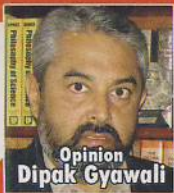


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Opinion
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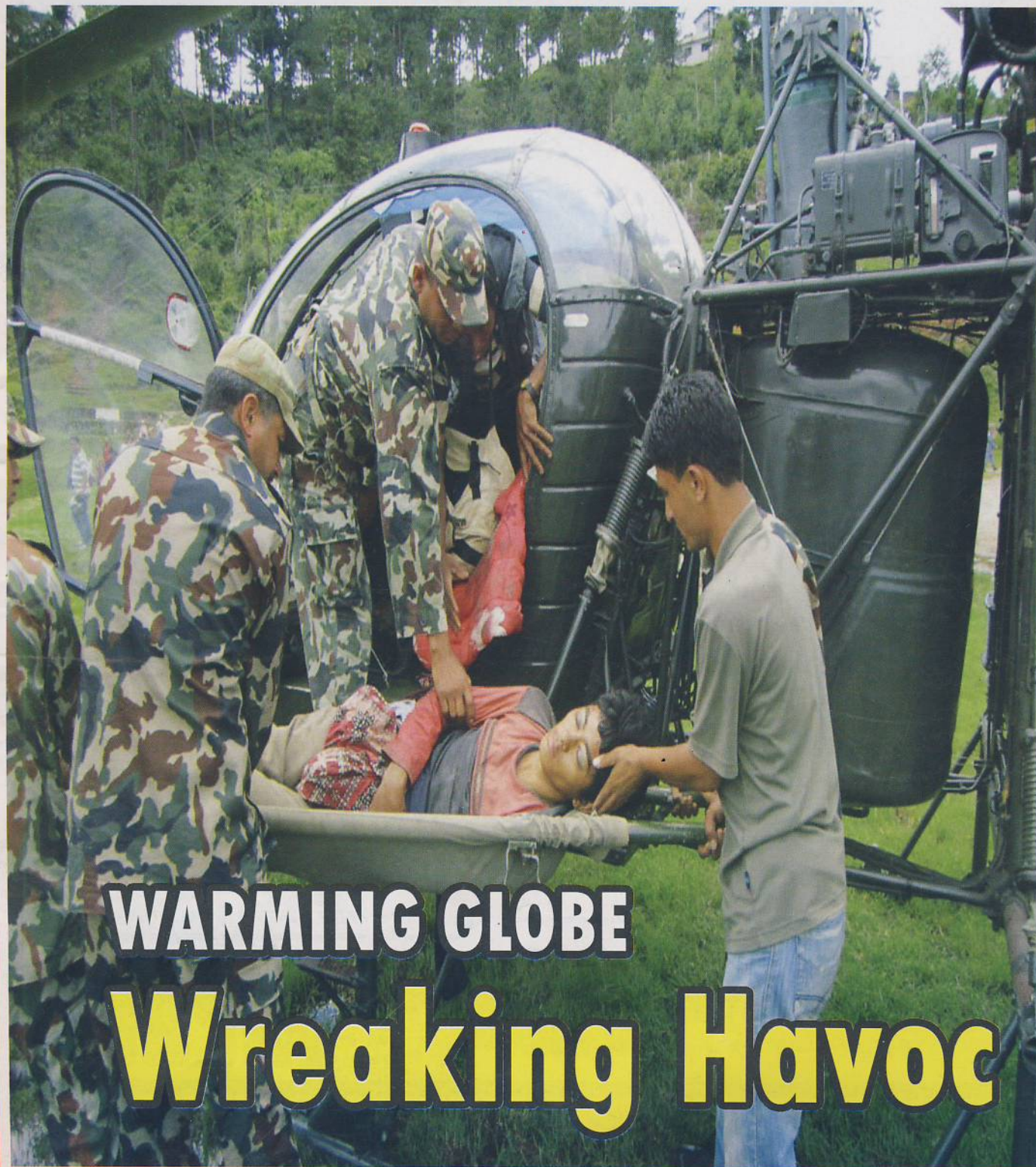
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From The Editor

More than two months have passed since the constituent assembly failed to meet the constitution deadline. Having extended the life of the CA, the major parties vowed to pump oxygen into the statute-making exercise. They have ended up in prolonging the life of a care taker government that can not take care of the day-to-day administration, let alone constitution making. As we went to the press, the legislative-parliament was about to go to the fifth round of elections for the prime minister. Four rounds of voting in a span of a month went in vain. The consensus mantra aside, there was little that saw agreement among the big parties. As Pushpa Kamal Dahal 'Prachanda' and Ram Chandra Poudel locked horns, Jhalanth found himself out of the ring. But if the former two would not give up, the latter had not lost hope yet. The seat of power was everyone's priority, not the constitution. Small parties were no exception.

Ideas and principles are something only fools and cowards talk about in these days of horse-trading and power-sharing in the New Nepal heralded by the 12-point Delhi agreement-triggered *jana aandolan*. So, the obvious question of many is: even if we have a new prime minister, a new government and a new constitution will it make any difference? Such frustration and loss of faith in future can be dangerous and disturbing.

Keshab

Keshab Poudel
Editor

NEW SPOTLIGHT FORTNIGHTLY

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Cover Story: WARMING GLOBE:Wreaking Havoc

14



INTERVIEW: Pirkko-Liisa Kyösti 18



New Spotlight Investigation: Mechinagar Municipality 23

NEWSNOTES

2

ECONOMIC BRIEFS

4

NEWS CLIP

5

OPINION : Dipak Gyawali

6

NEPAL AND UK: Waiting For Mr Cameron

7

THE PRIME MINISTER:Race In Mess

9

SHYAM SARAN: He came, he saw but did he conquer?

10

COMMENTARY : Yubaraj Ghimire.

11

VIEWPOINT: Kirti Nidhi Bista

12

POLITICS: VOTING PUT OFF

13

DELHI DIARY : ABIJIT SHARMA

17

PERSPECTIVE : Dr. K. Uprety

20

SEBS Elected New Executive

21

PROFILE : Dr. Rishi Kumar Kafle

22

ART

27

HEALTH : BUDDHA BASNYAT, MD

28

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India Celebrates Independence Day

Twenty ambulances and four school buses were gifted by the Indian government to various medical institutions, charitable organizations and educational institutions in different parts of Nepal on the occasion of the 64th Independence Day of India on August 15, 2010.



At a public function held in the Embassy premises in Kathmandu, Ambassador of India Rakesh Sood presented 16 ambulances and four buses to recipient organizations from 17 districts. Four ambulances were gifted by Consul General of India at Birgunj T. Ashok to organizations from Parsa, Mahottari, Chitwan and Rautahat districts, which come under the

consular jurisdiction of Consulate General of India, Birgunj.

During the Independence Day function, the Indian ambassador also presented books to 25 educational and training institutions located in different regions of Nepal, including some remote districts of the country.

Bhu Puu 2010, an annual publication by IEWON (Indian Army Ex-Serviceman Welfare Organization), was also released by the ambassador on the occasion. It provides information about welfare related aspects for the Nepal domiciled government of India pensioners.

Since 1994 the government of India has gifted 282 ambulances to various organizations across 68 districts in Nepal. This has helped in bringing healthcare services at the doorsteps of thousands of people who do not have access to healthcare services, especially in remote areas, by connecting them with the nearest district hospitals/health centers. Based on the feedback available with the Embassy since June 2005, nearly a million patients have been served by these ambulances gifted by the government of India.

US Support To Schools

Ambassador of the United States Scott H. DeLisi inaugurated two schools – *Shree Poshan Laljit Nepal National Lower Secondary School* and *Nepal National Primary School*— in Bara district on June 16, 2010.

These schools, along with eight additional schools in Bara and Parsa districts, were constructed and furnished by the Flood Recovery program of the U.S. Agency for International Development (USAID).

In addition to infrastructure development, the program has contributed to increasing farmers' productivity and income, improving awareness of sanitation, nutrition, gender and protection issues, and strengthening local organizations by expanding participation among youth and vulnerable populations.

Over 486,061 Nepalese are expected

to benefit by the end of the project in March 2011.

"I am pleased to see U.S. government assistance going into building better school facilities for children and creating a more conducive and dignified learning environment, because education is fundamental for national progress," U.S. Ambassador DeLisi remarked at the inaugural function. "I hope the Government of Nepal, the private sector, and local communities will together continue to invest in their school systems. Nepal must continue to open doors for students pursuing formal education. Education is the foundation for every aspect of national development."

No Room For Complacency: UN Rights Chief

The continuing violations of the rights of indigenous peoples, in all

regions of the world, deserve utmost attention and action, UN High Commissioner for Human Rights Navi Pillay said in statement to mark the International Day of the World's Indigenous Peoples on 9 August 2010.

"We have cause to celebrate the progress made in turning human rights into a reality for indigenous peoples, but this International Day of the World's Indigenous Peoples is also an occasion to recall that there is no room for complacency," Pillay said.

Bhutanese Refugees Off To UK

Thirty seven refugees from Bhutan headed for the United Kingdom departed from Kathmandu. "The UK has a long history of welcoming people from other countries – we know that the diversity it brings makes our country stronger. It's heartening to meet the refugees about to leave for the UK to start new lives after so many years of uncertainty. I am confident that they will integrate well into their new host community and I wish them every success in the UK," the British Chargé D'Affaires, Sophia Willitts-King said visiting the International Organization for Migration (IOM) Transit Centre on August 9.

UK has now joined the 'Core Group' - now a group of eight resettlement countries - that has offered resettlement to the refugees from Bhutan as part of responsibility sharing.

New British Ambassador In Nepal

British Ambassador John Tucknott MBE arrived in Kathmandu to take up his duties. He is accompanied by his wife Riitta-Leena.

The Ambassador was greeted at the airport by the Deputy Chief of Protocol and the British Chargé d'Affaires.

Tucknott said, "I'm honored to serve in a country as rich in culture and history as Nepal. I look forward to bringing the people of Britain and Nepal closer together."

John Tucknott joined the British Diplomatic Service in 1977. He has long experiences of working in West Asia.

Ambassador Tucknott was Director, Global Investment Conference - London 2010, before his appointment as the ambassador to Nepal.



He served as Deputy Head of the Mission in Baghdad in 2007 – 09, and Deputy Head of the Mission to Beirut in 1988-1993 and senior directing staff at Royal College of Defense Studies (London) between 2005-2009. He was also UK Coordinator for War Crimes Issues.

Adoption Processing Suspended

In order to protect the rights and interests of certain Nepali children and their families, and of U.S. prospective adoptive parents, the Department of State and U.S. Citizenship and Immigration Services (USCIS) have jointly decided to suspend adjudication of new adoption petitions and related visa issuance for children who are described as having been abandoned in Nepal.

Civil documents, such as the children's birth certificates often include data that has been changed or fabricated. Investigations of children reported to be found abandoned are routinely hindered by the unavailability of officials named in reports of abandonment. Police and orphanage officials often refuse to cooperate with consular officers' efforts to confirm information by comparing it with official police and orphanage records. Hence, the Department of State has concluded that the documentation presented for children reported abandoned in Nepal is unreliable. The U.S. Government can no longer reasonably determine whether a child documented as abandoned qualifies as an orphan. Without reliable documentation, it is not possible for the United States government to process an orphan petition to completion.

"To the best of our knowledge, all other countries that had been processing adoption cases from Nepal have stopped

accepting new cases due to a lack of confidence that children presented as orphans are actually eligible for inter-country adoption," the statement said.

B'desh Marks National Mourning Day

The 35th martyrdom anniversary of the Father of the Nation Bangabandhu Sheikh Mujibur Rahman, the supreme leader of Bangladesh's arduous struggle for independence, was observed throughout Bangladesh, as well as in other parts of the world, including Nepal, in a befitting manner.

In order to commemorate the Day, Bangladesh Embassy drew up a program that included official hoisting of the National Flag at half-mast, reading out the messages of President, Prime Minister and Foreign Minister of Bangladesh.



Dr. Neem Chandra Bhowmik, the Ambassador of Bangladesh to Nepal, officially hoisted the National Flag at half-mast at the Chancery. Advocate Syed Rezaur Rahman, member of Awami League Advisory Council and Advocate Professor Momtaz Begum, Chairman of Jatiyo Mohila Sangstha came from Bangladesh to attend the morning program.

Nepali dignitaries of different sectors, foreign diplomats, Nepalese media people, expatriate Bangladeshis, officers & staff members of the Embassy and their family members were present in the program.

In the evening program, discussion on the life of Bangabandhu, special prayer and Milad-e-Mahfil, and a film show on the life of Bangabandhu were included. The life and ideals of the Father of the Nation Bangabandhu Sheikh Mujibur Rahman, and his historic role in the emergence of Bangladesh as an independent nation featured in the discussion meeting. A documentary film on Bangabandhu titled 'Hazar Bochorer Sreshtho Bangalee' produced by ATN Bangla was shown on the occasion.

Industry Minister Mahendra Prasad Yadav recalled the bilateral relationship of Bangladesh and Nepal that started from the time of liberation War of Bangladesh in 1971.

In his speech, Ambassador of Bangladesh Dr. Bhowmik remembered Bangabandhu's historic role in the emergence of Bangladesh and stated his martyrdom as the greatest loss of the Nation, also of this region.

Member of Awami League Advisory Council Advocate Syed Rezaur Rahman, Chairman of Jatiyo Mohila Sangstha Advocate Professor Momtaz Begum, Secretary of Dhaka Journalist Union Mr. Shah Alamgir and renowned leader Mr. Shawkat Hossain came from Bangladesh to attend the program.

British Gurkha Shot Dead In Afghanistan

The British Embassy announced the death of a Gurkha soldier, serving with the Queen's Gurkha Engineers, at Patrol Base Shazad, Helmand Province Afghanistan, on Friday 13th August 2010.

It is believed that the Sapper was shot dead by a member of the Taliban, the Embassy said, expressing great sadness on the death.

Embassy sources said the family of the soldier, who reside in Kaski, were informed on Saturday morning. They have requested a period of grace before further details are released.

A spokesman from his Regiment said "We all mourn the loss of this fine young soldier, who was working alongside his British and Gurkha colleagues to bring peace and stability to troubled Afghanistan." ■

(Compiled by Nitish Dev Bhattarai)

No impunity to taxpayers: SC

The Supreme Court (SC) has ruled that the tax assessments presented by the taxpayers to the Finance Ministry cannot be treated as secret document as purported by the Ministry. The Special Bench of Chief Justice Ram Prasad Shrestha, judges Balram KC and Prakash Wasti gave the decision on August 12. With this decision, the properties of the entrepreneurs who have disclosed their incomes will be brought under the purview of investigations. Last year, then Finance Minister Dr. Baburam Bhattarai had brought the Voluntary Disclosure of Income Scheme (VDIS) asking entrepreneurs to pay tax promising that the documents they produce will not be made public.

