



**VIEWPOINT:**  
**Dr. Tilak Rawal**



**INTERVIEW:**  
**Rabindra Kumar**



**FACE TO FACE:**  
**Subhash Nembang**  
**Rajendra Mahato**

# New SPOTLIGHT

Dec. 27, 2013-09 Jan. 2014

FORNIGHTLY



# Politics Playing Out

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## From The Editor

After successfully conducting the November 19, 2013, election to the Constituent Assembly, Nepal has entered into another phase of politics. However, it continues to remain in the spell of a prolonged political instability. Even five weeks after successfully holding the elections, parties have not been able to make any agreement to form the government and summon the first session of the CA. Given the current political trend, no breakthrough is likely anytime soon. With the elections, the political structure has changed in the CA as two major political parties are in a position to form a stable government and promulgate the new constitution. As the country's first two major parties indulge in minor constitutional and political debates, people's aspirations to see a stable government and new constitution within a year may be frustrated for a while again. We decided to look at the constitutional and political discourses in Nepal's current political state as our cover story. Despite political instability in the center and the people's lack of opportunity to elect the leaders at the local bodies, the local people in far-flung villages have found a way to carry out development works through the formation of user groups. Elected periodically in the community, user groups have shown that there are other ways for ensuring accountability. We covered the functions of the user group of Meghauli Water Supply project. New Spotlight Family also wishes Happy Christmas and prosperous New Year 2014 to its readers.

*Keshab*

**Keshab Poudel**

Editor

# NEW SPOTLIGHT FORTNIGHTLY

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### Korea International Cooperation

Agency(KOICA) and KOICA Alumni Association of Nepal(KAAN) organized a Knowledge sharing Seminar and Korean Nepal Friendship Night (KAAN Night 2013)

KAAN is an association established in 2001 to maintain good relation between KOICA and the Nepalese who have participated in KOICA's short or long term Fellowship Programs.

Under KOICA development cooperation assistance Human Resource Development has been one of the important sections of KOICA support in Nepal, since 1991 KOICA has already



trained more than 1,000 government official in Korea in various development areas. This year 97 government officials visited Korea in order to participate in 30 different short/long term fellowship programs. Chief Secretary Lila Mani Paudyal delivered wished to strengthen the ties between Korea and Nepal.

### Japan's National Day Celebrated

Masashi Ogawa, Ambassador of Japan to Nepal hosted a reception at his official Residence, Tahachal, to celebrate the 80<sup>th</sup> auspicious Birthday of His Majesty Emperor Akihito.

About four hundred guests including Vice President Paramananda Jha as a chief guest, new members of CA, Ambassadors and Heads of International Organizations in Nepal, high ranking government officials attended the reception.

In Japan, Emperor is the symbol of the nation and the national unity. And the day is also celebrated as the National Day of Japan.

### China To Provide Aid To Nepal Army

An agreement has been signed in Beijing between Nepal and China on providing assistance, equivalent to 50 Million RMB, to Nepal Army. On Behalf of Nepal government, Nepalese ambassador to China Dr. Mahesh Kumar Maskey and Deputy Chief Major General CI GUO WEI signed the agreement on behalf of Foreign Affairs Office of the People's Republic China.

According to a press release distributed by Nepal Army, under the protocols signed in Beijing, China will provide 59 million RMB for the construction of a mobile hospital. China will provide additional 50 million RMB for this purpose.

### Japan Hands Over Vehicles

The Government of Japan has extended a grant assistance to the Government of Nepal to support the effort of the country to strengthen the forest preservation system since 2010. The Government of Japan has continued

consultations with the Government of Nepal. As a result, the Government of Japan decided to provide 53 Nissan Pickup Vehicles, Fire Fighting equipment, Soil Conservation, Restoration and Analysis equipment and GIS and Remote Sensing Software required for status analysis and conservation management of forests, amounting to six hundred million Yen (600,000,000) approximately (as per conversion rate in 2010) NRs.451, 800,000.

According to a press release of Embassy of Japan, the 53 Nissan Pickup Vehicles will be deployed at Forests Offices, National Parks and Soil Conservation Offices under the Ministry of Forests and Soil Conservation in some districts to be utilized for monitoring of forest and for assisting fire fighting.

Equipment such as jumpsuit and portable water spreader is to be utilized for fire-fighting when forest fires occur. Soil Conservation, Restoration and Analysis equipment is to be utilized for an investigation into the status for landslide prevention.

GIS and Remote Sensing Software is to be utilized in the creation of ecosystem distribution maps based on the observed data. Each piece of equipment contributes to the status analysis and conservation management of forests.

### India Supports Eye Care Program

India will provide 33.90 million rupees to Nepal Netra Jyoti Sangh for eye care program. Indian Embassy and Nepal Netra Jyoti Sangh ((NNJS) signed a Memorandum of Understanding (MoU) for providing Indian grant assistance of NRs. 33.90 million to NNJS

for eye care program in various districts of Nepal. The MoU will cover the cost of conducting 15,000 cataract surgeries through mobile screening camps to be organized in various districts of Nepal.

