to spend from its money.

What are Nepal's priority sectors for foreign aid?

The priorities of the government are power, tourism and civil aviation, agriculture and infrastructure. However, if you see the last five years' experiences, foreign aid is coming in education and health sector, which are much higher than others.

What is the status of social sector?

The government is giving high importance to social sector. The present government's priority is high economic growth and employment generating activities. Without reducing the budget of social sectors like health, education, drinking water and sanitation, Nepal is



seeking the budget in sectors which will contribute to growth.

How do you rank donor's contribution in terms of their aid?

Personally, I believe that it is wrong to compare the countries in terms of their annual contributions. The amount of contribution of the donor communities depend on year to year basis. There is also the tradition in Nepalese society that if some government fails to bring the foreign aid it is considered as incompetent. Aid process as a cycle is not a yearly issue but it is a long term commitment which needs to be approved by the parliament of countries concerned. We sometimes consider visiting high level leaders are capable to express the amount of money spontaneously. It is wrong. Even if prime minister or leader of particular country wants to give the money, he has to follow his country's processes. In the year 2010/11, top five donors are the World Bank, ADB, China UN and UK. Comparison is unjustifiable.

Is the government revising foreign aid policy now?

Nepal's foreign Aid policy was prepared in 2002. Policy document itself is a dynamic document. It needs to be updated and revised from time to time. Although we have announced Foreign Aid Policy in 2002, the Aid harmonization and Paris declaration were adopted in 2004 and 2005 respectively. Now the context has changed and the modality of aid has also changed and Aid became competitive. As the international and domestic context has changed, the government has realized the need to revise or revisit Foreign Aid Policy 2002. We have been

in the revision process of foreign aid. We are now in the process of consultation with various stakeholders, including donors, government, INGOs and NGOs. We are now considering to organize wider consultations.

How do you see the INGOs and UNDP?

UNDP is itself not a donor. Under the UN, we receive technical assistance. All aid comes from the same origin. It is contribution of member states. In terms of origin, the source of multilateral and bilateral aid is the same. So far as International Non-governmental Organizations, INGOs, are concerned, Finance Ministry does not deal directly with them. The right to mobilization of INGOs fund is the sole responsibility of the Social Welfare Council. The ministry has indirect involvement in dealing with INGOs. We have our representatives in Project Facilitation Committee under the Ministry of Women, Children and Social Welfare. This committee is responsible to allow INGOs to work.

Does Nepal need foreign aid?

Sometimes in the past, we used to listen to the discussions that Nepal does not need aid. In the present context of globalization, no country can survive alone. Thus, we need to take a precaution before making such comments. In the present context, foreign aid is not only the money coming from check but there is also the knowledge aid. No matter how rich you are, you need aid.

What are some of the main problems?

We have very nominal involvement in the project preparation. We do little homework in negotiations. Foreign Aid is now very much competitive and we need to prepare for the as per the changing context. We need to take ownership of foreign aid. Although it was built in Nepal, we still say Indian road, Chinese road, Japanese road, ADB's road or the World Bank's project. We need to have a sense of ownership.

How well do we complete projects?

More than sixty percent of the projects are not running in agreed schedules. Out of this, only 10 percent projects have less than 15 percent progress physically. Once we bring the project, we need to work sincerely, taking it as our own project. ■

“Who Wouldn't Agree To Go To A Wider Place Than The Narrow Roads Of Ason?”

KESHAV STHAPIT

Commissioner, Kathmandu Valley Development Authority

How will you start your work?

I will first develop a place for love in Kathmandu valley. Until the time youngsters get a place to express their love, they will not develop positive thoughts. We don't have a single place for that. As I have to go forward by taking the support from the youth, my first work will be to develop a place for entertainment.

What exactly is this authority, as it can do such diverse works, and how is this different from the town development office and the works that it is currently doing?

The authority is intended to carry out planned urbanization of the whole Kathmandu valley by making plans as well as implementing them. Previously one used to make plans regarding urbanization, then the other would implement it and finally some other would monitor that. Due to communication gaps, taking forward any work was really difficult.

Town development used to only look after a single town. But the authority will address the issue of the whole valley and work for its overall development and will not be limited to a single municipality or place.

If the authority will look after the whole Kathmandu valley, then wouldn't that limit the boundaries of the local bodies?

No, it will make the work easier. When we tried to bring the water of Melamchi, different municipalities of the valley came up with different plans and it was difficult. So, now it won't be like that. Not only projects like Melamchi, but even the question of who will run the metro in the valley has now got an answer. There is a provision in the authority that will include all the CDOs, LDOs and other locally elected personnel. Now, all of these people can sit in a room together and take effective actions and it will benefit all.

What experiences did you gain during your tenure in the municipality, will they be helpful now and how?



I didn't have any experience in the municipality. I only had commitment. Till the time I learned things, the time was over. Now, I have understood, so it won't be difficult. The empty period during my life has also filled my brain with a lot of things. I got a chance to learn, how the neighboring cities in various neighboring countries were able to develop. I learned there will be no scarcity of money while developing a town. I have now learned the importance of participation from the private sector. Now, I have got a chance to develop the whole valley.

After the formation of the authority, people are wondering how the road expansion drive will go forward?

The expansion process will continue like it has been going on. State is running it under lots of pressure. Sometimes it says the process has been carried out according to the regulations of 2033, sometimes it says some other thing.

Citizens should be made happy. While expanding the road, people should not feel aggrieved and face problems, rather they should get more benefits. In three months, I will make people to come to the government asking to make the roads wider in their places and it will be just the opposite of the current scenario.

“Who wouldn't agree to go to a wider place than the narrow roads of Ason?”