FNCCI, CNI dissatisfied with govt's rule

Both Federation of Nepalese Chamber of Commerce and Industry (FNCCI) and Confederation of Nepalese Industries (CNI) have expressed dissatisfaction over the proposed rule of procedure finalized by the government regarding the issuance of Certificate of Origin (CoO). Following the dispute between FNCCI and CNI over the CoO issuance process, the government had proposed the new rule. The FNCCI has expressed dissatisfaction over the government's 'attempts to recognize' CNI on par with FNCCI. The Ministry of Commerce and Supplies has proposed setting up a separate board to issue the certificate. The FNCCI is unhappy over its structure and method of distribution of resources. As per the proposed rule, the traders need to receive a certificate in the name of FNCCI. The CNI has opposed this provision saying that such a provision must be time-bound.

Auditors receive flak from FM

Finance Minister Surendra Pandey has come down hard against the auditors accusing them of 'cooking up figures' instead of 'auditing.' Minister Pandey asked the auditors to work to end financial irregularities committed by various institutions. "Nepalese professionals have big houses and vehicles. But they do not pay taxes. Are auditors responsible for this situation or not?" he asked, speaking at a program organized, on August 13, by Auditors' Association of Nepal. According to latest data, around 500,000 people pay tax in the country – which is only 2 percent of the total population.



Real estate price down by 20 percent

Following the stringent rules imposed by the central bank on the banks and financial institutions on their investment in real estate sector, the price of land in Kathmandu Valley has come down by 20 percent. Particularly, the small investors who

had obtained bank loans are now selling off the lands even in reduced price in order to pay bank interests. Land price in surrounding areas of the valley such as Imadole, Tikathali, Siddhipur, Lubhu, Lamatar, Godavari, Badikhel, Jharuwarasi, Lele, Dukuchhap, Chhampi, Setidevi, Dharmasthali, Manamaiju, Tokha etc have come down by 10 to 20 percent. After the International Monetary Fund (IMF) pointed out the risks of over exposure of banks' portfolio towards real estate investments, the central bank introduced the stringent rules. In its recent monetary policy, the Nepal Rastra Bank (NRB) has stipulated that banks' investment on real estate should not exceed 10 percent of its total loan investments. According to Department of Land Reforms and Management, the government revenue from land sales this year was less by Rs 1 billion compared to last year.

NEA issues SOS calling for tariff hike

Stating that its accumulated losses have soared, the Nepal Electricity Authority (NEA) has proposed to Electricity Tariff



Fixation Commission (ETFC) to hike its tariff by 30 percent. "Otherwise, the NEA will become bankrupt," said its managing director Jibendra Jha. The NEA has said that its loss in the last one year was 23 percent more than the amount it incurred in the previous year. The annual loss of NEA is said to be around Rs 6 billion. Its accumulated loss has reached Rs 19.5 billion.

Home TV Starts First DTH Service

Home TV Pvt Ltd has started the first Direct-to-Home (DTH) service in the country. The service has been launched across the country with 50 distributors. President of the company DB Sherchan has said that the Home TV's DTH will not only include entertainment and news channels but also educational ones. He said the company will launch distance learning and awareness-generating services targeted at remote regions. Initially, it will provide 63 channels, which will be increased to 80 after three months. The customers will need to pay Rs 7600 (excluding VAT) to install set up box and 60 cm antenna. They will have to pay the minimum of Rs 250 per month. ■



Delhi's Conclusion

The sudden support of the Nepal Majdoor Kisan Party chairman Narayan Man Bijukchhe to Prachanda's candidacy (in the fourth round of voting for the prime ministers) has also jolted India. Bijukchhe had long been a vocal critic of the Maoists and a strong advocate of presidential rule. According to sources, India believe that the Chinese have brought the Nepal Majdoor Kisan Party, the royalists and the Maoists together. Even now, India has been smelling anti-Indianism in the growing proximity of the Maoists with the businessman Ajay Sumargi, the son-in-law of the former king, Raj Bahadur Singh and the royalist Kamal Thapa-led Rastriya Prajatantra Party-Nepal. (*Nepal weekly, Aug 15*)



Northern Vs Southern Borders

The Nepalese leftists are engaged in a strategic plan to tighten the southern borders with India while loosening the northern borders with China. The recent special agreement between Narayan Man Bijukchhe and Prachanda underscores this reality. The world's largest democracy, India, is not expected to do anything that helps such a leftist plan. (*Ghatana Ra Bichar, August 11*)

Maoist Issue In London

The London-based group of the world's Maoist organization has got a briefing on the Nepali Maoists from a former Maoist

central leader. The Revolutionary International Movement (RIM) invited Matrika Yadav to London to get the update. Established in 1984, the RIM has as its member the Maoist parties from Nepal, the United States, Iran, Turkey, the Philippines, Afghanistan, Colombia, Peru, Haiti, New Zealand, Italy, Britain, Dominican republic, Sri Lanka and India. The RIM has been critical of the Nepalese Maoists' decision to join the peace process. (*Jana Aastha, August 11*)

Violent Demonstrations by Nepalese Workers

A demonstration carried by more than a thousand factory employees, mostly migrant workers, against the death of a 20-year-old Nepali worker turned violent on the second day as the protesters vandalised and set fire to the guard post in the Tebrau industrial area in Malaysia.

According to a report on the online version of The Star daily Tuesday, the protest lasted some eight hours and it was also joined by workers mainly from Nepal, Myanmar, Vietnam, Bangladesh and India. The protesters turned fire extinguishers on bystanders and chased after a vehicle ferrying two health inspectors.

The protest erupted on Sunday following the death of a Nepali factory worker from high fever allegedly because the management had been slow in sending the worker to hospital, the report said.

The demonstrators demanded higher wages from the company they are working in.

The news portal also quoted a Bangladeshi national as saying, "We want the company to provide a mini-clinic within the compound and to pay about RM 25,000 to the family of any worker who dies here."

The deceased is yet to be identified. nepalnews.com

Court Verdict on September 23

The Supreme Court (SC) has scheduled the final verdict on a case against President Ram Baran Yadav's decision to block the Council of Minister's decision to sack erstwhile Chief of Army Staff Rookmangud Katawal for September 23.



A full bench of justices Tapa Bahadur Magar, Prem Sharma and Mohan Prakash Sitaula said on Tuesday that the final verdict on the case will come on September 23.

The case was escalated to a full bench after opinion of justices Damodar Prasad Sharma and Rajendra Prasad Koirala differed on whether or not to scrap the case, on April 13, 2010.

Advocate Shrikrishna Subedi had filed a writ against the President's move to block the cabinet's decision to sack the erstwhile army chief Katawal. Katawal has already retired from his position now.

Saying the subjudice case on the President's move had raised serious constitution question, the SC had ordered the bench to expedite the hearings and give a decision within one month. nepalnews.com ■

What Ails Nepali Marxists?

— DIPAK GYAWALI



Marxism certainly appears to be Nepal's dominant political philosophy. Parties that call themselves 'communist' have 61% of the seats in parliament; and the figure increases to 90% with the Madheshi Forum whose leader was a Maoist and the Nepali Kangress that volunteered as a willing porter for the Maoist agenda of "climbing on liberal shoulders to smash the head". Is Marxism the wave of Nepal's future or merely the opium of its Left?

Being a Marxist politician in Nepal entails doing political somersaults that would amaze a veteran circus acrobat. During the Panchayat years, they perfected the art of cohabiting with feudal partylessness to the extent of manning its politburo, the Gaon Pharka and the entire rural educational structure, prompting BP Koirala to complain that they used the 'Adit formula', named after the Indonesian communist leader who had similarly infiltrated Sukarno's rule. In 1979, during the National Referendum, the dominant Marxist-Leninists supported the 'yellow' Panchayat against the 'blue' multiparty proponents who lost by a narrow margin. Going by the reports in the press this week, the Maoists – who spearheaded the republican agenda and steam-rolled the constitutional monarchists among the Kangress and the RPP – seem tactically nimble enough to suggest a 'cultural king'. To understand the contradictions of Nepali Marxists, whose leadership has picked

Today's task therefore is hardly the violent overthrow of everything old but the political re-orienting of the state mechanism towards social justice even as the economy develops the essentials of a capitalist base and superstructure.

up that philosophy not from original sources in the European languages but from the Hindi writings of Rahul Sankirtayan and others, one only has to look at their Indian gurus. They had actively opposed Mahatma Gandhi's Quit India movement against the British in 1942! Obviously, any tactics that exacerbates the contradictions, even sleeping with the enemy, is OK if it allows capturing state power.

These contradictions come from Nepali Marxists being both vernacular rural politicians rooted to their place and time unlike their more uprooted urban political competitors, as well as beholden to an ill-digested political philosophy whose premises have little bearing with Nepali social history. When Nepali political realities creep upon and strangle fanciful Marxist theoretical constructs, much like a *peepul* tree smothering an old temple, a bitter debate ensues that has factions determined to construct anew their own edifices off-limit to other Left untouchables. Marxist parties split like amoebas and denominations multiply to match the Hindu pantheon as they engage in internecine wars of purity in interpreting the *shastras* handed down by the Bearded One.

There have been some stunning admissions by Marxist intellectuals in the last month alone. Ghanashyam Bhusal is a UML 'young Turk' and a leading light of what is known as the Third Current that shuns both the ideological extremism of the Maoists and the pro-Kangress ideological barrenness of the Oli faction. He laments in *Naya Patrika* that UML party cadres are not engaged in productive enterprises but in NGO-milking and forming alliances with CDOs and LDOs for rent-seeking corruption including hydro license speculating. For them, the critical study of Marxist literature and refining UML's ideology of *bahudaliya janabad* might well be arcane nuclear physics! Khagendra Sangraula, the prolific and popular Left columnist, describes in *Nepal Weekly* his epiphany when he encountered Kathmandu's communists as a student: "Mao's Red Book was the Holy Gita and changing even a comma was an unpardonable betrayal of the cause. The communist path was one of doubtless faith and unquestioned dedication."

The most interesting exchange has occurred in the quarterly *Raato Jhilko*, a name borrowed from Lenin's *Iskra*, which was run by Baburam Bhattarai decades ago and now has been revived by his daughter. Baburam admits that Stalin "did make some mistakes" and perhaps his rival Trotsky had a more correct analysis of the overall situation (*horrors!*), but continues to stubbornly insist that Prachanda Path is the culminating glory of global Marxism. Chaitanya Mishra, by far the most erudite neo-Marxist Nepali scholar today, annihilates that position as never done in Nepali before. Tracing the distorting of Marx's thought to Lenin himself – and borrowing from Meghnad Desai's revised outlook in *Marx's Revenge* of Marxian thinking (as opposed to Marxist party theology) being more relevant for social justice today after the collapse of the Berlin Wall – Mishra concludes (correctly) that no socialism can occur, let alone communism, in a pre-capitalist economy. Today's task therefore is hardly the violent overthrow of everything old but the political re-orienting of the state mechanism towards social justice even as the economy develops the essentials of a capitalist base and superstructure. It is only the contradictions therein that can develop into a socialist revolution.

It must be with horrifying pain that these Marxist idealists must be coming to terms with the gruesome, "actually existing" realities of communist party practices in Nepal: the love triangle murder in the Maoist Saina-Maina camp, the extortionist criminal activities by the likes of Kali Bahadur Kham protected by the revolutionary party, M-L MP Sarda Nepali's suicide attempt and the ensuing revelation that even a fringe communist party can brazenly engage in illegal and quite feudal taxation of its serfs, etc., etc. How would they explain, for example, that, contrary to accepted Marxist beliefs, the most vitriolic opposition to the successful community electricity movement or for efforts to reduce electricity theft by NEA employees comes from the trade unions of the Left parties? They should ask, how can the Left

'progressives' be even more reactionary than 'rightists' and royalists?!

The answer actually lies in the century and a half of developments in the social sciences, economics and philosophy since Karl Marx, Ricardo and Hegel. And the big names that Nepal's Left needs to begin engaging with are the other two great Karls, Polanyi the political economist and Popper the philosopher of science and freedom. Polanyi's 'double movement' argues, in a manner far superior to Marx, why it is the space given to civic movements in a democratic polity that ameliorates the negative consequences of the capitalist 'satanic mill'. The alternative to such a polity is the fascism of 'public-private partnership' that does not allow for civic voices, where business interests subsume the public as their handmaiden. This is proven by all major Nepali communist parties that have nominated not social activists but the scions of trading houses to the Constituent Assembly. Polanyi's political economy is more relevant today, simply because it is the egalitarian global Greens who advocate environmental and social justice and not the bureaucratic Reds, who have become just another group of corporate interests carving out an exploitation sphere in the state mechanism.

The other Karl, the Viennese-LSE philosopher Popper has demolished all claims of Marxism to be scientific, so much so that Oxford philosopher and socialist Labour MP Bryan Magee confesses he "cannot see how any rational man can have read Popper's critique of Marx and still be a Marxist". Its fundamental theoretical pillars stand falsified: communism has not come about in advanced industrial countries and, where it has, it has not been brought about by the workers; the proletariats in the North have not gotten poorer but become richer; wealth has not concentrated in fewer capitalist hands but, through joint-stock companies, been 'democratized' as never before; and, most tellingly, its experiments in the Soviet Union and China have failed. Yet Nepal's Left continues to genuflect as if drugged with opium before its doctrines.

Perhaps they should pursue a more basic question: is today's need a revolution wiping the slate clean (and being unable to write anything on it afterwards, educated writers having been thrown into the dustbins) or is it social justice? If it is the latter, Edmund Burke is right to say: "The only political change that is an improvement over the past is one that is organic, not revolutionary". His unromantic assessment of the French Revolution explains how it was hijacked by unscrupulous public creditors, much as in Nepal today by the Left's corporate unions. ■

NEPAL AND UK

Waiting For Mr Cameron

Despite two centuries old relations, no British Prime Minister has visited Kathmandu. Will David Cameron be an exception?

By BHAGIRATH YOGI in London

During his visit to Delhi in the last week of July, British Prime Minister David Cameron stressed on 'special partnership' with the emerging regional power. The huge business delegation he was heading clearly underlined the importance new British coalition government attached to India. While watching the high profile visit of Mr Cameron to the sub-continent, many in Nepal wondered if he would ever visit Kathmandu—to set a history of its kind.

On 13 July this year, Major James Joshua Bowman, Lieutenant Neal Turkington and Corporal Arjun Purja Pun from 1st Battalion The Royal Gurkha Rifles were killed in Afghanistan. The soldiers, serving as part of Combined Force Nahr-e Saraj (South), were killed in a suspected premeditated attack by a member of the Afghan National Army.

Secretary of State for Defence, Dr Liam Fox, said: "The despicable and treacherous act which has taken the lives of these three brave men will not dent the resolve of the colleagues they leave behind. "I extend my deepest condolences to the families and loved ones of the servicemen killed in this atrocious attack, their sacrifice will not be forgotten," he said.