"Government of India has been providing assistance to NNJS for eye care program in Nepal as part of the India-Nepal Economic Cooperation Program since 2001. Under the program, over one lakh people have so far been cured of cataract and trachoma and optical devices/spectacles have been distributed to over 37,000 school going children.

### UK To Provide Rs.11.2b To Nepal

UK DFID supported Government of Nepal's Local Governance and Community Development Program (LGCDP 2). The UK will provide £70 million (Rs 11.2 billion) to Nepal for improving local governance and service delivery over the next 4 years. The Government of Nepal will contribute USD 1.12 billion and the Development Partners will pool together USD 226 million through LGCDP 2. LGCDP 2 is a flagship national program which will be executed by the Ministry of Federal Affairs and Local Development (MoFALD) and implemented through local bodies. It covers all 75 districts, 58 Municipalities and 3,915 Village Development Committees, and will run until July 2017. UK support will be channeled through both government and non-government partners.

According to a press release by British Embassy, by improving delivery of the Government's own national program, UK support will contribute to improve delivery of services by local government for 2 million families, reduce the number of people below the poverty line from 25% of the population to 15% by 2017, and make 1.7 million people better prepared for extreme weather and natural disasters.

### Russia Mark Event

The Russian Embassy also celebrated the constitutional day of Russia. Russian ambassador to Nepal Dr. Sergey Vasilievich Velichkin hosted a reception to mark the occasion. At the ceremony attended by people of various walks of life, ambassador Velichkin stressed the need to have a new constitution in Nepal. He expressed the hope that Nepal will promulgate the new constitution in time. ■

## Nepal Has Potential: Indian Ambassador

Indian Ambassador Ranjit Rae has said that India and Nepal had great potentials to increase the bilateral trade. Addressing a press conference in Kathmandu, Rae said India was ready to support Nepal to enhance its capability in the industrial sector.

"India InvestTrade will help Indian investors to find areas for investment in Nepal," said ambassador Rae.

"Indian investors have been showing way to invest in Nepal. India wants to see Nepal as a stable and prosperous country. India InvestTrade will help Indian investors to find the areas for investment in Nepal. Indian investors have been showing interest to invest in Nepal."

India wants to talk about investment partnership issues in the IGC. Saying that Indian companies have made investment worth Rs 40.6 billion in Nepal, Rae underlined the need to bring more Indian investment to Nepal through bilateral talks.

Saying that the private sector plays a major role in bilateral trade, Rae urged the Nepal government to incorporate their agenda in the IGC meeting. He said resolution of trade issues between Nepal and India would not only improve bilateral trade but also help in Nepal's third country trade.

Rae said the total trade between the two countries reached US\$ 4.7 billion last year. It is expected to reach \$5 billion this year and there are more potentials and opportunities for trading between the countries.

## CG Invests Rs 1.25b Outside Capital

Binod Chaudhary, the president of Chaudhary group, has said that Rs 900 million will be invested in the CG Landmark project and Rs 270 million more in the safari hotel at Meghauli. The safari hotel, named Zinc Journey Chitwan, will have 30 rooms. The hotel is expected to come into operation from August 2015. The accommodation at the hotel is likely to cost around US\$500 a day. "We have been continuously investing even during adverse situations," said Chaudhary, adding that the group has been adding new industries at a regular interval.

Stating that the group did not stop investing even during the conflict era, Chaudhary added, "If there is dedication to the cause, one does not have to stop investing even during adverse situations."

CG Landmark is being constructed in an area of around six hectares. The nine-storied shopping mall-cum-hotel will have retail stores on the first, second and third floors.

## India InvestTrade

Indian Chamber of Commerce (ICC), a leading National Chamber of Commerce operating from Kolkata, organized "India INVESTRADE", a three-day Exposition and Buyer Seller Meet from 20th - 22nd December, 2013, at Bhrikuti Mandap.



Sixty Indian companies representing "Electrical Equipment and Energy Sector" are expected to participate in the event. Dr. Farooq Abdullah, Minister, Ministry of New & Renewable Energy, Government of India, graced the inaugural function along with other dignitaries on 20th December 2013. At the exhibition venue, a conference discussing various issues pertaining to bilateral cooperation in the energy sector also took place simultaneously.

## We Encourage Merger: Governor Khatiwada

Nepal Rastra Bank (NRB) governor Yuba Raj Khatiwada has said that the central bank was encouraging mergers between banks to minimize the cost and optimize efficiency of the banking system.



Khatiwada holds the view that a high number of financial institutions do not ensure healthy competition. According to him, many banks might be indulging in unhealthy competition thereby leading to a decline of productivity. Addressing an event on 'Reforms, Incentives and Banking Sector Productivity: a Study of Nepal', Khatiwada said liberalization creates an enabling environment for efficiency in the economy. According to him, liberalization is a necessary condition for efficiency. However, it may not be sufficient as other factors also play key roles in increasing production.