Compiled by Debesh Adhikari



Greening Programs Must For Sustainable Development

By *DINESH CHANDRA DEVKOTA, Ph.D*

Rio+20 is going to be a landmark event, not only for Nepal but around the world. The summit will remind the world about the commitment of world leaders twenty years ago on promotion of sustainable development. Like all least developed countries around the world, Nepal too has many expectations from Rio+20. Nepal expects that the conference will renew its commitment preserving the Rio principle and fostering consensus on various issues of sustainable development. During my tenure as the vice chairperson of the National Planning Commission (NPC), I constituted a Steering Committee chaired by the NPC Vice Chair with 11 secretaries from various ministries and representatives from the high level committee in it. Under this committee, Nepal has already prepared a Status Paper with broad consultations with various groups.

The country paper has made it clear that Nepal's main expectation from Rio+20 is a renewed commitment of member states for preserving the Rio Principles and fostering an implementable consensus for narrowing down the implementation gaps in the Rio declaration and other associated commitments and addressing new emerging challenges fairly and equitably based on the principle of common but differentiated responsibilities. Nepal holds the view that Rio+20 summit should articulate the commitment to ensure balanced and integrated approach for addressing all three pillars of sustainable development with poverty alleviation and international human wellbeing at the center stage.

For the last two decades, all the countries around the world have been talking about the need of sustainable development. However, this is yet to materialize. Thus, the time has now come to agree on a framework for action during Rio+20. Nepal even has a timeline proposal for implementing sustainable development commitments with a set of actionable goals. Despite very nominal

contributions to the global warming by mountainous countries like Nepal, we are vulnerable to change of weather patterns. It is very unfortunate that our capacity to address the problem is very limited. This is the reason countries like Nepal have been persistently demanding global support to effectively address the adverse impacts of climate change.

Nepal focused on economic development and poverty reduction in the past 20 years. It has also made many

processing centers in the plains, we can make a lot of difference in both the areas. As Nepal has a very successful model of preservation and conservation of the forest areas, we can maximize the benefits by promoting the economy. There is the need to have a greater partnership between civil society, community and private sector to bring the change.

However, change cannot be brought about alone. Countries like Nepal need support for adopting and customizing policies and strategies and making special provisions for meeting additional financial, technical and capacity building requirements.

As Rio+20 is approaching, the whole world is eagerly waiting to see a message for the coming decades to guarantee a model for



Protected Forest

progresses in the areas of poverty reduction. However, the country's environment is deteriorating further and Nepal's development achievement is now under a severe challenge in the context of changing global environment, particularly resulting from climate change. Thus, mountainous countries like Nepal, which are very much vulnerable to climate, need more programs and projects directed to green economy. I have been stressing the need to have a green economy as an instrument for sustainable development, poverty reduction and equitable economic growth. Our experiences have already shown that Nepal has immense potential to achieve a sustainable economic growth. By linking the hills and plains, we can make a lot of differences in the livelihood of people. For instance, Itahari in eastern part of Nepal and Kohalpur in far west can be transformed into the linkages between hills and terai. We can link the markets of geographical regions by promoting sustainable development practices. By preserving the forest in hills and opening

sustainable as well as equitable development for countries like Nepal. These countries also need to improve the ability to address the impacts of climate change. I expect that the Rio+20 will look for a mechanism to help countries like Nepal to overcome crisis and improve resilience. Hydropower generation and biodiversity conservation are two most important resources for economic gains in Nepal. However, one must take care to ensure fair and equitable benefit-sharing with local communities and indigenous people, whose life and livelihoods directly or indirectly depend on the resources or eco-system services.

Rio+20 is a great opportunity for countries like Nepal. As Nepal has already prepared Nepal Status Paper setting its own priorities and strategies, it is time now for all of us to move ahead. With such a huge diversity and riches in water resources, Nepal has immense possibility to bring positive changes in the livelihoods of the people.

(Devkotais former vice-chairperson of National Planning Commission. This is what he told New Spotlight)



On A Trek To Khaptad

BY ABHISEKH ADHIKARI

It is always the right time to visit Khaptad. One short visit is never enough to devour what Khaptad has in offer for us. At least a couple of visits are required if one wants to experience the real beauty that Khaptad is blessed with. Our trek was pleasant; it wasn't too hot, neither too cold. It wasn't raining incessantly on the day we reached there. Yet we missed the beauty of Khaptad despite the journey of us had for every moment that we spent there.

Khaptad National Park is named after a renowned sage Khaptad Baba, who lives no more. He lives only in memories of people who have been to Khaptad and seen the holy man. His hermitage is a 'must visit' place in Khaptad. Several anecdotes are there of Baba's harmonious relations with the nature. Before I left for the place, my grandmother, who is 92 years now, told me a strange and interesting story about how tigers came and stretched their legs and Baba picked up thorns from their paws and relieved them of the pain. The beauty of the place, she said, was in its best when

the flowers bloomed there. It looked like a natural garden with different colors of flowers as if planted meticulously by a gardener. We missed both these sights. One for the reason that Baba no longer is alive and the second we were in the wrong time of the year. However, there were Rhododendron flowers blooming throughout on the way as a consolation. We could make out some four to five different colors. One of the lieutenants stationed in the army barrack in Jhingrana showed us some photographs, and I must confess, we were mesmerized by the beauty of Khaptad during the season. What we did not experience was the snow and the natural garden at Khaptad.

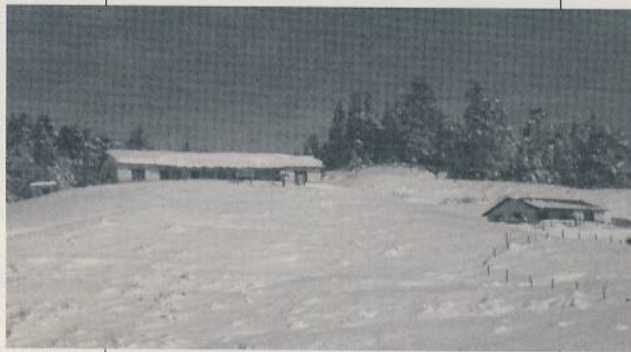
We were lying down in the unique landscape (called *Patan*) of Khaptad basking in the sun and cool breeze reminding us about where we were and my cousin sister, whose parents migrated to America when she was an infant,

promptly suggested how Khaptad could be a place of winter sports with its amazing landscape and the snow during the winter season. I could not disagree with her. Government of Nepal should consider Khaptad as a winter sports destination and it will be a real boost to tourism in Nepal and for the development of the region.