Parents of Neal Turkington sent an invitation to the Nepali embassy in London to attend the funeral rites of their son being organised in the UK. "We were really moved to get the invitation," says Dr Suresh Chandra Chalise, newly appointed Nepali ambassador to the UK. "British soldiers and Gurkhas are fighting side by side in Afghanistan to make the world a safer place. It is indicative of the



British PM David Cameron :
Friendship matter

emotional bond between our two communities, which is unique."

High-Level Visits

Foreign relations experts say high level visits are also instrumental in strengthening bilateral relations and boosting mutual cooperation. They also bolster mutual understanding and build mutual trust "Nepal needs British support for development and Britain needs Nepali nationals to work in its armed forces, in the midst of growing challenges at both ends. High-level visits from Great Britain will be more beneficial to both countries than the other way round in terms of getting media coverage to raise awareness, earning appreciation of peoples from both countries, and reinforcing Nepal-UK relations," said Murari Sharma, former Foreign Secretary, who has also served as Nepali envoy to the UK and United Nations.

Sharma's successor, Dr Suresh Chandra Chalise, is already

lobbying with British leaders and parliamentarians to ensure that Prime Minister Cameron visits Nepal sooner than later. "I have met more than a dozen British MPs over the last few months and all of them were surprised to learn that no British Prime Minister visited Nepal despite two centuries old relations between them.

Nepal and Britain established relations in 1816 after the Anglo-Nepal war in which Nepal was defeated and was forced to sign the humiliating Sugauli treaty. But the way Nepalis resisted the advancing British army and fought valiantly, British were impressed and decided to recruit them in their army. At first they started recruiting Gurkhas in the Anglo-Indian army and later in the British army after the independence of India. Gurkhas have ever since fighting for the British in every major theatre of war including World War I and II.

Approximately one hundred thousand Gurkhas took part and many of them died during these wars. A total of 13 Gurkhas have been awarded Victoria Cross by the British government in recognition of their bravery. Twice a year Commonwealth High Commissioners and the Nepalese ambassador lay wreath on the memorial monument of the heroes at the Constitutional Hill in London.

Queen Elizabeth II visited Nepal twice—in 1961 and 1986, along with her husband Prince Phillip. Late King Mahendra, late King Birendra and a number of Nepali prime ministers have visited London on official visits. Dr Chalise said while presenting his credentials to the British monarch in May this year, he spoke about centuries old Nepal-UK relations and highlighted the role played by Gurkhas in bringing the two countries together. Responding to him, the Queen said, "Do you know ambassador, when my grandson was in Afghanistan, he was with the Gurkhas. And, there are two Gurkhas in my Palace."

Development Assistance

Since 1950s, UK remains a major development partner of Nepal. The 50-km long Dharan-Dhankuta highway constructed with the British assistance serves as a major transport route in

eastern Nepal. UK has now become the single largest bilateral donor to Nepal (by replacing Japan). The British government provided £110 million of aid for Nepal in 2007/8. Department for International Development (DfID) announced a three year package of support of £172 million as part of its Country Action Plan for Nepal announced in March 2009.

Some 28,000 British tourists visit Nepal every year, which is expected to go up as Nepal is observing the Nepal

a country which has a great deal to offer to the world and to the people of the UK. Nepal is rather unique in so many respects, including its Himalayan ecology and rich biodiversity. Politically too, Nepal is well placed to serve as a neutral country to mediate some of the thorny problems in the region, including political ones," said Prof. Subedi. "By working with Nepal the UK has an opportunity to bring about lasting peace in the region and make a contribution to the promotion of international peace, democracy and human rights globally."

Looking Into Future

A member of the UN Security Council, the UK continues to wield considerable influence on events affecting the world at large. In addition, the British monarch is the head of Commonwealth as well as the head of state of a number of countries including Australia and Canada.

"Britain has traditionally seen Nepal as an important ally in South Asia, sustained by the Gurkha connection. It is this background which offers a strong basis for Kathmandu to maintain—and promote—close relations with London," said Dhruvahari Adhikari, a senior journalist who writes on foreign affairs.

Adhikari, who was working with the state-run Gorkhapatra daily, during Queen Elizabeth II's second visit to Nepal in the mid-1980s, recalls how then King Birendra worked hard to make the visit a success. Sir Geoffrey Howe, deputy prime minister, had accompanied the visiting British monarch. "In early 1980s, when Prince Charles was in Nepal a big crowd of journalists followed him—primarily to know how he communicated with Lady Diana Spencer from his trekking camp beyond Pokhara. They were yet to be formally engaged," said Adhikari.

"Our mission is doing its best to make that happen," said ambassador Chalise.



Gurkhas in Afghanistan : Watchful eye

Tourism Year 2011. British businessmen are looking forward to invest in hydropower, tourism and services sector in Nepal, according to officials.

"Given the long historical relations between the two countries, UK is better placed than many other countries in Nepal to assist the country in the development of the economy. The UK assistance could be better spent on harnessing the natural resources of Nepal, promoting tourism and building infrastructure relating projects," said Prof. Surya P Subedi, OBE, who teaches international law at the University of Leeds.

"UK should see Nepal not only as a strategically placed country but also as



Prachanda (Left) and Poudel : Chair is rare

THE PRIME MINISTER

Race In Mess

The race for the prime minister's chair got messier with every new round

By SAROJ DAHAL

He was one of the Deputies with arguably closest links and contact with the Indian embassy at Lainchaur.

The association dated back to years. The man would himself boast of the “achievement”

But the Madhesi-turned Maoist Ram Kumar Sharma got the shock of his life when, according to him, he received death threat from a consular in the Lainchaur mission.

He was also allegedly threatened with expulsion of his daughter from the Indian school in Kathmandu.

The embassy trashed the allegations and refused to even deny it lest it would “dignify” the allegations.

Though unsubstantiated, yet, there are more takers of the allegation than those who do not buy it.

The former joint general secretary of

the regional Terai Madhesh Loktantrik Party was apparently targeted for trying to lure his former colleagues into voting for the Maoist candidate for the prime minister ship – Pushpa Kamal Dahal ‘Prachanda’

He was overseeing the horse-trading of the MPs with fellow comrades, Pampha Bhusal, Shakti Bahadur Basnet and Haribol Gajurel, getting into action at a rented hotel room, less than a kilometer from the CA premises.

Eleven MPs of a Madhesi outfit obliged and crossed the floors in the third round of the voting, while others could have followed in the next round had it not been for a hastily-arranged dinner between the top leaders of the Madhesi parties and the visiting envoy of the Indian prime minister, Shyam Saran.

The incident brings to light – one more time – the volatility of Nepali politics as the “sovereign” constituent

assembly repeatedly fails to elect a new prime minister.

The threat to Sharma demonstrates the desperation of influential external powers to get something done – or undone.

Equally importantly, it exposes the “revolutionary” character of the erstwhile rebels.

The mainstream parties, treenail Congress and the UML, had done it before. The dirty game was in full view during the hung parliament in the mid-Nineties.

Few thought the ‘different’ and the untested Maoists would tread the same path.

Needing 60-odd extra votes to regain the Singh Durbar chair, Prachanda went out of the way. Not just in terms of buying votes. But in terms of wooing the monarchists as well.

The firebrand harbinger of republic Nepal met the likes of Tulsi Giri, Marich Man Singh Shrestha and son-in-law of the ex-king Gyanendra to drum up the royalist support for “a nationalistic cause” which he promised would be served only if he ascended to power again.

According to the parliamentary party leader of the 4-member royalist Rastriya Prajatantra Party-Nepal, Chandra Bahadur Gurung, Prachanda even offered to restore “cultural” monarchy in return of support to his PM’s candidacy.

Gurung’s claims have not been denied yet.

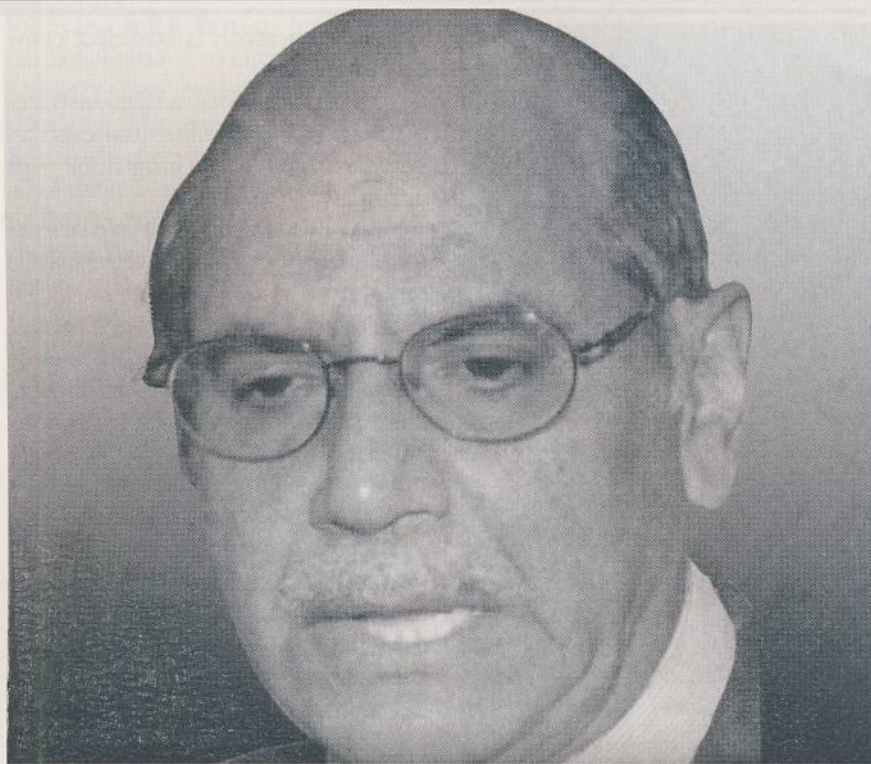
Not those other parties would not compromise their principles and values for the sake of power.

But unlike the Nepali Congress and the UML, the Maoists are better placed to take a shot at the power.

The former rebels have a number that exceed the combined strength of the NC and the UML.

With the UML backing out of the race for a majority government, the NC is left in the fray. But without the UML support the NC can not hope to get its way no matter how low it stoops to gain the power.

Understandably, the Maoists were in a position to play every game – fair or foul. They played it too. In vain, though, as of writing this. ■



Saran Diplomacy : What achievement ?

SHYAM SARAN

He came, he saw but did he conquer?

Totwithstanding the controversies surrounding his hasty visit to Nepal, Shyam Saran had the ears of prime minister Man Mohan Singh became clear when the latter banked on the diplomat's reports to brief a main opposition Bharatiya Janata Party delegation on Nepal crisis.

Emerging from the meeting with Singh, the BJP leader Vijay Jolly warned against the installation of a Maoist-led government in Nepal.

That was a big boost to the Congress-led coalition government in Delhi which has been going out of its way to ensure that a non-Maoist led government was put in place in Kathmandu.

It was with that purpose that Shyam Saran came to Nepal after the Maoists nearly pulled off a coup of sort by luring the MPS of the "pro-Indian" Terai outfits to vote for Prachanda in the third round of elections.

The fourth round was, expectedly, inconclusive. And the fifth round looked to meet the same fate, one day before the voting.

But the Maoists were not out of the race yet. The cozying up to the Maoist-friendly UML boss Jhala Nath Khanal had every chance of threatening to disrupt Delhi's calculations.

Delhi was perhaps aware of it. This explains Saran's parleys with unexpected quarters, in Kathmandu.

On arrival, he told reporters at the airport that he was here as envoy of prime minister Man Mohan Singh to help facilitate consensus and ward off concerns over Nepal's peace process, stability and constitution were at peril.

What he did soon after was to see the outgoing prime minister Madhav Kumar Nepal who, having been reduced to a caretaker head of government, has no authority whatsoever to contribute to the cause of stability and peace process.

The next man on Saran's list was the

figurehead president Ram Baran Yadav who "boldly" stepped in to foil the then prime minister Prachanda's bid to replace the Nepali army chief.

The every busy envoy, engaged in countless meetings with top leaders of three big parties, the four Terai-based regional parties and two editors and a TV talk show host, just to mention a few, spared time to see the executive powerless president again before leaving for Delhi.

In between, he quietly met the chief of the Maoists' bête noire body, the 90000 strong Nepali army, Chhatra Man Singh Gurung

Gurung wanted it to be strictly "private" affair, but the information on one-to-one meeting got leaked out.

According to discerning analysts, it is these meeting that will matter the most in the days to come no matter how the prime minister's election drama unfolds.

Whether Saran's Nepal mission turns out to a success, from India's point of view, will largely depend on how much the southern neighbour has taken the northern giant, China, into confidence.

The growing Western presence in their Himalayan backyards is a concern both India and China do share.

That common concern will shape the destiny of Nepal. Not the "sovereign" Nepali voters least of all the toothless constituent assembly.

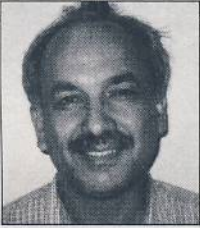
By A NEW SPOTLIGHT ANALYST

NEW SPOTLIGHT

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The Saran Wrap Of Nepal

-YUBARAJ GHIMIRE

Shyam Saran last visited Nepal in April 20, 2006, along with Congress leader Karan Singh, as special envoy of the prime minister. India's popularity in Nepal was then at its peak. Its lead role in the restoration of democracy — its mediation in bringing the Maoists to the peace process and within the democratic fold under the much-discussed 12-point agreement, and its support for Nepal's shift to federalism, republicanism and secularism — had positioned India as a country that recognised the need for radical changes in the neighbourhood. In that euphoric moment, India was accepted as a "friend in need" rather than a big bully. And Shyam Saran, who had been ambassador here before moving to Delhi as foreign secretary, was perceived as India's most visible face in Nepal during that phase.

But four years later, as he visits Nepal again as a special envoy, the country is in deep trouble and turmoil. The peace process has made little headway, except that the Maoists have not raised arms yet. The constituent assembly has failed to deliver the constitution on the rigidly prescribed deadline of May 28, and its credibility is so low that people do not even expect it to craft the constitution in its extended one-year tenure. The failure to elect a prime minister in the last three exercises in the house has further discredited the three major political parties — Nepali Congress, Unified Communist Party of Nepal-Maoist (UCPN-M) and the Communist Party of Nepal-Unified Marxist Leninist (CPN-UML) — as well as the constituent assembly. With so much uncertainty, and the parties' failure to institutionalise the changes of the 2006 movement, Nepal's political actors are now a discredited lot. And India is also seen as a failure, in equal measure if not more so. So Saran's image — as arguably the best known Indian in Nepal — is also not what is used to be.