Likewise, presenting his research report, Professor Kul Bahadur Luintel of Cardiff University said bankers have become motivated, following deregulation and reform. "Their effort has gone up by almost 50 percent in 2011 compared to the levels in 2003/2004," he concluded.

## Made In Nepal Expo In Feb

President of FNCCI Suraj Vaidya said an expo like Made in Nepal would be important to create jobs and promote Nepali products abroad. "Nepal needs to hold such conferences to promote Nepalese bands," he said.

According to Nepalese Young Entrepreneurs' Forum (NYEF), which is organizing the fourth edition of 'Made in Nepal Products and Service Exhibition from February 13, the four-day exhibition aims to promote Nepali products and services, both at local and international levels.

The exhibition is a part of the 'Made in Nepal Campaign' which aims to motivate people to use products made in Nepal and create awareness and give value to Nepali products. Speaking at the press meet, Mangesh Lal Shrestha, vice president of NYEF, said the 'Made in Nepal' campaign has been initiated to promote products made in Nepal. ■



# Post Poll Scenario

By DR. TILAK RAWAL



Leading on both categories of polls, Nepali Congress became the largest political party, followed by UML and the UCPN-Maoist was placed in a respectable third position in the yet to be formed Constituent Assembly. More than a month has passed after the successful holding of the polls but the major political parties have not been able to pick candidates under the proportional representation system (PR) due basically to their internal problems. The Election Commission made timely allotment of PR seats to 30 parties and has extended the deadline for PR list submission twice but only 11 parties have submitted the lists of their candidates. In addition to the intra-party feud that is causing delay in naming their respective

facilitates its participation in the CA and in the dispensation, everybody should welcome it because Nepalese want a durable government, which could give new constitution and some economic relief to the needy. People do not want the repetition of what had happened last time when leaders concentrated on formation of governments and their dissolution more than anything else. The lesson that the recent polls taught us is that leaders and parties doing anything and everything for power are noted by the voters who do not fail to punish the culprits at the opportune moment. In the current fluid situation, it is likely that CA's coming into formal existence and formation of government is likely to take some time

is not liked by the voters who are also not likely to blame NC and UML leadership for not accepting these conditions. Despite some hiccups that surface intermittently in talks between NC and UML, it seems these irritants cannot shake the deep understanding reached between them on the question of constitution preparation within one year. However, nothing can be said with certainty about the group led by Kiran, despite strong advice both from within and outside of Nepal that they should remain in the main stream politics of Nepal. Comrade Kiran may kindly introspect that his aim of foiling the polls were foiled by Nepalese who turned out in astounding numbers to vote on November 19th and he had absolutely nothing to be happy about after the successful polls except some solace he could have derived from the relatively poor poll performance of UCPN-Maoist. Any leader with some vision should understand that this kind of non-participation in political events and processes could easily push a leader or a group into political oblivion.

**Huge sums are lying unspent because resources are flowing into the state coffer but capital/productive expenditure has not picked. Mention worthy is the fact that out of Rs. 85.10 billion allocated for capital expenditure, only Rs.7.95 billion has been spent in the five months of the current fiscal year. Situation, however, is not completely, hopeless, economy has not irreparably collapsed and the nation can be put on the track leading to prosperity provided those running the show are determined to do so.**

candidates, it seems top political leaders' intense engagement with the disgruntled Maoist leaders, demanding constitution of a high level commission to look into alleged election irregularities, is obstructing timely formation of CA. It may be mentioned that UCPN-Maoist Party, buoyed by about a dozen small parties, is threatening to boycott the new CA if their demands remained unheeded. It seems NC and UML leaders will have to concede to some of Prachanda's demand because they cannot afford to let it remain outside at a time when Mohan Baidya seems to be all set for a revolt and has called for the annulations of the 12 point peace agreement. If conceding to some of the not-so-irrelevant demands of the party that has earned a respectable third position in the recent polls

because time consuming efforts have to be made to rope into constitution making not only a milder Prachanda and his team but also device ways to ensure participation of very aggressive Baidya and his group in the ongoing political process. People are certain that a responsible political party like the one led by Prachanda cannot isolate itself from the current political exercise of paramount importance. That UCPN-Maoist has reportedly begun their work on naming PR candidates after the second extension of time by the Election Commission is a welcome development. Let us hope they submit the list along with NC and UML, both having tough time in naming the candidates, without much flip-flopping. Prachanda must realize that setting preconditions for submitting the party's PR candidates