We began our journey on the auspicious day of 1st Baishak 2069 (Friday April 13, 2012). It took us 21 hours to reach Pipla of Dipayal from Kathmandu. There are good hotels in Pipla. The third day we stretched our legs for over two hours till Baglekh from Shantinagar. There are no hotels in

we were saved by the sleeping bags and mats that we carried with us. The night was spent little better than the night before at Baglekh. However, everyone of us was complaining about the discomfort we never thought we would be welcomed with. There was nothing in between Jhingrana and Bichpani so we happened to be wise to carry chocolate bars and water bottles. We had also carried a liquid water guard (few drops of water guard in a liter of water would get rid of bacteria) to purify source water of any bacteria or germs.

The next day after a hearty breakfast of noodle soup we left for Khaptad and reached there in time. There is couple of *dharmashalas* (empty rest houses). *Dharmashalas* were built to avoid catastrophe during the winter season when heavy snow hindered movements to and from Khaptad. Four soldiers had died on the way some time back. There is an army barrack in Khaptad for the protection and preservation of Khaptad National Park. Army men only host people whom they know. We stayed at army barrack and were overwhelmed by the



Khaptad Mountain

Baglekh. However, the food they served us was warm. We had carried our tents with us and pitched them on the ground with lots of enthusiasm as it was for the first time some of us were going to spend the night in the tents. Torrential rains spoiled the comfort of the tent and we had to sleep in an outhouse which had no doors. There were no beds. We had mats and sleeping bags and the wind was bitter cold.

The next day we reached Jhingrana for lunch. We were shown a great hospitality by a home stay owner. He suggested we stay at his house for the night when we returned. Immediately after lunch, talking about siesta, we climbed uphill for almost two to three hours. This is the toughest climb throughout the trek.

We rested at Bichpani for the night. There is a provision for food but not a cozy shelter for eight people. There are rooms but no beds. For the second night

hospitality shown by Major Dambar Singh Bohara, the man in command there. There is also National Park Warden's guest house for those who travel to Khaptad. The warden's guest house can only host certain number of persons. Khaptad hosts an annual fair during sometime in May.

To experience and appreciate the warm and cold weather that Nepal has to offer, a night or two at Bardiya National Park is awesome. The hospitality, civility and liveliness of Bardiya people will give a touch of nature. Of course, then, there are different things that one can do at Bardiya National Park from rafting in Karnali to Jungle Walk to Jeep Safari to get the scare and excitement of rapids of river and wildlife. Bardiya National Park is some seven eight hours drive from Pipla, Dipayal and would be a much wished for break after the trek and to break the long journey from Pipla to Kathmandu. ■



INVESTMENT BANK MARATHON

Run For Heritage

By organizing a run for conservation, Nepal Investment Bank Limited has shown its corporate responsibility to preserve Nepal's unique cultural heritage

By DEBESH ADHIKARI

After being involved in the preservation of various cultural heritage sites, NIBL has announced the Run for Heritage Conservation with an aim to raise some Rs. 10 million to assist the restoration of Bhai- Degah Temple in Patan Durbar Square.

Individual commitment and interest is always a matter in the push for the cause of conservation. With inner feeling in the preservation of Nepal's cultural heritage sites, Chairman and chief executive director of NIBL Prithvi Bahadur Pande has been carrying the cause forward. Thanks to his own initiative, some of the ancient cultural heritage sites have already been renovated.

Pande's family has been in the forefront of conserving Nepal's ancient cultural heritage for a long time. Whether it is in the conservation of Changanarayan or Kalvairab of Hanuman Dhoka, there is his direct or indirect involvement.

Nepal Investment Bank Limited (NIBL) is one of the major financial institutions in Nepal. The bank has not only achieved success commercially but has also been actively fulfilling its corporate social responsibilities and is playing a key role in the preservation of the valuable cultural monuments of the county for more than a decade.

With the intention to raise awareness about conservation of cultural heritages, NIBL is organizing the third NIBL Heritage Marathon on Saturday, 5 May 2012.

"The main agenda of the marathon is to help for the conservation of heritages as well as to create awareness about the importance of health," said Prithvi Bahadur Pande, executive chairman.

Bhai- Degah Temple was originally a three storey wooden pagoda structure that collapsed in the great earthquake of 1934 A.D. (1990 B.S.).

According to the bank, Visa is one of the major supporters of the event and donated USD 5000 for the project.

The restoration project will be looked after by Sanskritik Sampada Samrakshan Samuha and over-seen by the Kathmandu Valley Preservation Trust (KVPT).

"If we do not work for our heritage, we will be known as the generation that did not do anything," said Pande.

The marathon will start from Durbarmarg and the winners will be distributed prizes of some NRs. 500,000.

According to the organizers, the event will feature various categories and it will include 21 Km half marathon for men, 10 Km open race for women, 5 Km race for school students (boys/girls), and handicapped open, 1 Km, for Nepali

citizens. Meanwhile, for foreigners, the event will feature separate half marathon for men and 10 Km for women.

Bankers and financial institutions representatives can participate in Men's 10 Km race and women's 5 Km race. People above 50- years of age group can compete in veterans 5 Km race.

NIBL has been actively involved in heritage preservation for more than a decade now and it started this preservation activity from 2002 when it donated NRs. 1.5 million for the restoration of the legendary Kaal Bhairav statue at the Hanuman Dhoka.

During the first Corporate Heritage Marathon in 2007, the bank raised some NRs. 2.5 million and supported the restoration of the famous Sundari Chowk in Patan Durbar Square.

From the Second Corporate Heritage Marathon in 2009, the bank was able to raise NRs. 6.0 million and the money was used towards the improvement of Aryaghat, the cremation area at Pashupatinath.