Through his meetings in Nepal, Saran emphasised that peace, political stability and economic prosperity were vital for Nepal, and India was willing to contribute in the realisation of these goals. But with the UCPN-M, NC and UML as well as the United Democratic Madheshi Front (UDMF) failing to come together to form a national consensus government, none of these aims can be achieved. The country now reels under a daily eight-hour power cut, foreign investors do not see it as an attractive destination, and more than 300 industries (mostly small and medium ones) remain closed because of strikes, mostly by Maoist-led trade unions. The economy is at its worst point yet. The Madhesh groups largely see Saran as an ally and supporter of their demand that Nepal's plains — around 23 per cent of the total area with 48 per cent of the country's population — be an autonomous single province within federal Nepal. This is something all the three major parties have refused to concede. The day Saran was to arrive, Abisekh Pratap Shah, who was one of the 11 MPs to vote in favour of UCPN-M

chief Prachanda in the prime ministerial race on August 2, said that "India was interfering in Nepal's internal affairs" and that the Terai parties would not mortgage their nationalism and pride.

India's rise in Nepali esteem for a while after the 2006 changes, its increased presence and support to the abolition of the monarchy had a direct impact on the Chinese outlook on Nepal. For China, the monarchy's exit meant the loss of an ally that it had worked with, in close cooperation and trust, for more than half a century. That, along with the fact that the void created by the monarchy's abrupt end was too big to be exploited by India and the European Union, caused it to enlarge its presence in every sector in Nepal, from tourism to hydro-power, defence and development. As uncertainty and chaos loom large in Nepal, China is keen to have the same set of treaties that India has signed so far. China is also believed

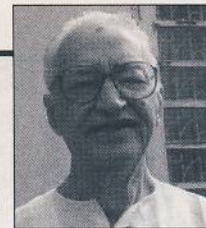
As a key actor and mediator, Saran would want the Nepali peace process salvaged, and the Maoists, as the largest party in the constituent assembly, given their due. It will be equally tricky for him to reassure Terai groups. They demand not only a province in federal Nepal that would dominate national politics, but also mass entry into the Nepal army (in proportion to the Terai population)

to have resented the Terai region's demand for autonomy, as a move to create a "buffer within buffer". In the current context, the intensified Maoist attack on the Indian state and their suspected proximity with Nepali revolutionaries is understandably a matter of concern for the government of India. As a key actor and mediator, Saran would want the Nepali peace process salvaged, and the Maoists, as the largest party in the constituent assembly, given their due. It will be equally tricky for him to reassure Terai groups. They demand not only a province in federal Nepal that would dominate national politics, but also mass entry into the Nepal army (in proportion to the Terai population). No other political party will accept that demand. Such unbridled aspirations and demands from organised groups and regions have sprung up regularly in Nepal's recent politics. The state's authority has been eroded by the casteist, ethnic and other rights-based movements funded and supported by the international community. Saran may not have much to contribute beyond sincerely assessing where India went wrong in Nepal, like the actors in its north. It will be easier for him, more than anyone else, to gauge the changes between his two visits to Nepal.

(IndianExpress)

Time Of Reckoning: Live Or Die

KIRTI NIDHI BISTA



Every Nepali citizen has been cherishing the dreams of a peaceful, progressive and prosperous new Nepal ever since the success of Jana Andolan II in 2006. Everybody believed in Nepal's leaders who left nothing for imagination when it came to making promises and thus placed unconditional trust on them by taking part in the constituent assembly elections amidst confusion and uncertainty. In return what the Nepali leaders seem to have delivered is the most unimaginable action in any nation's history—mismanaging the country so badly that it has given rise to a real danger to Nepal's independence and sovereignty, safeguarded and nourished by the ancestors ever since its existence. To think that the time that elapsed is less than three years in which the present Nepali leaders could spring such act plunging a peaceful and developing nation into the margins of terror, though unbelievable, appears to be unfortunately true.

Though yet to be firmly confirmed, the revelation of security threat and terrorist movement in Nepalese soil raised by the media during an Indian diplomat Mr. Shyam Sharan's recent visit to Nepal and the concern expressed by the United States of America following his visit is truly frightening. No

Why not go for a few manageable entry points between the two countries thus closing the open border for all times to come to prevent undesirable activities from either side.

patriotic Nepali national can keep a blind eye to this alarming development as there is bound to be a natural reaction from China to this revelation that would be of equal concern to it. Nepal has been remaining apprehensive and alert throughout its history about the danger of intrusion of various forms from the south and now suddenly the course seems to have changed in reverse.

For the sake of Nepal and its closest neighbors the only option left under the present circumstances is to strictly regulate the open border between India and Nepal. Why not go for a few manageable entry points between the two countries thus closing the open border for all times to come to prevent undesirable activities from either side. At this juncture nothing can be more important or desirable than to find an appropriate means which would not only provide adequate safety measures to the security of both nations but also check the ever increasing suspicion on each other's conduct that is eroding the harmonious relations existing between them.

The endless political game of hide and seek so cleverly played by champions of a new change and all inclusive democratic society, though entertaining to those interested and waiting to take advantage of Nepal's growing insecurity

and instability is however extremely painful to Nepalese people. In this context the sudden visit of a controversial

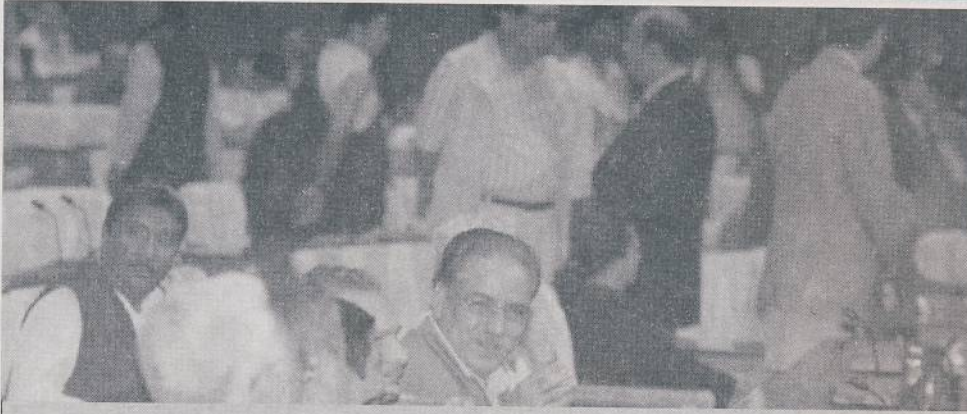
Indian diplomat who is now an advisor to the Indian Prime Minister cannot be taken as a mere coincidence or a part of preplanned visit.

Although the kind of great concern that the Indian diplomat expressed about Nepal not being able to provide constitution and advance peace process is noteworthy in so far as it is made in good faith and intention but would a mere public expression be convincing enough to satisfy the aggrieved country and its people who know the Indian government's hand and interest behind every important development mostly, if not totally, that has taken place here in Nepal. What transpired between him and political leaders including the Prime Minister is yet to become clear. But the views expressed by different personalities after meeting him are not encouraging and thus his mission seems to have failed politically.

Today Nepal is at the threshold of political stability versus disaster, independence versus subservience, national sovereignty versus foreign dictate. It would not be enough to simply fret over lost control of a nation's dignity and honor, primarily owing to lack of vision and insensitivity to issues of national interest including national unity. Faced with a dangerous situation threatening Nepal's independence and sovereignty Nepalese leaders must first put their house in order and hand over the leadership of the country to the younger generation to confront existential as well as developmental challenges.

Following the agreement reached at the dead of the night and the resignation of Madhav Kumar Nepal as Prime Minister of Nepal, though belated, had at least provided another opportunity to parties for formation of national consensus unity government by breaking the deadlock created over time as a result of their misunderstanding, mistrust and misdeed to lift the country from the morass of corruption, crime and impunity. And now this opportunity also is going to be missed as the race is already on for formation of a majority government and that even if accomplished is not going to deliver the nation what it has been asking for. How long a country already wounded and humiliated severely by leaders because of their incompetence, irresponsibility and myopic vision could afford to accept the present leaders is a burning topic of the day?

After having failed to elect a new Prime Minister for the fourth time even by majority system and yet insisting on to try again for the fifth time Nepalese leaders are fast losing their ground as a result of their shortsightedness, narrow mindedness, illogical and different stand and behavior. They look like a pendulum of the clock swinging in opposite direction regularly causing irreparable damage to Nepal's credibility in the eyes of the international community. Would



VOTING PUT OFF

By A CORRESPONDENT

Maoist MP, Ram Kumari Yadav, succumbed to burns injuries. But her death rescued the big parties from what was sure to be another disaster at the

legislative parliament. For now.

After the abortive four rounds, the fifth voting for the prime minister was put off. The Maoist party made the

request to "mourn" the death of a comrade. Others nodded in agreement.

This has given a couple of days to the Maoists, the Nepali Congress and the UML to find what is increasingly becoming an elusive consensus.

But no breakthrough is likely even in the extended time.

As consensus, expectedly,

eludes the parties, an influential Nepali Congress central member, Khum Bahadur Khadka, has dared own party to seek the dissolution of the constituent assembly.

Khadka has called for fresh elections.

Is the country headed towards that direction? Questions have begun to circulate in key power centers.

they ever stop looking at each other as enemies is a million dollar question? After all the people can not afford to let the party leaders continue to play with their fate as they like and choose. What is today's necessity must be considered seriously and pursued accordingly.

The alternative to national consensus unity government at this time could be the end of existing little remnants of democratic system at least for a few years more if not for ever. Therefore in order to avoid the country from going into wilderness the sovereign people should come forward once again, put adequate pressure on the leaders not to deviate from the right path and finish the job with national reconciliation always in mind.

The more the common people suffer the more their disenchantment and frustration with them. And right now there is a very little chance for the young leadership to emerge suddenly and take over the reins of the government and steer the country out of this long crisis never seen in Nepalese history. So it is up to the senior leaders to realize the danger of continuing their date expired leadership and stick to power irrespective of growing disaffection and distrust of the people towards them. Under the circumstances what is needed is to encourage and involve the young generation leaders to share power effectively with some of the less controversial and sincere senior leaders. A peaceful and orderly transfer of leadership to younger generation can be made smoothly at an appropriate time later as is already shown and proved so effective and successful in Nepal's neighboring countries including China. And this is the kind of thinking that is surfacing frequently not only from the rank and file of each party but also from the people in general.

How many crossroads Nepal will have to pass through to

reach its destination can not be said today as it has already been proved that every time a new opportunity came to it to take the right decision it always went for the wrong one. The result is obvious. The country is now on the verge of collapse from political, economic and social point of view. To linger on and stick to wrong decisions taken earlier by political leaders from time to time in haste and whims without any consideration to supreme national interests simply for their vanity, power hunger and self assumed supremacy or superiority could be extremely disastrous and suicidal. Those entrusted with the gigantic task of building a new Nepal by the people from constitution writing

The country is now on the verge of collapse from political, economic and social point of view. To linger on and stick to wrong decisions taken earlier by political leaders from time to time in haste and whims without any consideration to supreme national interests simply for their vanity, power hunger and self assumed supremacy or superiority could be extremely disastrous and suicidal.

and taking the peace process to its logical end through the election of constituent assembly should not hesitate to review and revise their thinking and position before it is too late. The constituent assembly members must come forward and make amends to the new concept projected so far which would surely push the country into ethnic conflict, civil unrest and its disintegration as its main ingredients yet to be enshrined in the new constitution seem to be seriously defective, faulty, impractical and infeasible. ■

WARMING GLOBE

Wreaking Havoc

As the globe's temperature rises, it is overshadowing political and other crises of the regions. Devastating floods of Pakistan are recent headlines ringing alarm bells. The country is portrayed as most vulnerable to floods. China too is facing a similar situation as mudslides devastated large areas of its province. Nepal is not an exception. Landslides and floods caused by torrential rains have badly affected large portions of Nepal. The impact of warming globe is gradually showing up in various guises and manifestations. Be they excessive rainfalls, droughts or heat waves, extreme weather patterns are wreaking havoc around the globe

By KESHAB POUDEL
in Copenhagen (Denmark)

Climate change is happening faster than what one might have thought a few years ago. The recent extreme weather patterns and their devastating consequences faced by Asian countries are an indication that the rising temperature will create havoc on human life.

"The devastating floods in Pakistan, mudslides in China and droughts in many African countries are the indication to how the warming earth can make differences in human life. In the last two days, we had seen the highest precipitation in summer in the last many years," said Rasmus Vincentz, a Danish climate scientist in a recently organized climate change journalism course in Denmark. "If we are unable to meet the target set by Intergovernmental Panel on Climate Change (IPCC), the human kind will have to face unimaginable consequences in the days to come."

The IPCC, which assesses the

scientific, technical and socio-economic information relevant for the understanding of the risk of human-induced climate change, revealed that the world's temperature is rising at a worrying pace.

"We must stop the activities that can heat the earth and follow the course that will reduce the temperature. If we are unable to control the emission level, we will have to face a more severe situation than what we are facing now," said Vincentz.

From hottest day to hottest years and high precipitations to low precipitations and drought, the earth has already experienced all kinds of fluctuations in weather patterns in recent years. In the last two decades, the temperature has gone up.

"In August 15, we received the highest rainfall in a day setting a new record. There are variations of precipitations in Denmark," said Ramsus in a program.

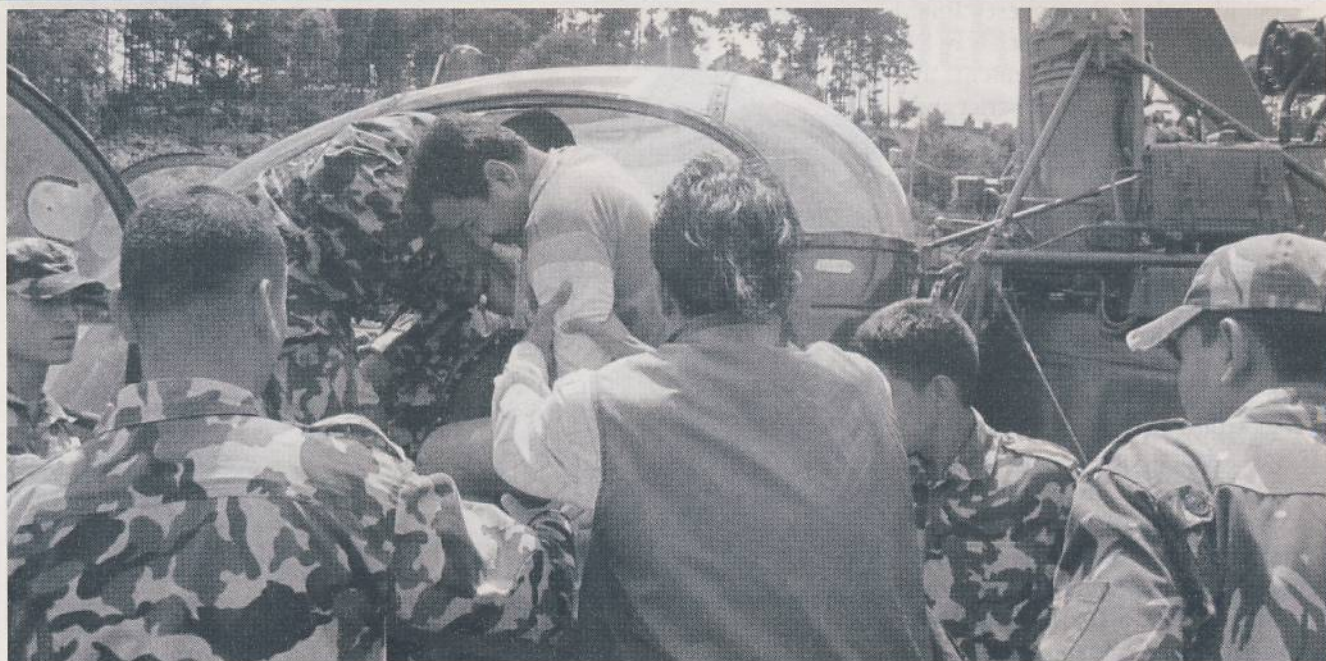
Arranged by NORDECO and

danicom.net, two NGOs of Denmark, with support from Danida Fellowship Center, a 12-day workshop gave a forum to share the knowledge among 21 journalists from Asia, Africa and Latin America with Danish and international experts.