Convergence of divergent opinion to put in place new CA and thereafter the government will definitely take time but leaders should make sure that limit is not crossed because people want the new dispensation to facilitate preparation of a new constitution and concentrate on improving the deplorable state of the economy without wasting much time. Not only in Nepal, people all over the world want stability and economic prosperity to enjoy better quality of life. Iranians on hearing positive news about long-imposed economic sanctions on their country got into a festive mood and accorded a heroic welcome to the delegation members who had participated in the successful initial talks with the West on Iran's nuclear programme. Those celebrating the occasion knew that opening up of the huge market (US, EU and their



## Not Their Idea Of Nepal

By YUBRAJ GHIMIRE

allies) for Iranian products, mainly oil, will galvanize the sick economy ultimately benefitting the people there. In India, where the economy has slackened a bit after years of robust growth, people are worried about stubbornly high level of inflation, jobsqueeze across sectors and the current rate of growth (around 5 percent), which is the lowest in a decade. Similarly, Chinese are working hard to reverse the current disappointing performance of their economy. People in these emerging global economic powers know well that overall wealth creation has to be bolstered to better social gains. It may be noted that impressive growth helped these countries implement targeted social welfare schemes to benefit the people in poverty. Note worthy is also the fact that remarkable economic progress helped both China and India to embark upon ambitious space programme. Current protests in Ukraine against president Yanukovich's decision not to sign an economic deal with EU have solid economic reasons behind as Ukrainians are fully convinced that closer economic ties with resourceful West would better serve their interest of rescuing Ukraine's collapsing economy. Time will show whether the recent decision by the government there to rely on Russia's cheap gas and money will do any meaningful good to their economy. When economic issues have taken precedence over other state affairs all over the world, Nepalese in dire need of electricity, drinking water and facing high level of inflation and unemployment cannot be blamed for blaming governments here for ignoring economic issues. It may be noted that 1500 to 1700 Nepalese leave Nepal each day for work outside: many of them breathe their last due to hostile working conditions there. The government to be formed will have to assign some ministers along with some agencies such as National Planning Commission and Nepal Rastra Bank (central bank) to monitor progress of development projects and make sure that budgetary allocations on these do not remain unspent. Huge sums are lying unspent because resources are flowing into the state coffer but capital/productive expenditure has not picked. Mention worthy is the fact that out of Rs. 85.10 billion allocated for capital expenditure, only Rs.7.95 billion has been spent in the five months of the current fiscal year. Situation, however, is not completely, hopeless, economy has not irreparably collapsed and the nation can be put on the track leading to prosperity provided those running the show are determined to do so. Please remember Nepalese want the major political parties to sincerely cooperate in government formation and in constitution writing so that work to cure economic and political ailment that Nepal is suffering from since long could commence.

The solidarity among the major pro-election parties and the international community, so visible till a fortnight ago, may not have crumbled altogether, but there are clear signs of major problems. The pre-election alliance of the four major parties has now collapsed, with the Unified Communist Party of Nepal-Maoist (UCPN-M) walking out and heading a new alliance of 16 parties reluctant to accept their miserable performances in the polls.

The international community also appears to be towing different lines, with a section of the UN and key Western donors coming around to the view that the emergence of the Nepali Congress and the Communist Party of Nepal-Unified Marxist Leninist (CPN-UML) — relatively the most democratic — as the largest parties may be a setback to the Maoist-led agenda of the empowerment of Dalits, marginalised and ethnic groups as well as women during the last six years.

The UN Department of Political Affairs recently briefed EU ambassadors,

### Why the UN and Western donor states seem unhappy about the electoral outcome ?

expressing that fear. The new House has less representation from these categories compared to its predecessor.

The UNDP's doubts can also be interpreted as an endorsement of the boycott and the line taken by the UCPN-M and its new allies on the electoral outcome. How will the international community, which certified the elections as free and fair, encourage some forces to go against its outcome? But the UN and EU have invested substantial amounts of money, expertise and energy in promoting ethnicity-based provinces and politics in Nepal. Much against their calculations, the electoral outcome has been seen as a rejection of caste and ethnicity-based politics, since the UCPN-M and the pro-ethnicity parties fared miserably.

"It will be wrong to say our agenda has been rejected. We will go to the street in support of identity-based politics", said the Nepal Federation of Indigenous Nationalities (NEFIN). The statement coincided with the UNDP's assessment of the poll outcome and a focused debate on ethnicity-based policy on a BBC programme funded by the UK's Department for International Development, which has also promoted and supported various ethnic groups and ethnicity-based politics in the past. With the electoral drubbing of the Maoists, this section of the international community is torn between two choices — whether to go with the winners or to continue to support the Maoists and identity politics.

*Courtesy: Indian Express*

**"Everybody Needs Fresh Mandate"**

SUBHASH CHANDRA NEMBANG



Former chairman of Constituent Assembly and leader of CPN-UML SUBHASH CHANDRA NEMBANG holds the view that there is the need to have a broader agreement in accordance with the mandate of the people.

**How do you look at the present controversy over summoning the Constituent Assembly?**

This is a non-sense. The Interim Constitution has clear provisions regarding the summoning of the CA. According to the Constitution and the present practice, the prime minister has the power to summon the first meeting of the Constituent Assembly. I don't think there is any debate over this.