Apart from the Heritage Marathon, the bank is also actively involved in other Corporate Social Responsibility (CSR) activities.

In 2011, NIBL sponsored a major part of the Extreme Everest Expedition (EEE) - a clean-up expedition to Mt. Everest that successfully collected garbage from above 8,000 meters on Mount Everest in the region commonly referred to as the Death Zone, according to the press release issued by the bank.

This year the bank donated significant contributions to Shiva Parbati Briddashram, the first old age home in Nepal (Waling, Syangja), and to Shree Ranabir Janahit Higher Secondary School in Syangja.

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MAHA FARM

World Class Work

Khojraj Katuwal, director of the MaHa farm would like to see the Israeli drip irrigation system being used in all farms in Nepal

By LARA SUYKERBUYK

The MaHafarm in Jitpur-Phedi uses, for the first time in Nepal, an irrigation system that increases productivity, allowing more harvests per year: the drip irrigation system, which was previously unknown in Nepal. A co-operative of twelve Nepali farmers started the farm a year and a half ago, after working for six years in Israel. Many Nepali people go abroad to countries such as Israel, Qatar and Dubai in order to find well-paid jobs, because Nepal lacks them.

"A manpower company gave us a visa to go and work in the agriculture sector in Israel and earn a good salary, so we decided to go. We worked for six years there and gained a lot of knowledge about the Israeli agriculture systems," said one.

Many people stay abroad, and send money home. But the founders of MaHafarm, named after two renowned actors, returned to their home country to use their newly learnt skills for the benefit of Nepal.

"In Nepal, farmers only produce tomatoes for some two to three months, but we continue to produce tomatoes during the whole year using the drip irrigation system. Other people get from one plants four to six kilo, but, for the first year, we got 25 kilo from one plant by harvesting four to five times a year at most," says Katuwal.

Before the use of the drip irrigation system, water could not be equally divided. The system consists of a hose with little holes in it, through which the water drips equally over every plant. In Nepal, the pipe that is necessary is not available. It comes from India, and therefore is quite expensive. But Katuwal

is very pleased with it.

"This is a very easy system; with little water we can irrigate many plants. The system is world class," he says.

Additionally, the farm uses nurseries. Cauliflower, green vegetables, pumpkins... all vegetable harvests have improved with the system. The MaHafarm currently uses Nepalese seeds, but Israeli ambassador Hanan Goder-Golddberger told the group that he would bring Israeli seeds in the future. "We will compare local seeds and Israeli seeds, because everything here is different: weather, water...Next year we will decide after discussing with our technical advisor, which one is better. We keep on learning," says Katuwal.

The 12 entrepreneurs started with some 20 ropanis of land, and are planning to make the farm bigger very soon. Phedi is an ideal location, because it is very close to the Kathmandu market where they sell their vegetables. Tomatoes are their best product because of the price they fetch, the high demand of the market and the ease of harvesting.

Katuwal dreams of seeing the simple



irrigation technique spread to all the farms in Nepal, and every day many people come from far to learn about the system. The 12 friends are proof of a Nepalese success story; that Nepalese who return home and use their experience, money and knowledge from abroad can help their country improve and develop.

Lara is an intern from Belgium

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Growing India - China Rivalry

By ROBERT D. KAPLAN

As the world moves into the second decade of the 21st century, a new power rivalry is taking shape between India and China, Asia's two behemoths in terms of territory, population and richness of civilization. India's recent successful launch of a long-range missile able to hit Beijing and Shanghai with nuclear weapons is the latest sign of this development.

This is a rivalry born completely of high-tech geopolitics, creating a core dichotomy between two powers whose own geographical expansion patterns throughout history have rarely overlapped or interacted with each other. Despite the limited war fought between the two countries on their Himalayan border 50 years ago, this competition has relatively little long-standing historical or ethnic animosity behind it.

The signal geographical fact about Indians and Chinese is that the impassable wall of the Himalayas separates them. Buddhism spread in varying forms from India, via Sri Lanka and Myanmar, to Yunnan in southern China in the third century B.C., but this kind of profound cultural interaction was the exception more than the rule.

Moreover, the dispute over the demarcation of their common

frontier in the Himalayan foothills, from Kashmir in the west to Arunachal Pradesh in the east, while a source of serious tension in its own right, is not especially the cause of the new rivalry. The cause of the new rivalry is the collapse of distance brought about by the advance of military technology.

Indeed, the theoretical arc of operations of Chinese fighter jets at Tibetan airfields includes India. Indian space satellites are able to do surveillance on China. In addition, India is able to send warships into the South China Sea, even as China helps develop state-of-the-art ports in the Indian Ocean. And so, India and China are eyeing each other warily. The whole map of Asia now spreads out in front of defense planners in New Delhi and Beijing, as it becomes apparent that the two nations with the largest populations in the world (even as both are undergoing rapid military buildups) are encroaching upon each other's spheres of influence — spheres of influence that exist in concrete terms today in a way they did not in an earlier era of technology.

And this is to say nothing of China's expanding economic reach, which projects Chinese influence throughout the Indian Ocean world, as evinced by Beijing's port-enhancement projects in Kenya, Pakistan, Sri

Lanka, Bangladesh and Myanmar. This, too, makes India nervous.

Because this rivalry is geopolitical — based, that is, on the positions of India and China, with their huge populations, on the map of Eurasia — there is little emotion behind it. In that sense, it is comparable to the Cold War ideological contest between the United States and the Soviet Union, which were not especially geographically proximate and had little emotional baggage dividing them.

The best way to gauge the relatively restrained atmosphere of the India-China rivalry is to compare it to the rivalry between India and Pakistan. India and Pakistan abut one another. India's highly populated Ganges River Valley is within 480 kilometers (300 miles) of Pakistan's highly populated Indus River Valley. There is an intimacy to India-Pakistan tensions that simply does not apply to those between India and China. That intimacy is inflamed by a religious element: Pakistan is the modern incarnation of all of the Muslim invasions that have assaulted Hindu northern India throughout history. And

then there is the tangled story of the partition of the Asian subcontinent itself to consider — India and Pakistan were both born in blood together.