Experts hold the view that the recent weather events are just the beginning. The worse, they say, is yet to come. The earth's temperature rise is more than 1 degree Celsius and it continues to rise if proper mitigation steps are not taken.

"If the temperature rises up to two degrees, there will be change in everything and it will have devastating consequences in the earth and human life. From availability of water to risk of floods due to variations in rain, the entire ecosystem will be in danger," said Dr. Hans-Martin Fussel, program manager Climate Change Vulnerability and Adaptation, European Environment Agency.

"We have been doing the research on how rising temperature can bring



Rescuing Flood Victims by Nepal Army : Victim of Torrential Rain

changes and what adaptation and mitigation approach we need to follow for European countries,” said Dr. Hans-Marin Fussel. “The climate change is now a reality and no one can deny the fact that the warming temperature may harm the earth’s present ecosystem. This is not a question of who will receive what but the crisis of rising temperature will have a long run implications to the human being.”

Every country in the world has been facing extreme weather patterns and no country is exception. The recent devastating floods in Pakistan and mudslides in China are examples. According to Pakistan’s experts, this was the first such flood in this century and nobody had experienced such floods which washed out infrastructures worth of billions of dollars, killing more than 2000 and displacing 2 million people.

“You can see different stories and tragedies related to fluctuations in weather but it is not easy to explain since it is related to science but its impact will be in society,” said Leoni Joubert, a South African science writer. “It is very difficult to explain the drought and expansion of desert in my areas close to my home Cape Town. “ I have seen suffering of people and society.”

Experiencing Tragedies

At the time of writing the story, the situation in Northwest Frontier

Provinces, Punjab and Sindh in Pakistan, worsened from floods. Though the scale of the floods disaster continued to expand, there seemed to be more problems in rehabilitations. Similarly, the death toll rose to 702 with more than 1,000 people still missing after floods and landslides engulfed villages in north-western China’s Gansu province.

Passing through a series of political crises, Nepal too is prone to climate crisis. Covered by high hills and mountains, Nepal’s situation is also not different than others. Its ecosystem, including the glaciers, are under sever crisis and rising temperature may prompt the outburst of such glaciers which are the perennial sources of the fresh water. Nepal’s glaciers feed over 70 percent water to Ganges River during the dry winter session.

The change in the weather pattern has already affected the life of people. The recent flash floods caused by heavy rains have already created havoc in the central, eastern and far western Nepal where more than two dozens people have already been killed.

According to the Ministry of Home Affairs, at least 14 people have died in landslides and floods triggered by incessant rain in central and western Nepal’s Dolakha and Jajarkot districts in August 4. Nine laborers working in Sippingkhola Hydropower project in

Dolakha district were swept away when the river changed its course due to landslides and two other laborers have gone missing.

Similarly, five people have been swept away due to the flood that occurred following heavy rain in western Nepal’s Jajarkot district. In another incident, two school boys have gone missing following landslide in Kaski district of western Nepal, officials said.

Landslide and flood triggered by incessant rainfall swept away an entire village in Laha VDC of Dolpa at the end of July. Ten persons of a single family have also been swept away in the landslide.

Rescue and Rehabilitation

The country which has been passing through very uncertain political course is facing tough challenges for the rescue and rehabilitation.

Teams of Nepal Army and Nepal Police along with locals have been engaged in rescue and relief operations. Nepal Army personnel have been launching the rescue operation carrying the injured to the hospitals.

Continuous downpour of the rain in the last few days has triggered floods in the eastern and western regions of the country rendering a horde of locals homeless and forcing hundred others to relocate themselves to safer places.

Interestingly, most of the victims are

the people below the poverty line. Swollen Sunsari River swept away 15 houses in a Dalit settlement at Narasingh VDC in Sunsari district and inundated about 100 houses in Narasingh and Basantapur VDCs.

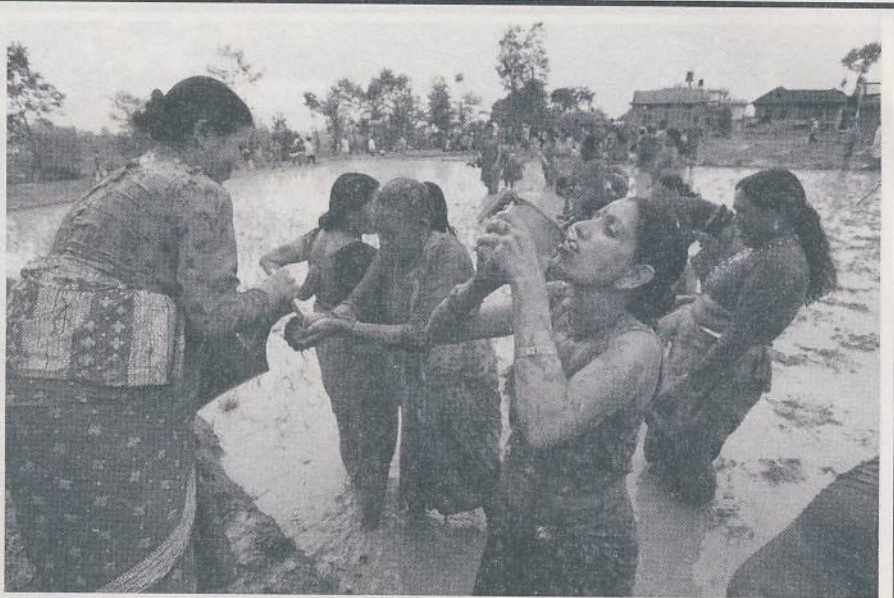
Vulnerable Nepal

With the population of 30 million, Nepal ranks 193 out of 210 countries in terms of Gross National Income per capita adjusted for purchasing power - more than 70% of the population live on less than USD 2 per day.

According to the report published in Nepal Adaptation Program of Action (NAPA) Draft, data from 45 weather stations across Nepal for the period 1996-2005, indicate consistent warming in maximum temperatures at an annual rate of 0.040C/year. The studies also indicate that the observed warming trend is not uniform across the country. These observations follow on from those by Shrestha et al. 1999 that indicate that average warming in annual temperature between 1977 and 1994 was 0.06°C/yr. Warming was shown to be more pronounced in high altitude regions, while warming was lower in the Terai and Siwalik regions.

"Nepal is more vulnerable to climate change and it will have faced severe situation. This is the reason the ministry has prepared NAPA draft so that Nepal can get money to launch adaptation programs," said Purushottam Ghimire, joint secretary and focal point of the Ministry of Environment.

According to recently released NAPA draft, annual precipitation data show a general decline in pre-monsoon precipitation in far and mid-western Nepal, with a few pockets of declining rainfall in western, central and eastern regions. While in the rest of the country there is a general trend of increasing pre-monsoon precipitation. Monsoon precipitation shows general declining trends in the mid-western and southern parts of western Nepal, with a few pockets of declining rainfall in the central and eastern regions. In the rest of the country, the monsoon precipitation shows general increases. Post monsoon precipitation shows increasing trends in most of the mid-western and the southern parts of eastern and central/western Nepal.



Farmers Planting Paddy : Time to change

NAPA Draft

The draft reveals that a recent study that used General and Regional Circulation Models projects mean annual temperature to increase by 1.40C by 2030, 2.80C by 2060 and 4.70C by 2090. The projections show higher temperature increments for winter as compared to the monsoon seasons. Higher increments in temperature are projected over western and central Nepal as compared to eastern Nepal for the years 2030, 2060, and 2090, with projections for western Nepal being the greatest. Similar trends are projected for the frequency of hot days and nights for 2060 and 2090.

From African countries to Asian, there is similar concern about the fluctuations in weather patterns. Nobody has an immediate solution other than to develop the adaptation process or mitigation. For small countries like Nepal which produce very nominal pollution, particularly CO₂, their mitigation has no global implications but their populations are more vulnerable.

"Poor populations of developing and least developed countries are more vulnerable to the effects of climate change. Their whole process of development will be destroyed," said Steffen Johnsen. "Climate is all about management of commons, money and politics. Every one is ignoring the climate at the cost of prosperity."

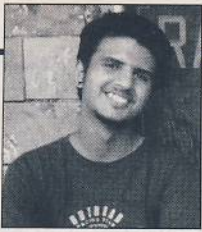
For the poor people of least developed countries, there is no one as a savior.

"Voices of the poor must be heard and they should be compensated for the suffering which they are not responsible for," said Tove Ryding, Greenpeace activist.

"The Ministry of Environment - the Nepal Government's climate focal point - has widened the lens of adaptation planning to include programmatic and bottom-up approaches adaptation, and to find ways whereby the integration of strategies for low carbon development and adaptation can precipitate a series of co-benefits and economies of scale," said Ghimire. "The Government's intention is that the NAPA climate adaptation responses prioritization process is sufficiently enough to be used as a basis for the development of an adaptation strategy that will be able to draw down financial resources for implementation from various global, multi-lateral and bilateral sources. The Government expects that any and all climate adaptation support programs considering what activities to support in Nepal will carefully consider the NAPA outcomes as a first step."

Science has already made it clear that climate change is reality now and what the authorities need to do now is to take initiatives for adaptation as well as mitigation to cope with it.

"If the globe heats up, no one will be spared," this was the message journalists learned at the program. ■



Uncommon Wealth Games

By **ABIJIT SHARMA**

Congress Leader Mani Shankar Aiyar, speaking last month, said that he would be very unhappy if the Commonwealth Games were a success. "I am thankful to the rain as it has further delayed the preparations for the Games" he said. Aiyar's views depicts the common man's opinion towards the much hyped 'Commonwealth Games 2010' which has been ridiculed with titles like 'Uncommon Wealth Games', 'Congress Wealth Games' etc.

Delhi is all set to host the 'mega' sporting event from October 3rd to the 14th. But as the date draws closer, the 'Games' continues to be entangled in controversies. Right from corruption

Dixit has set a new deadline of 30th August for all construction works to be over, but with many roads dug up and major construction work left incomplete in places like Connaught Place, one of the main areas of Delhi, meeting the deadline looks almost impossible.

The Delhi Development Authority reported a few weeks back that it will not be able to provide the specified 2000 flats, which are supposed to accommodate the Commonwealth Games delegates, before the Games. Although negotiations were made later to complete the flats before the Games, it will be a Herculean task for DDA to do so. And with the monsoon season at its peak, heavy rain is expected

to have to bear any problem due to the rain.

On the other hand, corruption charges against the OC have led the even Commonwealth Games Federation President Mike Fennell to intervene. He called the allegations as a 'major concern'. The OC has been accused of paying the UK's AM FILMS over 450,000 pounds for laying on cars and associated services for the London launch of the baton relay last October, without any proper paperwork. Further, revelations have been made that OC has spent a huge amount of money on different products. Treadmills worth Rs. 4 lakhs were hired by the OC at a rate of Rs. 9.5 lakh each. Similarly, daily use products like a single toilet paper roll has been bought at a rate of Rs. 3,750 each. Soap dispenser was bought at Rs. 3,397 when it is easily available at Rs.92. Dustbins normally priced Rs. 111 has been bought at a rate of Rs. 1,167 each.

Besides, the OC has been criticized for not abiding by proper labour laws; not providing proper wages and working conditions to the workers. It has also been accused of destroying slums for construction works leaving many homeless. One of the organizations, Perspective and People's Union for Democratic Rights has lashed out at the lavish spending of the government on CWG instead of feeding the countless poor. Delhi University students Unions have been protesting against the CWG for using the college hostels for accommodating the 'Games' delegates, for which the students were forced to evacuate the hostels.

With construction works still pending, stadia reporting leakages and pressure and criticism from all sides piling up, the road ahead does not look smooth. Already two members of the OC have quit and the chairman Suresh Kalmadi is constantly under pressurized to stand down. Although Prime Minister Man Mohan Singh urged all the citizens to treat the Commonwealth Games as a national festival, it is not sure yet if the people will respond positively to the already troubled event. ■



Ground Construction For Common Wealth Games : Work in progress

charges and financial irregularities to construction delays and exceeding deadlines, the sporting event seems to have been hit by every controversy possible.

Every deadline set for the event has been extended causing tension for the government, especially the Organizing Committee (OC). Although construction works and clearing of debris were to be finished by the 10th of August, there had been reports that digging up of roads in some of the places had started on the 10th itself. Delhi Chief Minister Sheila

to further delay the works.

Construction works which have already been completed has also been creating tensions for the OC and the government. Heavy rain earlier this month created leakages and the four major stadia for the 'Games': Yamuna Sports Complex in East Delhi, Siri Fort in South Delhi and Jawaharlal Nehru Stadium and the Karni Singh shooting ranges were left waterlogged. This was a slap in the face of Sports Minister MS Gill who, while inaugurating the stadia, had earlier claimed that the stadia would not

“Lack Of Political Trust Will Hinder Development”

PIRKKO-LIISA KYÖSTILÄ

PIRKKO-LIISA KYÖSTILÄ, Chargé d'Affaires a.i of Finnish Embassy, has been in Nepal for more than two years. As Finland has been supporting Nepal's development projects, the Charge' d' Affaires spoke to KESHAB POUDEL on various issues. Excerpts:

Finland has been supporting Nepal in its efforts to uplift the livelihood of the poor and marginalized communities. How do you evaluate the progress?

This is a core issue of our development efforts, and one that is really hard to measure. There are some great examples of progress, for example, in poverty stricken areas of Far West, where we have attached health and hygiene education and income generation aspects to a water management project. Income generation, for instance, has been modest when counted in rupees, but when compared to the level before the project, it has been eight fold. That is a good progress. However, as we know, majority of the Nepalese people remain poor and results can't be expected overnight.

In which areas has Finland been providing assistance?

Finland operates in Nepal in natural resource and education sectors, in which Finland has good international reputation, lengthy experience and significant added value to give. These areas are highlighted in Finland's development cooperation policy, and they are also areas that Nepal has prioritized in their own development plans.