**Do you think the time has come to summon the first meeting of CA?**

First of all, there is the need to complete the composition of the CA. For this, the present government needs to recommend 26 people as per political consensus. Only after the nomination of the 26 members, the composition of the CA will be completed.

**Do you think three major parties will submit their lists for proportional representative by December 25, given UCPN-Maoist insistence not to do so?**

As the country's major three parties are in the process of selection the names for proportional representatives, they will meet the deadline. I don't have any doubt about it. It will be unconstitutional to hold the meeting of Constituent Assembly without nomination of all the members.

**If UCPN-Maoist fails to submit the list, what would be the scenario?**

First of all I don't think UCPN-Maoist is such an immature party. We need to politically insist them to fulfill their obligation.

**How long should other parties wait for UCPN-Maoist to submit its list?**

Since we are in the process of constitution writing, there is the need of participation of all the political parties. We even need support from CPN-Maoist to write the constitution. We cannot ignore UCPN-Maoist. The best way is to address the issues raised by UCPN-Maoist.

**Even before the summoning of the Constituent Assembly, there is debate over the formation of the government. How do you look at this?**

First of all we need to complete the composition of the Constituent Assembly, and then only we can talk about the possible new alliance and the new government. It is too early to speak about the new government.

**How do you suggest the new CA should move ahead?**

We need to bring some of the important members of previous CA who were involved in constitution drafting at the last stage. Political parties need to nominate persons like Yek Raj Bhandari of CPN-Maoist, Laxman Lal Karna of Madheshi Morcha, Radheshyam Adhikary of Nepali Congress, Agni Kharel of CPN-UML and Khim Lal Devkota of UCPN-Maoist — they played an important role to prepare the final draft. Their continuation is necessary to write the constitution in time. ■

**"President Does Not Need Fresh Mandate"**

RAJENDRA MAHATO



RAJENDRA MAHATO, leader of Sadbhavana Party, is a very prominent Madhesh leader. Although he lost the Constituent Assembly elections, he still wields influence in the Terai as his party is still one of the largest parties of Madhesh. Mahato spoke to NEW SPOTLIGHT on various issues. Excerpts:

**How do you look at the present political situation in the context that Madheshi parties have been virtually wiped out from their own region?**

Yes, we have lost the elections. However, the Madhesh has not. Only one reason behind our defeat is the fraud in the elections as well as the division among Madheshi parties. Had we been united to contest the elections as in the past, we would perform well. Madheshi parties have secured more votes than the last time.

**How do you evaluate the overall political scenario?**

After reviving the High Level Political Committee, political leaders have been able to avert the political crisis looming large just after the completion of the CA election. The situation is still uncertain, nobody can predict the upcoming scenario. Although they were hesitant earlier, CPN-UML and Nepali Congress agreed to our demands to constitute the high level commission to probe the elections fraud. This is a good sign.

**What do you see as the reason behind your defeat?**

Disunity among Madhesh parties is the reason behind my defeat. Another reason is the massive election fraud in Madhesh to defeat our candidates. The state machinery openly supported Nepali Congress and CPN-UML candidates.

**Do you mean people in Madhesh still prefer Madheshi parties?**

There is no doubt about that. Given such a massive mobilization of government machinery against us and our deep split, it was impossible for us to retain our positions.

**As you have lost the elections, what will you do now?**

Of course, I have lost the elections, but I have not lost the cause of Madheshi people. It does not make any difference for me whether I lose elections or not. My aim is to serve the interest of the people.

**Do you think the present Constituent Assembly will write the new constitution?**

It is very difficult to say right now. As the country's major political parties have recently expressed their commitments, the CA will promulgate the new constitution.

**How do you see the recent decision of CPN-UML to seek fresh election for president?**

It is a sheer non-sense of CPN-UML. We will oppose any such demand. Since we fought the elections for Constituent Assembly to draft the new constitution, we must focus on constitution writing. We contested the elections for CA, not for parliament.

**Then why did the CPN-UML seek the resignation?**

It is CPN-UML's ploy to pull down a Madheshi leader from top position of the country. This is also a politically very immature move. Political parties right now need a compromise to draft the new constitution in time. This kind of debate only derails the political process. ■



# POLITICS

## As Uncertainty Plays

As leaders of major political parties, Nepali Congress, CPN-UML and UCPN-Maoist, are still in dispute over several constitutional and political issues, it is likely to create more political troubles in the coming days as regards formation of the new government and writing the new constitution. If the current political trend continues, political leaders will be causing a dent in the credibility and legitimacy of the newly elected CA even before it sits for the first session, pushing the country into further instability

By KESHAB POUDEL

"There is no question to submit our proportional representation candidates as long as Nepali Congress and CPN-UML give no consent to form the high level probe commission to look after the irregularities committed in the last CA elections," said Post Bahadur Bogati, general secretary of UCPN-Maoist. "The whole responsibility of making the CA functional lies on the role of Nepali Congress and CPN-UML," he added.