Partly because the India-China rivalry carries nothing like this degree of long-standing passion, it serves the interests of the elite policy community in New Delhi very well. A rivalry with China in and of itself raises the stature of India because China is a great power with which India can now be compared. Indian elites hate when India is hyphenated with Pakistan, a poor and semi-chaotic state; they much prefer to be hyphenated with China. Indian elites can be obsessed with China, even as Chinese elites think much less about India. This is normal. In an unequal rivalry, it is the lesser power that always demonstrates the greater degree of obsession. For instance, Greeks have always been more worried about Turks than Turks have been about Greeks.

India, on the other hand, is bedeviled by long and insecure borders not only with troubled Pakistan, but also with Nepal and Bangladesh, both of which are weak states that create refuge problems for India. Then there is the Maoist Naxalite insurgency in eastern and central India. The result is that while the Indian navy can contemplate the projection of power in the Indian Ocean — and thus hedge against China — the Indian

army is constrained with problems inside the subcontinent itself.

India and China do play a great game of sorts, competing for economic and military influence in Nepal, Bangladesh, Myanmar and Sri Lanka. But these places are generally within the Greater Indian subcontinent, so that China is taking the struggle to India's backyard.

Just as a crucial test for India remains the future of Afghanistan, a crucial test for China remains the fate of North Korea. Both Afghanistan and North Korea have the capacity to drain energy and resources away from India and China, though here India may have the upper hand because India has no land border with Afghanistan, whereas China has a land border with North Korea. Thus, a chaotic, post-American Afghanistan is less troublesome for India than an unraveling regime in North Korea would be for China, which faces the possibility of millions of refugees streaming into Chinese Manchuria.

Because India's population will surpass that of China in 2030 or so, even as India's population will get gray at a slower rate than that of China, India may in relative terms have a brighter future. As inefficient as India's democratic system is, it does not face a fundamental problem of legitimacy like China's authoritarian system very well might.

Then there is Tibet. Tibet abuts the Indian subcontinent where India and China are at odds over the Himalayan borderlands. The less control China has over Tibet, the more advantageous the geopolitical situation is for India. The Indians provide a refuge for the Tibetan Dalai Lama. Anti-Chinese manifestations in Tibet inconvenience China and are therefore convenient to India. Were China ever to face a serious insurrection in Tibet, India's shadow zone of influence would grow measurably. Thus, while China is clearly the greater power, there are favorable possibilities for India in this rivalry.

India and the United States are not formal allies. The Indian political establishment, with its nationalistic and leftist characteristics, would never allow for that. Yet, merely because of its location astride the Indian Ocean in the heart of maritime Eurasia, the growth of Indian military and economic power benefits the United States since it acts as a counter-balance to a rising Chinese power; the United States never wants to see a power as dominant in the Eastern Hemisphere as it itself is in the Western Hemisphere. That is the silver lining of the India-China rivalry: India balancing against China, and thus relieving the United States of some of the burden of being the world's dominant power.

Courtesy (STRATFOR)

A rivalry with China in and of itself raises the stature of India because China is a great power with which India can now be compared.

Tattoo: Think Before You Ink!

By **SHRADHA GYAWALI**



Tattoos are back as the latest fad of our generation. It has become a norm to see someone different sporting fresh new ink every week.

But what is the real motive behind every spot of the ink? Is it to tell a story? Or to fit in and conform to the trend? Whatever the reasons, are people really thinking it all the way through?

One of my friends, Emma Johnson, 22, said, "In college, we all were up one night talking about how cute it would look to go get one on our wrists that looked like a bracelet. Three hours later we were all there."

"I love the tattoo and the memory behind it. I just wish I would have thought about it more," said Johnson. "Now for every job or professional experience, I need to make sure I have a watch on or a bracelet that covers it, or a long sleeve shirt."

So what do you do if you have to hide your tattoo all the time? The following are some different tattoo removal options that vary in price range.

Laser Removal

Laser removal is the most common form of tattoo removal. You are charged per square inch per two minutes. The procedure is painful, and you will be sore for up to two weeks.

The removal needs, on average, around 6-8 sessions. This can run your bill up to \$800 for a small tattoo and double for a large one. Every removal quote is based on size, color and how long have you had the tattoo.

Dermabrasion

Another option is Dermabrasion - a surgery performed by a plastic surgeon where a rotating abrasion brush sands away the tattoo, eventually peeling the tattoo off. The surgery has high risks for scarring. In most cases of Dermabrasion, you need to have a skin graft to cover where the skin is removed.

The procedure normally takes fifteen minutes but can go for hours depending on the size of the tattoo and how deep the ink is. Your skin will be tight and sore for a month or two but the tattoo will be removed in one sitting.

It can cost \$100 for a small tattoo but the procedure can run up to \$4,000 for large tattoos.

Excision Removal

Another way to remove tattoos is excision removal. This procedure is done by a plastic surgeon as well. They cut the tattoo out of your skin and sew the skin back together, removing the tattoo in one piece. It can take up to multiple sessions depending on how big the tattoo is and how deep it is. When considering excision, be aware of the scar that it will leave.

This procedure is not a cheap one. It starts off at around \$700 for 2 inch by 4 inch area, and every removal after that is \$150.

Cream Removal

The last way is the removal that is done by using a cream. The most popular cream is Wrecking Balm. This is a fade system that can take months, but it is a quick and an easy way to do it on your own.

The cream is about \$150 depending on where you buy it from, but be careful with the cream — it can discolor your skin because of the ingredients that are put into it.

Other Options

If you are thinking of getting one removed, your best option is to do a research and get many different opinions from different places and surgeons.

Explore what is best for you.

If getting it removed is not in the budget, and you don't really want it removed, there are always ways to cover it although sometimes it can be hard. They make tattoo cover-up makeup and silicone sleeves to hide tattoos, but the summer or a hot room can be a problem. Sweating can smudge the makeup, and the sleeves can be too hot to bear.