You are also supporting rural drinking and sanitation programs in far west and mid-western region, what is your impression about the projects?

The results of our three programmes in water, sanitation and hygiene sector have been positive. The old Rural Water Supply and Sanitation Support Programme, the so-called Lumbini Programme, which ended in 2004, was recently evaluated. The evaluation team visited randomly eight villages and one concrete outcome of their evaluation was that all the schemes were technically and organizationally functional after 6 to 13 years of their construction. That means that the water users' committees are still collecting enough money among their members for the operation and maintenance of the water supply system.

What do you think is needed now?

The evaluation assessed also the cost efficiency of the programme. The total investment per person has been 12 Euros, which is about 1100 rupees. We can therefore say that with 1100 Nepalese rupees a person can have drinking water for ten years. We do not have similar type of assessment of the two ongoing drinking water programmes. In them, the cost of construction per capita is much higher especially in the mentioned programme in the hill and mountain areas of Far West due to the smaller population and extremely difficult transport

conditions. However an average investment of 65 Euros, about 6000 rupees, for water and sanitation facilities per head is not bad. In addition these schemes have provided the villages with sanitation and hygiene, which are the core components of these programs.

Along with water and sanitation, which other areas are you focusing for support?

Finland is one of the nine development partners providing pool funding for the School Sector Reform Program implemented by the Ministry of Education. We also assist in setting up environmental administration for six districts in the eastern part of Nepal. As a separate project we fund constructions of an international standard landfill site in Biratnagar with development of a sustainable regional solid waste collection and management system. The landfill site will serve Biratnagar, Itahari and Dharan municipalities as well as the industries in Morang-Sunsari industrial corridor and the surrounding countryside.

Are you also supporting Climate Change related projects?

Yet another important aspect of Finnish assistance is related to climate change. Finland is supporting two early warning projects, one at national level to strengthen the capacity of Department of Hydrology and Meteorology of the Ministry of Environment. The other project is regional, involving also Bangladesh, Bhutan, China, India, and Pakistan. It is called "Establishment of a Regional Flood Information System in the Hindu Kush-Himalayan" and it is carried out by The International Centre for Integrated Mountain Development (ICIMOD) in close collaboration with the World Meteorological Organization (WMO). The motto of the project is to let the information travel faster than flood waters, in other words it concentrates on exchange of meteorological information between the six countries to prevent flood destruction.

Is your country also supporting the Ministry of Forest?

Finland has recently started to assist the Ministry of Forest and Soil Conservation to do the national forest resources assessment in Nepal. The purpose of the project is to improve the provision of adequate forestry data and its processing for national forest policy development and for national level forestry sector decision making.

Do you also support other areas?

We also support through UN specialized organizations FAO and IFAD a special approach to community forestry aimed for the poorest of the poor in Nepal. Leasehold Forest and Livestock Development Program (LFLDP) has a special emphasis on agro-silvi-pastoral practices. In leasehold forestry, degraded forest land is rented to the poor people for 40 years with an option to renew the contract for another 40 years.

What is Finland's total assistance to Nepal?

Finland is supporting two early warning projects, one at national level to strengthen the capacity of Department of Hydrology and Meteorology of the Ministry of Environment.

Finland's total assistance to Nepal in 2010 is about 20 million Euros. It is important to note that one third of it is channeled through NGOs. There are 23 Finnish NGOs working in the country, mostly in education, health, social services and environmental sector. Some of the cooperation projects between a Finnish NGO and a Nepali NGO are fairly big, like Indrawati basin management project, which involves also the government agencies.

Nepal has been now passing through a very critical phase in constitution writing and restoring peace, how has Finland been supporting Nepal in this regard?

Finland has been funding Nepal Peace Trust Fund (NPTF) by 3 million Euros since the establishment of the Fund. Initially the support was directed to implementation of elections, and some of the funds are spent in small scale projects in the camps of the former combatants. The fund also supports improvement of the police station network. Future assistance will support development of the NPTF according to the recommendations of a recent external evaluation.

Is Finland also supporting on human rights areas?

Protection of human rights plays a crucial role in peace building. Finland has provided funds both to National Human Rights Commission and Office of the High Commissioner for Human Rights. We also support capacity development of Nepal Human Rights Commission through two projects implemented by UNDP. Finland has also provided technical assistance for example by providing forensic medicine expertise.

How are you supporting the constitution making process?

Development of constitution has been supported in collaboration with International IDEA by provision of expert commentaries on the concept notes, inter-committee workshops, inter-party dialogue on relationships between the Head of State and other institutions, case studies on relationships between the Head of State and other state institutions from a comparative perspective. There was also a study visit by Nepal's President's Office to Finland for interactions with their Finnish colleagues to learn about established procedures and good practices evolving and regulating institutional relations of the President with other state institutions and authorities.

How do you look at Nepal's development challenges?

The development issues that Nepal has to deal with are not simple. The new MDG progress report gives valuable information on how close Nepal is in achieving the MDG targets by 2015. It is evident that sustainable development cannot be reached without further progress in economic growth, employment, equality and inclusion. If we look at the private sector, the industrial development in Nepal looks quite gloomy. It is very difficult to attract foreign investors to establish industrial production - or any other kind of production - if there is no electricity in the country. Therefore, I would find also energy auto-sufficiency as a major challenge for Nepal. I do not see it only as

the necessity for Nepal's further development but also as an obligation of Nepal; as Nepal has ample resources of clean water energy within the country, it should be developed to the extent, where there's no need for imported and other less clean sources of energy.

What in your opinion should be Nepal's top priority?

Corruption is still a persistent and ever growing problem here, and it severely hinders the country's development efforts. It has to be rooted out, if the country wants to progress.

It is also worrying that in spite of continuing efforts, the peace process has remained slow and tensions, deep differences and mistrust among the parties have persisted. Resolving the future of the two armies and completing the drafting of new constitution are top priorities. The major differences on core elements such as the future form of government and the country's federal structure have remained unresolved. The lack of political will and trust will continue to hinder all aspects of development if no solution is found.

What do you say of the recently launched Indrawati basin project with WWF-Nepal and Water and Energy Commission?

It is a very important and timely initiative and actually one of the biggest NGO projects Finland is financing in Nepal. It is also very special in that it involves both NGOs and government agencies. I hope it will prove to be a successful project.

How do you look at the ongoing process of inclusion in Nepal?

In our programs we are normally speaking of gender and inclusion at the same time calling it GESI (gender and social inclusion.). It is clear that inclusion is the core issue in the ongoing peace process. I understand that in the Nepal's context inclusion can be a bigger challenge than gender. It is easier to include women to activities of the program than to include the low caste or casteless segments of the society.

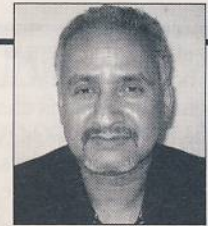
How do you look at the issue of integration of Maoist combatants?

Another, very topical aspect has to do with the former combatants. Finland strongly supports the objectives of the UN Security Council resolution 1325 on "women and peace and security". The special needs of women must be taken into account in disarmament, demobilization and reintegration. Women should be seen as an asset for peace and development. Inclusion is definitely an area where there remains a lot to do. Even if legislation would support it, attitudes and practices are not easily changed. ■



Corruption is still a persistent and ever growing problem here, and it severely hinders the country's development efforts. It has to be rooted out, if the country wants to progress.

Federalism: Expounding Authority



DR. K. UPRETY

An important consideration in the choice for the type of federalism, in the context of Nepal's constitution that is yet to be drafted, should be made in light of the potential of the new system to provide justice, both in terms of its access as well as sustainability. This consideration, more specifically, relates to the court system the constitution will ultimately provide for: a unitary or a dual one. Under a dual court system, like in the US for instance, there is a distinction between State and Federal courts, but the combination of both make up the judicial branch of government. Such a difference in jurisdiction does not exist under a unitary court system. The federalism to be enshrined in the new constitution, therefore, regardless of whether ethnicity, geography or language-based, and assuming that provinces, as federated units, are retained, will also need to clarify the form, shape, and governance of the court structure. If, indeed, the Constitution allows a parallel existence of federal and provincial judicial tracks, clarifying the allocation of issues between Federal and Provincial courts will also remain critical.

Access to Justice: The introduction of a dual court system will have to deal not only with the possibility of allocating cases based on the law at issue, but also making possible for federal questions to be sent to federal courts and provincial questions to provincial courts. Certainly, cases raising both kinds of issues would pose additional difficulties of allocation for which a flexible mechanism will have to be sought. There

It may be useful to recall that in India, a Union, which is endowed with a number of interstate rivers and river valleys, water is a State matter.

may also be cases where the jurisdictions of the province and federal courts could overlap extensively: issues of provincial law arising in and being adjudicated by federal courts, or issues of federal law arising in and being adjudicated by provincial courts. Such inter-systemic adjudication could even become pervasive. The constitution will, therefore, need to provide clear guidance as to the recourse available for federal or provincial governments (or citizens at large), in cases raising claims under both the provincial and federal jurisdictions, and all other forms of conflict of jurisdiction issues.

Specific Case of Inter-province Waters: Indeed, many issues, which, by virtue of their nature and scope, transcend more than one province, require clarity on how the jurisdictional issues will be managed. One such issue, for instance, is water, from a river that flows through several provinces. In view of its sensitive nature and basic needs characteristics, managing the water rights of people (not only for drinking but also other uses) in different provinces will be a daunting challenge. While compartmentalizing jurisdiction will obviously be difficult, clarifying the jurisdiction of a provincial or a federal court over the water from inter-province rivers will be no less critical.

It may be useful to recall that in India, a Union, which is endowed with a number of interstate rivers and river valleys, water is a State matter. The Union government has limited role to play. The initiative and responsibility for development of interstate rivers and river valley projects rests primarily on State governments. The continual increase and competing needs

for developing irrigation and power resources also increases the possibility for interstate disputes, particularly on sharing of waters. In that spirit, Article 262 of the Indian Constitution empowers parliament to provide, by law, for adjudication of any dispute or complaint with respect to the use distribution or control of the waters of any interstate river or river valleys. Actually such disputes are excluded from the purview of the federal courts. The Inter-State Water Disputes Act of 1956 is, therefore, quite relevant in this context, pursuant to which, it may be recalled, five tribunals have been, so far, set up to adjudicate disputes: the Krishna, Narmada, Godavari, Ravi-Beas and Cauvery. For instance, it took almost 17 years for the Cauvery Water Dispute Tribunal to pronounce its verdict with its ruling to allot approximately 60% of the water flowing through the Cauvery to the downstream Tamil Nadu. Recall that the Indian Federal Government had set up the Tribunal to decide on the century-old dispute between Karnataka and Tamil Nadu regarding the sharing of water from the Cauvery River.

Actually, directly linked with the functioning of an economic system, the use of natural resources has always been considered a matter of significant strategic importance for nations, most of which strive to devise a consensus-based, clear and pragmatic approach to deal with such resources. Such nations attempt to provide clarifications, in their main governing instruments, on the nature of obligations of their governments to protect these resources, to exploit them rationally, to ensure their reproduction, and to improve the environment in which people will live. Dealing with multiple issues on matters needing multifaceted solution, through one single entity is often much easier than dealing with such issues through multiple entities (especially when they are politically independent units).

No one would deny that river waters have significant strategic and economic interest for Nepal. Therefore, while finalizing the new constitution in implementing federalism, it will be critical to address all issues related to international river waters, including the establishment of a clear modus operandi to deal with international rivers that flow through different provincial units. Indeed, most rivers, originating in the Himalayas, flow through different zones and districts, which currently are part of a single political unit. The federal system to be established will have an effect of converting these different zones and districts into separate and independent political units, and in that situation, the issue of rivers flowing through different districts and zones, if left in ambiguity, will create confusion on the responsibilities of such political units in dealing with those international waters. This may take two forms: jurisdictional problem amongst provinces, and international relations problem, for Nepal (as one single political unit), which will have to deal with the issue with other nations (meaning with India and China). Although many federated nations have dealt with the issue and examples abound, the matter is an important and challenging one which requires deep pondering to save the country from eventual internal and external disputes.

It may be worth noting that two main arguments to resolve interstate (or inter-province) disputes related to water sharing prevail. The first doctrine which holds that market force should determine the allocation of interstate waters actually puts in advantageous position the unit or province wanting to take water from another. The second doctrine of equitable apportionment, on the other hand, has the advantage of

providing stability for the political unit and water planning while limiting the excesses of territorial chauvinism by requiring equitable sharing. The design of the constitutional provision should take note of these arguments.

Broader Issue of Jurisdiction: Indeed, due to concerns for separation of powers and federalism, cases raising dual constitutional challenges implicate a complex doctrinal challenge. These doctrines reflect varying attempts to harmonize, sometimes conflicting, principles, such as: (1) provincial courts should avoid federal constitutional rulings when possible (the avoidance principle); (2) provincial courts should be the primary interpreters of Provincial law (the local interpretation principle); and (3) no barriers should impair the availability of a federal forum for federal claims (the open door principle). Complying with any two of the principles would not necessarily pose significant problem, but following all three could prove difficult, thus an additional challenge for courts.

In this context, it may be appropriate to remind the readers further that a court's application of the law of a different system certainly does entail some potential benefits, but it also can trigger potential harms. Many scholars have stressed that such inter-systemic adjudication also bears the taint of illegitimacy. Noting that there is always the potential of error in judicial interpretation, the opponents of inter-systemic adjudication have further stressed that the practice invites non-authoritative interpretation of legal principles. This observation is not totally unfounded. Indeed, once the potential fallibility of even authoritative interpreters is recognized, alternative interpretive perspectives lose their stigma. Surely, authoritative interpretations need not be necessarily correct. But surely, non-authoritative interpretations may introduce uncertainty, although not necessarily an error. As such, therefore, in the legal system to be envisioned for Nepal, inter-systemic

adjudication will have to be able to provide a valuable and legitimate way of addressing situations in which governments and courts do not fall short of these ideals. The system will have to establish a set of criteria of evaluation standards or judgment, appropriate to the adjudication of cases.

Justice for Sustainable Development and Democracy:

It is generally acknowledged that through a holistic constitutionalism alongside relevant remedial institutions, more opportunities can be given to people to resort to justice and claim more rights in the society. The 20th century prominent thinker, John Rawls, had, in this context, further stressed that a state of "near justice" requires a democratic regime. With this background, hence, in addition to a political skeleton (the fundamental principles and framework of democratic government and the basic rights of individuals), the overall goal of the federal constitution will also have to be to guarantee full justice and the rights related to natural, physical, human, financial, social and political capital, and, this too, in an eventuality of a dual court system. The democracy, in this judicial realm, should further ensure a right-based development approach, which institutionalizes participatory law-making and uniform enforcement: participation in deciding about self-determination, autonomy, culture, religion, adequate livelihood and suitable environment, and most importantly, in creating and living in an environment of the rule of law; and enforcement through impartial courts. The challenge of the new federalism will, therefore, be to manage, without ambivalence, all jurisdictional issues, regardless of whether the courts have two, three or multiple tiers, or are single or double tracked. The real and ultimate test will reside, then, in whether the federalism, as devised, will be able to impart full justice!