"We have already agreed to set up some form of parliamentary committee to address the Maoists' concern. It is impossible to set up a high level commission from outside," said Nepali Congress general secretary Krishna Prasad Sitaula.

"There is no reason we consider the demands of forming a high level probe committee. The newly elected CA can take a decision on it," said CPN-UML leader Ishwor Pokharel. "It is the Maoist's childish behavior to seek a face saving through the commission."

### Rush to Negotiation

Although leaders of major political parties have been rushing for negotiations to pave the way for the first session of the Constituent Assembly, they are yet to agree on the political and legal processes. In the last elections, it took several months before summoning the regular session. The current situation shows that there will be a delay like in the past.

At a time when nobody is sure to what steps political leaders will take the next day, the question of summoning the CA session is in limbo. Two days ago, Nepali Congress, CPN-UML and UCPN-Maoist leaders agreed to nominate their candidates by December 25. However, UCPN-Maoist changed its tone the next day.

"We have never made any commitment to submit our proportional representatives. We have made it clear that our participation in the CA will depend on how quickly Nepali Congress and CPN-UML

address our five-point demands," said Bogati.

Despite growing disagreement, Nepali Congress, CPN-UML and UCPN-Maoist leaders are still in a rush to hold the meetings. On December 22, they attended several rounds of bilateral meetings. CPN-UML leaders and UCPN-Maoist leaders sat about one and a half hour in Peace Fund Office in Babarmahal in the afternoon. CPN-UML leaders met Nepali Congress leader Sushil Koirala at his residence. Similarly, NC leader Koirala went to the residence of UCPN-Maoist leader Prachanda.

The whole day efforts went in vain as UCPN-Maoist still put the constitution of the high level probe commission as a prerequisite for its participation in the CA. "Given the present trend, it looks that political leaders are laboring hard to smash popular mandate of the Constituent Assembly," said a former attorney general.

Political leaders spent their entire week holding meetings but nothing is coming out. "Parties and their leaders are diminishing their own credibility and pushing Nepal into further instability. "How could those who are themselves source of problems and maladies solve the problems remain to be seen," said a political analyst. The actions by political leaders have raised questions about political and legal legitimacy of the CA elections.

#### Demand after demand

After the completion of the CA elections, CPN-UML leaders suddenly came out with a demand seeking fresh elections for President Dr. Ram Baran Yadav as per a fresh mandate. This demand came when UCPN-Maoist has been challenging the legitimacy of the CA elections.

By demanding fresh elections for President, CPN-UML posed the first legitimacy question on the election process that was possible through the order of the President. As the present elections of CA were held through the ordinances issued by the President, he is the only authority at present to legitimize all constitutional processes. However, UCPN-Maoist posed questions about the legitimacy and legality of the newly elected Constituent Assembly. The targets of both the parties are different but their basic thrust is to question the legitimacy of elections.

Worse still, Nepali Congress partially tarnished its own legitimacy by agreeing to form some kind of a commission to probe the last CA elections, which all international and national election observer groups termed free and fair in the history of Nepal.

#### CA Session in 2014

At a time political parties are indulging in several internal and bilateral political disputes, the possibility of summoning the first meeting of Constituent Assembly will be unlikely in 2013 and it will be delayed by a few more weeks.

In 2008, it took around six months to elect the CA chairman, finalize the

regulations and form the CA thematic committees. The original calendar of events spanned a period of 18 months. The first CA poll was held on April 10, 2008. The CA's first meeting was convened on May 27, 2008.

Instead of making political compromises on the government making process, Nepali Congress and CPN-UML, two largest parties, are in a row over the issue of resignation of president. CPN-UML demanded the fresh elections for president and Nepali congress opposed it.

Similarly, major political parties are yet to nominate the members under the proportional representation. As the parties are still in discussions, they are likely to seek another extension of the deadline.

With the request from major political parties, Election Commission has already postponed the date for the submission of name under proportional representation for 18 December and December 25. Given the present political scenario, parties are likely to request another extension.

Although major political parties have agreed in some ways to constitute a probe commission to investigate the irregularities in the elections, they are yet to budge on their demands. As UCPN-Maoist and Madhesi Front continue to press for a high level commission to investigate irregularities in the elections, Nepali Congress and CPN-UML are proposing a parliamentary committee of the newly elected Constituent Assembly.

Making things more complex, UCPN-Maoist has forwarded five points as their demand to join CA. The demands include Constitution of High Level Probe Commission, Amendment



Leaders of Three Political Parties

of Constitution for Consensus System, Consensus for new Constitution, Continuity to High-level Political Mechanism and bringing outside forces in constitution drafting.

As the parties are still in the process of negotiations, any agreement among the political parties is unlikely soon. This will delay summoning of the newly elected Constituent Assembly.