On the other hand if you are thinking of getting a tattoo, think before you ink. Is it going to affect you in the long run? Or is it really what you want? A tattoo removal can be a \$1000 fix for a \$100 mistake.

She Started, No He Started

By **ADITI ARYAL**



I was working on my assignment when my brother asked me to help him with something. Knowing that helping him is equivalent to ending up doing the entire work on my own, I asked him to come to me later. I guess he figured out later was never, so he deleted my hard work and saved the blank page. Now I was back to square one, and honestly could do nothing but cry.

At first, I thought his intention of doing so was to get back at me for not helping him. In reality, his mind had a better plot. When my parents got home, the first thing he did was complain to them that I didn't help him even while I was sitting idle. And because I had no backup to prove my innocence I had been a victim of his wicked plans, even if it had been for a short time. Both his temper and mine made the situation worse than it already was and after some time everything got back to normal. If this is what people call 'sibling rivalry', this isn't a very good thing to happen to anybody even with the happy ending.

Rivalry among siblings is a very common situation in many families. In most cases, it starts with the birth of the second child. When all attention starts diverting from the only child to the second, jealousy springs in. This gives way to acts meant to hurt the other and possibly homicidal ideas as well. There also exist reasons like the elder ones always being asked to compromise, because they become big and mature right from the day when their baby sibling, who never grows up, is born. Or alternatively, also because family members don't understand the differences. They constantly bring up issues to compare each other. In the long run such factors deteriorate the situation.

If not immediately after the birth of a sibling, it does start at a very young age, mine included. However, lesser the age difference, tougher the competition. In kids' run to prove self better than the other, have the last piece of the cake and get the other one to fetch the ball from the rude neighbor's garden, things do get complicated. The young undeveloped mind starts to find ways about being the better one in front of everybody. Notwithstanding how this competition could take a better turn and get everybody to be equally fine and polished, this isn't a 'more often than not' case. In most cases this ends up in a bitter relationship throughout childhood and youth and follows later in life (afterlife as of horror movies). To mention, this is one reason among some others why children like school better than home and friends better than siblings.

I wouldn't say rivalry doesn't exist among friends. Considering closely, how much long is a rival-for-a-friend to stay in our lives? Siblings are the first friends we make in life and probably the only ones who'll stick up for a very long time. And most of the times rivalry accompanies the bonding. Taking into account a few examples, sisters are competitive among each other to look the best and be the most mannered and elegant while brothers fight to show their strength. And about brothers and sisters, I can safely conclude it is about everything in the world.

Most parents must be sick and tired of trying to put up with the never ending fight or put it off. The most natural way of dealing it, as I see it, must be letting the ones who started end it. Every time an elder tries to monitor and solve the issues the matter gets worse. They could get the blame for playing favorites or for trying to impose what they feel is right. A child's vision is very much different from the pragmatism of a grown up. And to encourage the self defending and matter solving capabilities of the young, they should be allowed to handle it themselves, unless it starts getting harmful physically, psychologically and otherwise.

Buddhism In Russia

A Bond To Explore

Despite the existence of Buddhist influences in Russia from a long time ago, Nepalese took a while to know about them. Thanks to the initiative taken by present Russian ambassador to Nepal Dr. Sergey Velichkin, Nepalese have got the opportunity to know about the influences now.

After coming to Nepal as an ambassador, Dr. Velichkin, a scholar with South Asian expertise, has already organized a number of programs to bring Nepal and Russia together.

The timing of an exhibition set up to show this side is perfect as various countries around the world are following Buddhism. For Nepal, this is the right time to enter into relations of exchange with Russia.

As Nepal is celebrating the Visit Lumbini Year 2012, the exhibition is being organized at the Russian Culture Center to mark the birthplace of Lord Buddha and to introduce Russian Buddhist heritage and contemporary life of the Buddhist religion to Nepalese people.

Sacred exhibition

“People wonder that even Russia has Buddhism but Buddhists and Buddhism have been there in Russia for centuries. It is one of the four religions accepted by the law in the country,” said Dr. Natalia Zhukovskaya, professor of Russian Academy of Sciences.



A Russian delegation from the All-Russia Museum of Decorative-Applied and Folk Arts, consisting of professors, scholars of Russian Academy of Sciences, led by curator of the exhibition Irina Kolopova and Dr. Natalia arrived in Nepal to present the exhibition.

The exhibition titled ‘Buddhism in Russia’ is being jointly organized by Russian Centre of Science and Culture, Lumbini Buddhist University of Nepal, Ministry of Culture of the Russian Federation, All Russian Decorative Art museum, and Russian Museum of Ethnography.

Similar exhibitions were held in India and Bhutan in 2011 but this kind of exhibition is the first in the history of Russia-Nepal relations. “We have already exhibited it in Bhutan and India and it shows the existence of Buddhism even in Russia,” said Irina Kolopova.

According to the organizers, around 20 sacred artworks (Thankas) will be showcased in the exhibition. The showcased artworks are high-quality state-of-the-art technological replicas of the 19th century Buddhist creations, including works by Nicholas II, the last Russian Emperor, and photographs from the various Russian Museums. The works of contemporary artists used in the decorations of Buddhists temples in Russia can also be seen in the exhibition.

“The exhibition showcases historical as well as modern artifacts which are developed by using modern technology. There are also photos from various museums,” said Irina.

World Press Freedom Day 2012

Media in Transition

By DEBESH ADHIKARI

Last year, about a half a dozen of journalists were killed and another dozens got physical assaults. Despite the efforts of the government, Nepal’s media sector is yet to get a respite.

Along with global media community, on May 3rd, Nepalese media also celebrated World Press Freedom Day. It is a day to consider the importance of freedom of the press, and to remind governments of their duty to respect and uphold the right to freedom of expression as stipulated in Article 19 of the Universal Declaration of Human Rights.