The author can be reached at "kshitez@juno.com"

SEBS Elected New Executive

General meeting elected new SEBS Executive Committee for 2010-2013 constituted. The executive committee includes President Suresh Acharya, Vice President Dr Pramod Aryal, vice President Bolaram Pandey, Vice President Dr Binod Jha, Vice President Sham Nepal, Vice President Tulshi Ramtel General Secretary Mr Upendra Bom, Assistant General Secretary Ms Sudhashree Sayenju, Assistant General Secretary Nitish Karki, Treasurer Suman Mandal, Assistant Treasurer Kaushal Sapkota, Assistant Treasurer Ms Sumnima Sharma.

Society of Ex-Budhanilkantha Students (SEBS) incepted in the year 1982 as an alumni of Budhanilkantha School, recently organized its 28th Annual General Meeting amidst a function organized at Nepal Tourism Board Auditorium Hall.

Executive Members include Sudeep Bahadur Singh, Gajendra

Bohara, Sanjaya K Nepal, Binod Mishra, Sagun Lawoti, Dev Chhetri, Anup Lal Manandhar, Rajendra Bista, Bidhyaman Mahatara and Ms Bartika Rai.

The formal installation of new Executive Committee was held amidst a special function organized on August 13, 2010.

During the Closed door session* of Annual General Meeting, President Suresh Acharya, presented SEBS Policies/Programs for FY 2067-2068 and was approved unanimously. Acharya proposed a plan to run a Cambridge A Level educational institution by the members of the SEBS. Similarly General Secretary Tulsi Ramatel tabled Annual report on SEBS activities for FY 2066-2067 and was also approved unanimously. Likewise, SEBS Financial Report for FY 2066/067 was tabled by Treasurer and was approved unanimously. Similarly, Sagun Lawoti.

Likewise, proposal tabled for



President Acharya Addressing AGM

Amendments in the SEBS A-O-A, 2058 by President Suresh Acharya was also approved by the AGM. The proposal's highlights on restructuring of the SEBS in the changed context, so that it can deliver to its members and the society at large.

Similarly, 44 Life Members were inducted to SEBS, 13 SEBS members were jointly felicitated by Dr Tirtha Khaniya, Member National Planning Commission (NPC) and Byakul Maila (Pradeep Kumar Rai), Lyricist of National Anthem of Nepal for their Outstanding Contributions in their respective fields ■

DR. RISHI KUMAR KAFLE

Dedication Pays

Dr. Rishi Kumar Kafle, award winning kidney specialist, offers testimony to the saying "when there is a will there is a way"

By SHRADHA GYWALI

At a time when kidney patients are increasing in the country, qualified nephrologists like Dr. Rishi Kumar Kafle prove to be the saviors.

As renowned nephrologists, Dr. Kafle spends most of his time in the kidney center where patients wait for him in long queues.

"I am happy to serve the needy patients," said Dr. Kafle.

Dr. Kafle, born on 1st September 1954 in a village called Dhungechhap in Ramechhap district, stayed in the village until the age of 11. He recalls that the only modern development he could see during those days was helicopters that flew over the village. Education during those days was a luxury and he says that he had to walk to and from school each day. The turning point in his life came when he was sent to Kathmandu for his higher education. He received his initial schooling from the village, high schools from the district headquarter and he came to Kathmandu to join Padmodaya High School.

As a professional of high caliber now, Dr. Kafle is making best of his efforts to help ailing kidney patients. Chronic kidney disease includes conditions that damage your kidneys and decrease their ability to keep you healthy by doing the jobs listed. If kidney disease gets worse, wastes can build to high levels in your blood and make you feel sick. You may develop complications like high blood pressure, anemia (low blood count), weak bones, poor nutritional health and nerve damage. Also, kidney disease increases your risk of having heart and blood vessel disease. These problems may happen slowly over a long period of time. Chronic kidney disease may be caused by diabetes, high blood pressure and other disorders. Early detection and treatment can often keep chronic kidney disease from getting worse. When kidney disease will progress, it may eventually lead to kidney failure, which requires dialysis or a kidney transplant to maintain life.

"Kidney Related Problems Are Emerging"

Dr. Kafle, the founder president of the Health Care foundation Nepal, is still an active board member of this institution. In a brief interview with Shradha Gyawali, Dr. Kafle revealed many things about himself. Excerpts:

How did you choose your profession?

During those days we didn't have much exposure and thus didn't get an opportunity to choose my profession. I was extremely good at mathematics until my SLC and thought of becoming an engineer but my family members wanted me to become a doctor because of my good academics.

If you could have had any other profession what would that be?

Doctor, there is no other noble profession than medicine. Everyday we come across people who are sick and help them in the best possible way. Though medicine is a profession "with no time for yourself and your family" but still it gives me enough mental pleasure which encourages me to work better each day.

What do you see ahead of National Kidney Center in the next five years?

I am very positive about the growth of Health Care Foundation Nepal (HECAF/ Nepal) and its activities where the National Kidney Center is the main activity we are focusing at the moment. In five years we will have nearly 75 dialysis machines and we will try our best to construct our own building with world class facilities to run our dialysis services. We will also take ISO certification and will be helping KIST Medical College to produce kidney specialists in the country. We will also try and spread awareness for the prevention of kidney diseases so that the number of kidney patients in the country could decrease. We are so focused on the treatment at the moment and now need to focus on the prevention part of it.

What suggestion would you like to give to the people who want to follow your path?

"It's really easy" to become a nephrologist. But it is not as easy to be a

qualified and dedicated nephrologist; it is very difficult, as you should be ready to dedicate the maximum time to the society. Awareness about kidney diseases is being spread so the task for new nephrologists is going to be easier. If there are people who really wish to serve the society there is a lot to do and I am sure the young generation will take this challenge.

When did you establish the Center

National Kidney Center was founded in the year 1997 with five dialysis machines and performed 724 sessions of dialysis in the entire year then, today this center proudly boasts of 35 dialysis machines and now monthly we are doing about 2800 sessions of dialysis. Not only has Health Care Foundation been working on the treatment of kidney disease but it has been helping in other various areas of necessity as well.

What is Health Care Foundation all about?

Health Care Foundation Nepal sponsors and promotes many activities. The include National Kidney Center, National Ambulance Center, Nagarkot Community Health Center, Preventative Health Care, Disaster Management, Medical Waste Management.

How do you see medical waste?

Medical waste management is a major problem in our country and it is only Health Care Foundation that has taken this issue seriously and has been working on medical waste management intensively.

How safe kidney transplant is?

Kidney related problems are emerging as a major concern in Nepal today. It is estimated that 2.6 million of our population suffers from this deadly kidney disease. Demand for dialysis is greatly increasing but there are not enough and adequate facilities that provide treatment and thus treatment in the country are very expensive. Our country is in dearth of these kinds of organizations that help people selflessly and help in eradicating health problems in our society.



MECHINAGAR MUNICIPLAITY

Resource Drain

Over the last five years, Mechinagar Municipality, a township bordering India 600 kilometers east of the Nepalese capital, has allocated increasing resources under the capital development head of its budget. Huge sums of municipal money were set aside for building road, landfill site, drainage, city hall and so on. Several of these works await pumping of more money before they are completed. Where does all the money go?

UMA KANTA KHANAL
in Jhapa

Mechinagar Municipality's total budget was more than Rs. 70 million in 2007. It spent over 50 million rupees in development works. Every year, it passes the budget for various development projects, including drinking water, sewerage construction and maintenance and construction of city roads, health posts, schools and land fill sites. However, all the works are incomplete.

According to the detailed revenue breakdown with budget and achievements of 2006/07, done by Urban Development through Local Efforts Program, a joint project of Nepal Government and German Economic Cooperation GTZ, the total expenditure of Mechinagar Municipality is Rs. 47,491,993, Rs. 41,476,273, Rs. 39,105,722, Rs. 39,783,535, Rs. 54,305,045, Rs. 73,372,190, for the years through 2002/03 to 2007 respectively. The municipality

spent huge amounts of money under the title of capital investment in the same period: Rs. 29,853,770, Rs. 22,354,599, Rs. 18,614,599, Rs. 16,712,358, Rs. 29,851,242, Rs. 54,305,045.

Although the municipality has been allocating the money for the construction of the land-fill site and city hall annually for the last many years, they are yet to come into operation. Local people complain that whatever the amount of money the municipality pumped, its land-fill site project is nowhere near completion.

"Every year the municipality allocates sums for the land-fill site, but it always complains that the work is incomplete because of lack of money. Where does the money go?" vice president of the Hotel Association of Mechinagar Nabin Pradhan shows his rage when asked about the facilities that the people of Mechinagar Municipality have got till now. "We pay taxes but there is no proper mobilization of the taxes

we pay to the municipality."

It is not just this businessman who feels so. An overwhelming number of citizens and the leaders of the social or occupational organizations question about the activities of the municipality. The president of the Federation of Nepalese Journalists, Jhapa Branch, who resides permanently in the municipality, Mohan Kazi Neupane says, "Even the wastes of the municipality are not properly managed in the sanitary landfill site, which is located in ward number 2 of the municipality."

About 40 percent of the annual budget of Mechinagar Municipality is used to manage the solid waste and the municipality allocates the budget in sanitation title including construction of infrastructure, and wall of land-fill site.

According to local sources, the municipalities assign various individuals to complete the construction works. The individuals get advance

money from the municipality. Their final payment is made at the end of the fiscal year. So far as the progress of works is concerned, nothing much really happened.

As all other municipalities, Mechinagar Municipality transacts in cash for all its contractors and others. There is a possibility of misuse where most of the petty contracts are awarded on the recommendation of executive members.

“Although the management of sanitary landfill site is the basic work of the municipality, because of the protest of the local people, we are unable to dump wastes in the site.” Tika Datta Rai, the executive officer of the municipality, said. He does not reply why the municipality fails to construct it.

“We cannot trust the municipality will make the site as a sanitary landfill site. It is doubtful the municipality will use it in a proper way, so we have protested regarding this,” Sudesh Kumar Paneru, a local of Mechinagar Municipality 2, said.

Local population complains that there is rampant misuse of resources. For instance, the municipal board member, who is nominated by the political parties as a member of municipal board, made influence to give the petty contract to his or her own follower.

“The tenders for the construction of civil work are awarded to the members of board and they will receive the money in advance without showing the progress report,” said an employee of municipality on condition of anonymity. “Since the members of board are accountable to nowhere, they don’t mind to misuse the fund.”

This is the reason despite spending so much of resources to construct the land fill site, the municipality disposes the wastes now under the roads, now in the rivers and sometimes digging the land.

“This process of disposing solid wastes is not good. The municipality should use the landfill site but the land which is bought for the site is not suitable because there is a river near it,” an engineer of the municipality, Kamal Koirala, says.

“It is very harmful if the wastes go to



Pending work of Community Building of Kakarvitta: Mismanagement

the river. It is sad that no consultation was made with the technical persons at the time when the land was bought,” he added. Why don’t they construct the land-fill site now?

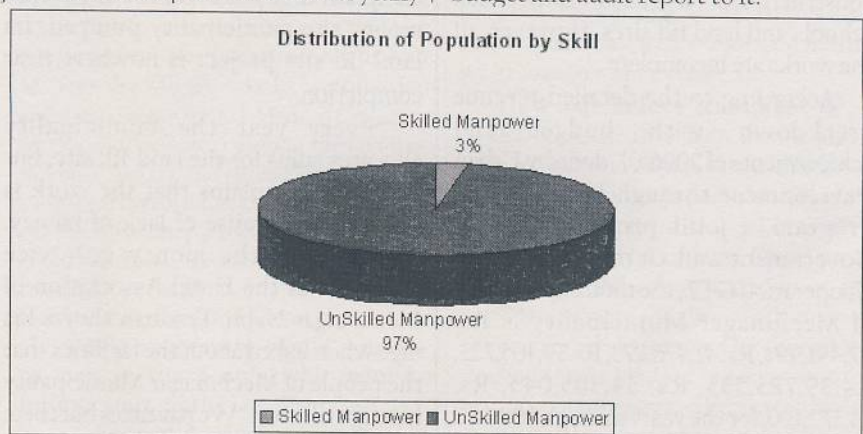
After getting the views of the people, it should be said that the people of Mechinagar Municipality are deprived of getting facilities of municipality although the municipality was constituted in 1998 covering Kakarvitta and Dhulabari VDCs of eastern Nepal which touch the Indian state, West Bengal. It has its total area 57.72 Sq. Km. Fifty six thousand more people live in the municipality.

Other Development

As per the official record, Mechinagar Municipality invests 95 percent in development works of its yearly

budget. But many development works are still pending as they were started four or five years ago. Community Building of Kakarvitta is an example. It should have been completed within the two fiscal years but the work is still going on as it has touched the fourth fiscal year this year. The budget of the building will certainly cross when it becomes ready. Its budget was NRs. 20 million but now the expense has already crossed NRs 10.5 million.

As per the Local Self Governance Act (LSGA) 1999, municipality summon the Municipal Council meetings annually to pass the budget and programs for development. The executive body requires council’s approval annually and the executive board needs to present its budget and audit report to it.



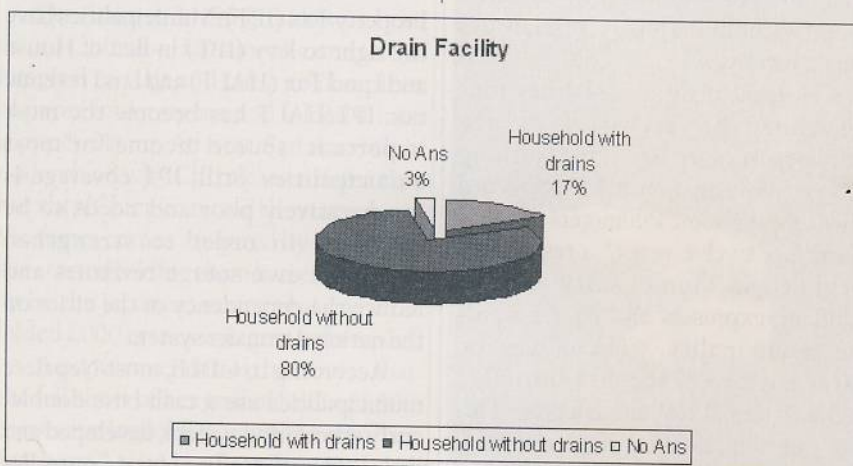
Source: Mechinagar Municipality.

Auditor General raised the questions over the auditing of overwhelming municipalities in Nepal. Nothing has changed in the state of municipality. Commission of Investigation of Abuse of Authority (CIAA) recently expressed the concern over the use of resources at local level.