As there is no political breakthrough possible in sight, the current political crisis is likely to prolong for a few more weeks. This will delay the summoning of the first meeting of CA. Although major political parties revived the High Level Political Committee to clinch a political deal, it is unlikely to make any breakthrough. There is an understanding among all the parties in the HLPC to extend the term of the new CA takes place and a new political government replaces the current Chief Justice Khil Raj Regmi-led government.

#### Political Course

Nepal's politics is now in a more uncertain course. As the disputes among the major parties are yet to be settled, the process of commencement of newly elected Constituent Assembly is getting delayed.

There is sign of hope as well. Nepali Congress and UCPN-Maoist have already held several rounds of negotiations regarding formation of government and leading the constitutional writing process. As

CPN-UML and Nepali Congress are on loggerheads on the agenda of fresh election for President, the initiative for making new alliance between Nepali Congress and UCPN-Maoist will create a new political scenario. Having secured two thirds majority in the CA, Nepali Congress, CPN-UML and UCPN-Maoist should agree to write the new constitution.

#### What Next

Given the present scenario, it looks unlikely UCPN-Maoist will send its PR names to Election Commission by December 25. This will create a political stalemate and delay the formation of the government and commencement of work of the Constituent Assembly.

Nothing is likely to materialize until major parties come out with an agreement in package including on power sharing and constitution writing. Going through the political developments of the last weeks, any major change in the political scenario is unlikely.

Although political leaders settled some thorny issues at the top, they are facing tough internal challenges within the party. Nepali Congress young leaders are threatening their leaders not to sign any agreement undermining the central committee. Similarly, CPN-UML leaders are also putting similar pressures on the top leadership. In UCPN-Maoist, former prime minister Baburam Bhattarai even raised the issue of president's hegemony in decision making. This is likely to shift the situation.

#### Power Sharing

As the country's major political parties are busy in power sharing, nothing will come out clearly until they forge a new understanding. While Nepali Congress (NC) leaders opposed any move for the fresh election of the president, CPN-UML leaders are insisting that a 'power-sharing' deal with the mandate of recently held Constituent Assembly (CA) election is necessary.



Maoist Leaders

"We want to be in opposition if Nepali Congress does not agree on proper power sharing," said CPN-UML leader Madhav Kumar Nepal.

However, Nepali Congress leaders downplay this. "We have not yet sat on the issue of power sharing with CPN-UML," said Nepali Congress leader Dr. Ram Sharan Mahat. "Once the agreement with UCPN-Maoist and other parties is forged, only then we will move to the power sharing question with any political party," he added.

"Our entire efforts now are concentrated on bringing the dissenting parties, including the UCPN (Maoist), on board the CA process and holding the first meeting of the new CA at the earliest," said Dr. Mahat.

Although Nepali Congress and CPN-UML are bargaining for the post of prime minister, they are yet to elect their parliamentary party leader. Nepali Congress and CPN-UML are yet to publicise the name of their prime ministerial candidate. In Nepali Congress, Sushil Koirala and Sher Bahadur Deuba are the front runners and in CPN-UML, Madhav Kumar Nepal and Jhala Nath Khanal are the front runners.

The announcement made by major political parties to prepare the draft of the new constitution within six months and promulgating the statute within a year already

appears shattered.

As a month has already passed since the second election to the Constituent Assembly (CA), major political parties, which had committed to preparing the draft constitution within six months, have not even finalized candidates for seats under Proportional Representation (PR) electoral system.

Apart from the parties' nomination of the 335 PR members, the government has to nominate additional 26 members to give the 601-member CA a full shape. Altogether, 240 members have already been elected directly from constituencies under the first-past-the-post electoral system.

#### Likely Scenario

Political instability is likely to continue in coming days. There will be more uncertainty over the first meeting of newly elected Constituent Assembly, formation of government and writing the new constitution. The internal political disputes will shake the government. Prolonged instability and continuation of present lame duck government will definitely hamper new development programs and investment. As the weather of Kathmandu is getting cold, it will take a few more weeks for the politics to warm up again. Given the wider differences among major political parties, Nepalese are unlikely to see political stability anytime soon. ■

# Nepal Poll Result Poses Security Threat To India

By SEEMA SENGUPTA



The picturesque Himalayan State of Nepal is stuck in a quagmire. While the world's attention in recent times was focused on Indo-Pakistan flare up due to media hype, another South Asian nation seems to be slipping into anarchy quietly.

The Nov. 19 constituent assembly election — that analysts believed was the only way to extricate impoverished Nepal out of half-a-decade old constitutional crisis — failed to usher in the much sought-after political stability. A hung parliament and the defeated Maoists' threat of non-cooperation — unless their demand for investigation into alleged poll irregularities and accommodation in a unity government are met — can potentially deepen the chaos.