According to experts, a free press is a form of freedom of expression, providing citizens with access to knowledge and information, thus safeguarding any political system based on the will of the people. But Freedom of the Press Day serves not only to highlight the importance of an uncensored press: it also serves as a reminder that in dozens of countries around the world, publications are censored, fined, suspended and closed down; that in many countries, journalists, editors and publishers and bloggers are harassed, attacked, jailed and even murdered. It aims to remind governments of the need to respect their commitment to Press Freedom, and to journalists.

“This day also serves as a reminder to professionals of their responsibility to society, and of the importance of maintaining professional ethics. And it is also a day of remembrance for those journalists who lost their lives in the exercise of their profession,” said Shiva Gaunle, president of Federation of Nepalese Journalists.

Former Philippine President Corazon Aquino once said that “Freedom of the press guarantees popular participation in the decisions and actions of government, and popular participation is the essence of democracy.”

A free press is called the Fourth Pillar of Democracy because a free press reports abuses of power by public officials. It shines a spotlight on government decision makers and those who influence them. It keeps the citizens informed of news critical of the government, gives them the opportunity to exchange information and opinions about public affairs without interference by government officials, say experts.

As one-time U.S. Supreme Court Judge Felix Frankfurter once said, “Freedom of the press is not an end in itself but a means to the end of [achieving] a free society.”

A silent press means the end of democracy but Nepal’s media is more chaotic. What Nepalese media need to do is to protect the access to information of citizens and avoid manipulation and maneuvering by various forces. ■



FNJ President Shiva Gaunle

MOVIE PREVIEWS

The Hobbit: An Unexpected Journey

A curious Hobbit, Bilbo Baggins, journeys to the Lonely Mountain with a vigorous group of Dwarves to reclaim a treasure stolen from them by the dragon Smaug.

Director: Peter Jackson

Writers: Fran Walsh (screenplay), Philippa Boyens (screenplay), and others

Stars: Martin Freeman, Ian McKellen and Richard Armitage

**Prometheus**

A team of explorers discover a clue to the origins of mankind on Earth, leading them on a journey to the darkest corners of the universe. There, they must fight a terrifying battle to save the future of the human race.

Director: Ridley Scott

Writers: Jon Spaihts, Damon Lindelof

Stars: Noomi Rapace, Logan Marshall-Green and Michael Fassbender



(Courtesy: IMDB)

Highway

Producer: Deepak Rauniyar

Director: Deepak Rauniyar

Cast: Shristi Ghimire, Eelum Dixit, Dayahang Rai, Asha Magarati, Vinay Shrestha, Reecha Sharma, Rajan Khatiwada, Saugat Malla, Rabindra Mishra, Nirmala Rai, Bhumika Shrestha, Karma



Set among the breathtaking landscapes of Eastern Nepal, **HIGHWAY**, the first full-length feature of director Deepak Rauniyar, follows the journey of nine characters whose individual stories become accidentally interconnected during an ill-fated bus journey to the capital Kathmandu. The passengers — each of whom urgently needs to be somewhere else — find themselves stranded on the only main road due to an improvised and unlawful blockade known as a “bandh”. While the passengers work out a resolution to escaping the combustible strike, the film shifts into their psychological and spiritual “bandhs”, exploring a situation that many Nepalis are contending with since the end of the bloody 12-year civil conflict. The film is co-produced by acclaimed actor/producer Danny Glover and Emmy® nominated producer Joslyn Barnes for Louverture Films, New York. Dr. Lonim P. Dixit, Dr. Sameer M. Dixit and Mita Hosali are the executive producers of the film. (*QFX cinemas*)

7th Israeli Film Festival**Sharing Culture**

Nepali audiences had the opportunity to watch some of the finest Israeli films

By A CORRESPONDENT

Although Nepal and Israel are geographically far away, there are many common things they share. Among many others, Nepalese audiences prefer Israeli films. Like in the past, the number of visitors rushing to Russian Culture Center is a testimony to this.

Inaugurated by Nepal's prominent film actor Rajesh Hamal, the four-day film festival, May 2-6, showed many interesting films produced in Israel.

“This traditional film festival is part of various activities the Israeli Embassy is promoting for cooperation and development. The good relations between Israel and Nepal have brought a double interest of Israelis in the Nepali culture and Nepalese in the Israeli reality and culture. I hope this will bring a little taste on day to day dilemmas existing in our society. The Israeli reality is a unique reality and it is being mirrored at the films shown today and in the coming three days. These six films in this festival present a variety of issues in our reality,” said Israeli Ambassador to Nepal Hanan Goder-Goldberger.



The first film *Mabul* revealed the life of a thirteen-year old boy in a transitional stage of becoming a man. The films, *Bena* and *Borken Wings*, dealt with families that had to face loss of loved members of the family.

Films *noodle* and *Nina's* tragedy were in lineup. These films give the story of two youths, child of migrant workers and a 14-year old boy who moves to live with a relative. Then there will be two more films *Mabul* again and *Walk on Water* on an Israeli Mossad secret agent that means a grandson of ex-Nazi officer. The films deal with families in stress. This is a part of campaign we take this month to promote awareness to people with special needs.

“One photo is better than a thousand words to describe a reality. I think a film is similar to one thousand photos,” said ambassador Goldberger.

Films have become an important medium to reach people around the world and exchange cultures, values and traditions among them. Films give insight of a country and represent the people and their languages. Films also bring humor and realities in front, in other words, it is a language that people use to bring awareness and express satirical thoughts.

This year, the Embassy brought six Israeli films for the international film lovers. The films comprise some heart touching family drama, and tragedy, dealing with adolescence, disability and history. The Embassy has themed this year's film festival as “People with special needs” and tries to link it with Embassy's other projects on ‘People with Special Needs’ and a special project for the visually impaired people which will take place in 2012. ■

Is Your Child Secretly Watching Porn On The Internet?