“Along with landfill site, the Community hall in Kakarvitta and many projects like blacktopping of the roads, and some bridges are still pending due to the lack of budget,” an engineer of the Municipality, Kamal Koirala said, “The trend of making budget by the assumption of revenue collection, and the donations from different donors has affected the big projects of the municipality. The collection won’t be according to the assumption as a result there will be scarcity of money at the time of payment.”

The rest percentage of the budget goes to poverty reduction program and other skill development trainings but the result is absolutely negative.

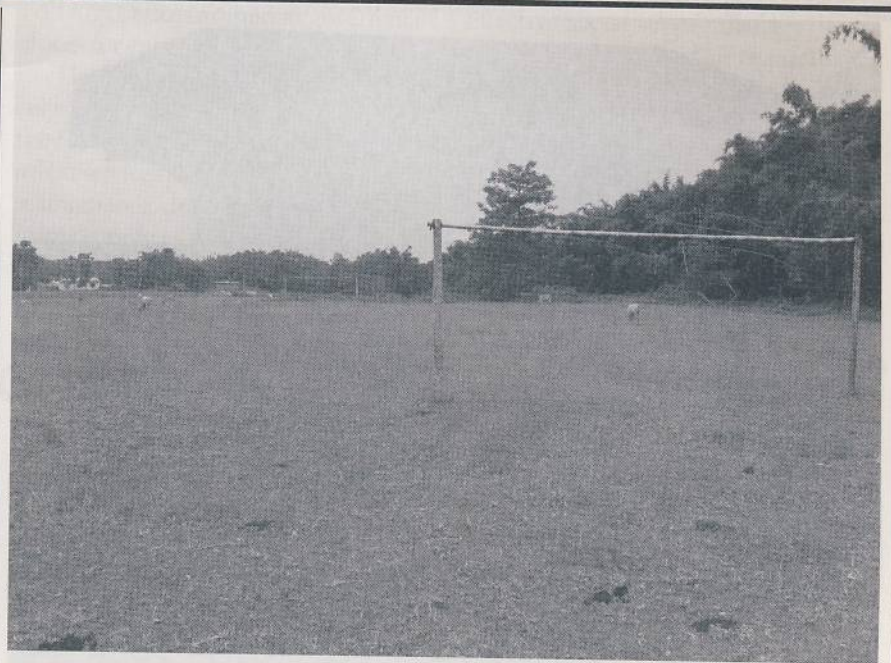
The development works include the construction of new roads, widening of the narrow roads, blacktopping, making bridges across the rivers, making school buildings and the main part of the development work is to make drains. But, the following chart shows how much work of drainage has been completed during the last twelve years.



Source: Mechinagar Municipality.

The picture itself is very clear that the principal work of drain has even not been successful although the municipality has spent most of its development budget. No proper drainage system has invited the

employees do not have any idea what the real demands of local people are,” executive officer Rai says, “This is open secret that we cannot know the real demand of local people because we do not work in a municipality on a



The sanitary landfill site has turned into football ground and cattle grazing field : When will it complete ?

problems of flood and many more.

“This is our weakness that we are unable to construct a proper drainage system,” municipal president of CPN (UML), Laxmi Uprety said, “We will try our level best to complete its construction in the forthcoming fiscal years.”

Many people have pointed out that the absence of people’s representatives has badly affected the development works of the municipality. “The

permanent basis. This chair should be the chair of the mayor.”

The municipality also failed to construct the bus park in the last 12 years. The unmanaged parking of the buses in Kakarvitta terminus is also the major problem. But, the municipality sources say that the construction of the bus park and the terminus will start this year.

The Community Development Officer of the Mechinagar Municipality, Ananta Prakash Wasti said, “The municipality has not given proper attention to the long term development works. Not even the political parties.”

But the conscious people say that the municipality and the general people are equally responsible for this. Dharmananda Khanal, a lecturer in Economics in Dhulabari Campus, said, “People are users of the facilities provided by the Municipality but they didn’t give any pressure to the municipality for the rapid construction of drains.”

The employees of the municipality say that the expenses of donation have been increased when the committee of the leaders of the political parties came to existence in the decision level. But the committee has no legal authority to decide anything and will not be responsible in replying to any questions.

Invisible Contractors

The main obstruction in the



Office of the Mechinagar Municipality: Where resources go ?

development works is the invisible contractors. The municipality spends seventy percent of the total expenses of the work of construction and the rest thirty percent should be from the public side. "From the public side the invisible contractors appear and the public do not invest the percent of the work instead the contractors do all works," food analyst of the municipality, Dipendra Karki said, "We are unable to check this problem because there are many causes behind and until and unless it is checked, the quality of the development works will be badly affected."

He says that the municipality has tried to include the people in the users' committee in an inclusive manner.

According to the leaders of the political parties, another factor that has affected the development works is the reduction of the internal sources of the municipality. The sources of internal taxes are gradually decreasing yearly. In the fiscal year of 2065-66, the source of sanitary tax was of Rs. One crore and twenty lakh but in the present fiscal year it has been reduced to Rs. Thirty four lakh. "The political parties have not given any attention to increase the sources of the municipality," internal auditor of the municipality, Madhav Poudel said, "The situation will be very crucial in future if the income sources will decline in this rate."

According to the record of the account section, the municipality has liability of Rs. Two Crore seventy eight lakhs. "This is the result of making deficit budget," account officer Rajan Bhetwal said, "Up to ten percent deficit is quite considerable but this is a big between the income sources and the reality." He emphasizes that the political parties should be aware of this. The donations and the credits from the different organizations and the donor agencies lately release the allotted budget so the initial four months always remain inactive.

The local people raise questions regarding the activities of the municipality. "It has done nothing except making some bridges and blacktopping some kilometers of roads in the last twelve years," a resident of Mechinagar Municipality 1, Raju Adhikari, expresses his anger towards the municipality. "There was no infrastructure of the city initially," engineer Kamal Koirala defends, "This was our challenge to make the total infrastructure of city and the rate of development is even invisible."

There is another factor that has increased the liability of the municipality. The factor is the maximum number of the workers and the employees. The senior employees themselves say that one hundred twenty

and more employees are working under the municipality and the number should be reduced to half of it. "We are very attentive regarding this and will try to manage this in the future," municipal president of Nepali Congress, Prem Sambahamfe, said.

The positive point is agreement among the political parties in making policies of development and other things, except in making users' committees in some places. "Sometimes they argue and try to impose their candidates in the leadership but there is no note of dissent written till now in making plans and policies," food analyst Dipendra Karki said, "This is the plus point."

Everyone emphasizes that there should be the representatives of local people in making policies and plans of projects because they understand the local demands. "The first preference should be given to the election of municipalities and VDCs after new constitution is made and the peace process is complete," Rabin Koirala, former mayor of the municipality said, while highlighting the impact of the absence of people's representatives in the local self government.

The Local Self Governance Act (LSGA), promulgated in 1999, has given legal authority to municipalities to levy house and land tax or Integrated Property Tax (IPT). Municipalities have the right to levy (IPT) in lieu of House and Land Tax (HALT) and land revenue tax. IPT/HALT has become the most important source income for most municipalities. Still, IPT coverage is comparatively poor and needs to be improved in order to strengthen municipal own source revenues and reduce the dependency of the cities on the national transfer system

According to UDLE, most Nepalese municipalities use a cash base double-entry accounting system, developed and endorsed by the Office of the Controller General. The system is basically designed to support the central base expenditure system of the government offices. In other words, it deals only with the preparation of revenue and expenditure statements of a particular financial year. As such, it does not have

further scope to deal with the balance sheet. It is, however, appropriate for central public financial transactions, which are understood as revenues collected by different government offices, deposited into central deposit accounts and redistributed by the Ministry of Finance through the District

Treasury Office to different government offices for expenditure purposes.

The municipalities are authorized to collect different taxes and fees. In return, they are responsible for providing basic urban services like road construction and maintenance, drainage and assuring the water supply as well as an efficient and

effective social service delivery. These tasks explain why the municipality should keep updated information about bills payable and bills receivable through the preparation of a balance sheet. As this system is not in place, municipalities are not able to share this essential information to taxpayers. ■

ART

Atom Bomb Poster Show

On August 5, 2010 the exhibition of Hiroshima - Nagasaki atomic bomb photo poster was inaugurated in memory of the people who were killed by the Atomic Bomb.

"It has been 65 years since the bombing but the Japanese still have teary eyes whenever they remember those days," Ambassador of Japan Tatsuo Mizuno said at the function.

Many of the pictures in the exhibition told a story. Among these was a story of **Sadako Sasaki** (*Sasaki Sadako*, January 7, 1943 - October 25, 1955), a Japanese girl who was two years old when the atomic bomb was dropped on August 6, 1945, near her home by Misasa Bridge in Hiroshima, Japan.

She was diagnosed with leukemia, which her mother referred to as "an atom bomb disease."

On August 3, 1955, Sadako's best friend Chizuko Hamamoto came to the hospital to visit and cut a golden piece of paper into a square and folded it into a paper crane. At first Sadako didn't understand why Chizuko was doing this but then Chizuko retold the story about the paper cranes. Inspired by the crane, she started folding them herself, spurred on by the Japanese saying that one who folded 1,000 cranes was granted a wish.

A popular version of the story is that she fell short of her goal of folding 1,000 cranes, having folded only 644 before her death, and that her friends completed the 1,000 and buried them all with her. Though she had plenty of free time during her days in the hospital to fold the cranes, she lacked paper. She would use medicine wrappings and whatever else she could scrounge up. This included going to other patients' rooms

to ask to use the paper from their get-well presents. Chizuko would bring paper from school for Sadako to use.

During her time in the hospital her condition progressively worsened. After her family urged her to eat something,

Sadako requested tea on rice and remarked "It's good."

Those were her last words. With her family around her, Sadako died on the morning of October 25, 1955 at the age



of 12.

The programme was organised by Japanese Department of Campus of International Languages, Tribhuvan University.

By **NITISH DEV BHATTARAI**

American Medicine In Nepal

BUDDHA BASNYAT, MD



Many aspects of American medicine are praiseworthy, especially American medical education and residency programmes. Very few countries even come close to the excellent teaching on offer in the US for qualified young health care professionals from abroad. Hundreds of Nepali doctors are doing residency programmes in the US. However there are some aspects of American medicine that perhaps should not be emulated here. One such is the treatment of terminal patients with cancer, lung and heart disease.

Of course, most people with terminal cancer in Nepal will not have the funds or the facilities for further treatment, which may include chemotherapy, surgery, and radiation. But a word of caution to those that may have access to

however stressed on the unlikely probability of a longer life and even wrote the above book because indeed, he went on to survive for 20 more years. Lucky guy.

In a sense the American medical system especially as regards terminal problems like cancer care, end stage lung/ heart disease, has been built around the improbable, that is the long tail of the graph mentioned above. This means spending millions of dollars to entertain the notion of hope, that is perhaps this particular patient is an exception. Unfortunately even in the US health care budget is limited and, this has lately hit home with the passage of the health care budget. How is all this relevant for a poor country like Nepal?

Take malignant lung cancer, an increasing form of cancer in Nepal,

thousands of rupees on chemotherapy etc would spend more quality time with the patient so in the end the patient will make a meaningful exit, and the patient party will also be satisfied. In the US the likely scenario is that in the last stages of this lung cancer patient will be in the intensive care unit with tubes and catheters in all the orifices which makes it impossible to say a proper goodbye. Amazingly even in the US and especially due to the budget crunch, many people are opting for hospice care for a more satisfying exit. In Nepal do we even have a choice?

Atul Gawande, an Indian American surgeon at Harvard, cogently argues for more hospice care in the US in his latest article entitled "Letting Go" in The New Yorker. "Rarely is there *nothing* more that doctors can do", he says. He also says that words like "respond" to treatment or "long term improvement" that doctors may use in these situations only provide a reassuring gloss over a dire reality. Perhaps the patient, faced with a terminal disease situation, if he knows a thing or two, needs to educate the doctor and not completely believe that the improbable will happen. Stephen Gould, the palaeontologist, was just plain lucky. ■

But in many cases in Nepal, proper control of pain in the patient and promoting "hospice" like care may be more relevant and acceptable if people were offered options.

the funds or facilities. In 1985, Stephen Jay Gould wrote a best seller in the US entitled, "The Median Isn't the Message". He was a patient with mesothelioma, a deadly form of cancer. He was also a discerning scientist, and so he looked up mesothelioma and found that it was fatal with a median survival time of about 8 months. However he saw that the survival curve for mesothelioma was skewed to the right with a long tail on the graph suggesting that some people lived many years longer than the average time of 8 months. But the most likely and probable time of death for this cancer was still 8 months. Stephen

thanks to our excessive smoking and air pollution. The median survival time no matter what you do or wherever you are receiving therapy in the world is generally a year for this cancer. Receiving chemotherapy, radiation, or even surgery for this cancer is possible here. And there may be clear cut indications for doing this in some instances. But in many cases in Nepal, proper control of pain in the patient and promoting "hospice" like care may be more relevant and acceptable if people were offered options. This would mean that the patient and the family rather than spending thousands upon

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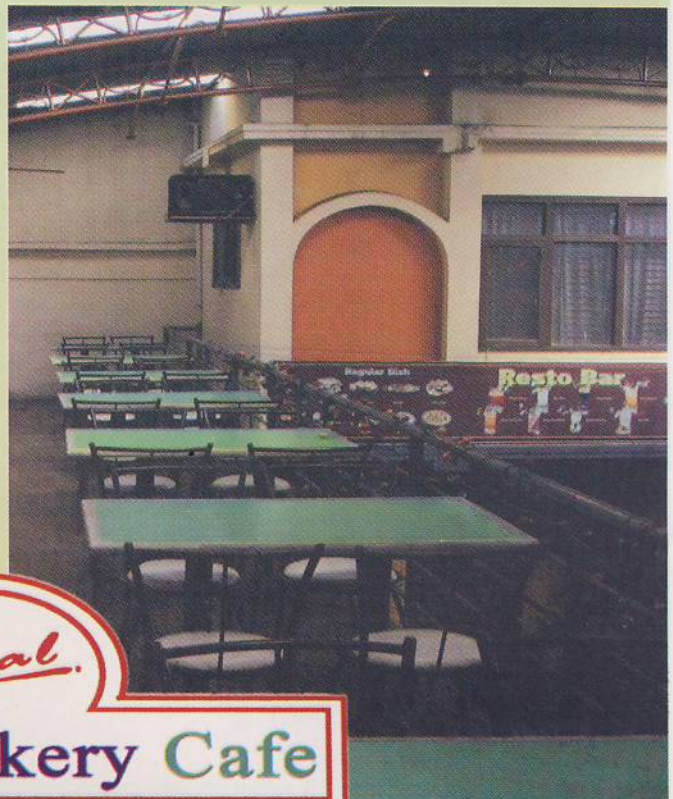
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