By XANTHE CLAY

This week's blazing argument over how to protect children from the worst excesses of the internet is particularly close to my heart. For when my teenage son recently complained that he needed more memory on his telephone, I thought I'd better find out why he wanted it, and what for. I "borrowed" the phone one evening, reasoning that the end justified the devious means.

I was in for the kind of shock that every parent dreads. The photo folder in my son's phone was full of images of naked or semi-naked girls. In retrospect, I



suppose the pictures weren't especially alarming – mainly digitally enhanced physiques. But it raised the inevitable question: what to do?

My first instinct was to slip the mobile back on his pillow. After all, what harm can a few naughty pictures do? Isn't it normal for adolescent boys? And the thought of the alternative, of confronting him, made me feel awkward and prudish. Easier just to ignore the whole business.

But I know, and every parent knows, this is an issue that isn't going away. Pornography is no longer restricted to the top shelf or the "over 18" shops. It's everywhere on the internet, poised to stream right into the computer in your living room – and in your child's bedroom.

Thankfully, the pictures on my son's phone were of professionals rather than girlfriends of his, "sexting" semi-naked, or fully-naked images of themselves, as is becoming common. But parental duty, or perhaps plain curiosity, made me

probe further. His phone was not internet enabled, so where had the pictures come from?

I forced myself to confront my son, admitted that I'd checked his phone – and he clammed up. Completely. However, a little research revealed the pictures had been sent by a boy whose parents I know.

The Online Child Protection Inquiry's report, published earlier this month, calls for the industry to provide blocks on obscene content as standard, so that adults who want to watch porn have to

"opt in". The ISPs are reluctant. One claimed it will effectively create a register of porn users. The subtext is that those users will take their lucrative business elsewhere.

The second piece of advice fell firmly into my court. "Talk to your

children about sex, pornography and internet safety." That's easy to say. I have no idea how to broach the subject with my teenagers. As I had already found, sitting them down and declaring "we need to talk about porn" gets you absolutely nowhere.

And anyway, how could I speak to my teens about something I had so little knowledge of? My experience of porn was limited to flicking through my father's copies of Penthouse, Playboy and the rather racier Oui, aged 10 back in the Seventies.

I'd never even watched any internet porn. Or any porn at all, bar glimpsing a rather blurry video at a friend's house which brought to mind Roald Dahl's words, "The act of copulation is like that of picking the nose. It's all right to be doing it yourself but it is a singularly unattractive spectacle for the onlooker."

Should I watch a porn clip to brief myself? John Brown of the NSPCC was non-committal. "You need to make that sort of decision for yourself. But yes, it can be helpful," he said.

How to protect children online

- Enable the parental controls on all the wireless enabled devices at home.
- Limit internet access to a computer in a room such as the kitchen, where adults are around, and can keep an eye on the websites being viewed.
- Don't be afraid to impose boundaries. According to Blake, "Young people say that they want parents who will let them grow, but also have the relationship that means they can say "I'm worried about you" and impose boundaries as long as they are reasonable and logical. They do want it to feel fair."
- Really engage with what the school is doing in terms of sex education – ask them what they are doing.
- Check that mobile phones have 18+ controls on them, and think twice before kitting them out with a Smartphone that makes internet access very easy, however cool it may look to their friends.
- Discuss the problem with other parents, and encourage a shared strategy.

Courtesy: The Telegraph

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Nick Simons Institute

-By BUDDHA BASNYAT, MD



There is no question that people in rural Nepal need to receive quality health care service within their own communities. By conducting relevant courses for rural health care teams and providing rural staff support district hospitals can be transformed to what they were meant to be. This has not happened for many reasons. One reason may be that there was not enough advocacy for these people in the hills as most health care benefits are concentrated in the big cities. By advocating policies and attitudes to promote health worker effectiveness the way forward is clear. All of these above points have been the focus of attention for a relatively new institution which last year celebrated five years of its existence. This philanthropic institution based in Nepal had a memorable beginning and it may be interesting here to see how this institution was established and how it has over the years influenced rural health care in Nepal.

When a friendly 22 year old Nick Simons (picture) arrived in Kathmandu in 2002, little did he know that by 2011 an institution named after him (Nick Simons Institute) would have a remarkable impact on rural Nepali health. For 9 months in 2002 Nick worked for an NGO in Kathmandu developing hydroelectric power. In March 2003 he returned home to New York and told his parents, Jim and Marilyn Simons, how he had grown to love Nepal; and he shared with them his dream to study medicine. Before starting his mandatory premedical course for medical college in the autumn of 2003, he decided to travel to Indonesia. Tragically Nick drowned while swimming in Bali.

Subsequently his parents travelled to Nepal and established the fully charitable NSI in 2006 with Drs. Bhekh B. Thapa and Mark Zimmerman at the helm. NSI's vision is for people in rural Nepal to receive quality health care services within their own communities.

Partnering with other hospitals and organizations, NSI has helped train and support over a thousand health care workers, and the good news is that 90 % remain working in rural locations.

In addition NSI has realized the importance of working with government institutions so that the impact of the programme (for example, training skilled birth attendants) is more effective and widespread. Much-needed refresher courses for health workers in rural areas has met with a great deal of enthusiasm by the participants which is bound to influence patient care.

A formal anesthesia assistant course for non-doctor anesthetist developed by NSI has been welcomed because in rural areas emergency surgery is often not conducted even in

the presence of a surgeon because of lack of an anesthetist. Learning to administer anesthesia is a very "hands on", technical procedure that can be competently taught in one year in a step wise manner. Many rural patients will doubtless benefit from these skillful, nurse anesthetists.

Continued medical education for many doctors in Nepal consists of drug-company sponsored evenings where an expert gives a talk followed by dinner. For the first time in Nepal, NSI has created and disseminated Nepal's continuing medical education course (Volume 1 and Volume 2) for doctors which is very relevant and popular.

NSI, by taking this untrodden path to better health in rural Nepal, has certainly enshrined the memory of Nick in Nepalis, especially those receiving competent care in their own communities in the hills. ■



Nick Simons

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