Though the single largest Nepali Congress party leadership displayed sagacity by embracing the runner-up CPN (UML) party and inviting others to join a national government, past rivalries will possibly cast a long shadow over the process of social and political reconciliation in Nepal. It is time for Nepal's political class to realize that an altered political and social reality calls for introduction of a fundamentally unique approach to take the country forward. Unfortunately, the citizens of Nepal have a bitter experience of a disastrous rendezvous with democracy.

Nepal's national economy is in disarray due to uninterrupted political instability and this landlocked nation currently depends on foreign aid to fund two-third of its development projects. But for the external financial support plus significant funds sent home annually by the expatriate Nepali population working in the Gulf region and elsewhere, the country would have gone bankrupt long ago. Even agriculture, Nepal's principal economic activity that contributes to one third of GDP, is in shambles. Worst still, tourism, the most potential revenue generator, is giving diminishing returns.

However, in all fairness, Nepal's faltering steps toward republicanism should be attributed to a prolonged strategic rivalry between its giant neighbors India and China. Nepal is critical to both of them in achieving key geopolitical objectives in South Asia. The Asian giants espouse two conflicting views of the Himalayan nation's constitutional roadmap. While officials in New Delhi prefer ethnicity based federalization with maximum autonomy reserved for the plains of Terai or Madhesh, China on the other hand seeks minimum alteration in status quo. Contrary to Beijing's discreet way of advancing its own interest down south, India's security paraphernalia has a history of overtly nurturing ethnic disgruntlement in Nepali regions bordering Indian territories.

In fact, Indian diplomats are accused of blatantly taking sides in confrontations between various actors and institutions in Nepal. Such foreign interferences created enough stimuli to incite domestic disaffection and the abject failure of the Nepali leadership of all hue to preserve the core national interest intensified the disillusionment further. Undoubtedly, not a single Nepali politician attained the

standard of that standalone statesman, capable of preventing his motherland from descending into a morass of myopia, corruption and caprice. They surely must take the blame for the exodus of 6 million people in search of economic opportunities elsewhere due to perpetual political stalemate.

Now that the Nepali Congress has turned out to be the biggest beneficiary of the election, it remains to be seen how the new situation shape New Delhi's Nepal policy. India, previously invested heavily on the revolutionary-turned-democrat Babubaram Bhattarai to checkmate China-backed Prachanda. More importantly, the Indian establishment had earlier blocked the Nepali Congress President Sushil Koirala from taking charge of a unity government, using their leverage with the Madheshi umbrella group Samyukta Loktantrik



Madheshi Morcha, despite a deal reached between the major political stakeholders. A dejected Koirala had warned India that if the Maoists' bid to capture state power "by hook or crook" succeeds in Nepal, his country would turn into a fertile breeding ground for Naxalites — the Indian version of radical leftists. The world might be

happy with the outcome of the recently concluded constituent assembly polls in Nepal but there will be inevitable consequences of the Maoist defeat. Will the defeated Maoists, who were integrated into mainstream politics through a 12-point agreement signed in New Delhi in 2005, return to their guerrilla lifestyle?

It is not easy to switch back to a hit-and-run mode after having enjoyed the fruit of officialdom and a luxurious lifestyle. For New Delhi, however, there is little room for complacency. All throughout the turmoil, the Indian establishment did not play its cards well. They stood solidly behind a prime minister who was severely reprimanded by the judiciary for blocking the murder trial of a journalist. Supporting such a controversial political figure that was also accused of hiding war massacres did antagonize a large section of the Nepali populace who have a soft corner for Indian culture and tradition historically.

Analysts observing the evolution of radical ultra-left movement in India are of the opinion that the isolated Maoists in Nepal might be tempted to boost collaboration with their Indian counterparts. The porosity of the Indo-Nepal frontier can help sustain a uniform level of violence on Indian soil due to renewed tactical alliance between ideological comrades.

So, the Indian strategic establishment can no longer repeat the past mistakes if they want to preserve domestic as well as regional peace and stability. Rather, it is time for New Delhi to act in a way that does not put into quandary a realistic chance of achieving a democratic zone of peace in the Indian subcontinent. Nepal, at the end of the day, requires sufficient time and international assistance to stabilize and prosper because drafting a constitution is no child's play.

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## NEIGHBORLY VISITS

# Growing Concerns

*Just a week after a high-level security visit, high officials from Chinese Communist Party paid a visit to Nepal, meeting the leaders of various political parties*

By A CORRESPONDENT

As Nepal's major political parties are yet to agree on the formation of the government and summoning of the session of the newly elected Constituent Assembly, Nepal's neighbors are more worried and concerned about these political developments.

Just a day after a high level Chinese delegation led by Ai Ping left Nepal meeting senior leaders of major political parties, India has also sent a senior minister of the cabinet to visit here. Although he came to take part in an Indian expo, India's central minister of alternative energy Farooq Abdullha met high ranking officials as well.

A high level political leader from main opposition BJP is visiting Nepal to meet the newly elected members of the Constituent Assembly and leaders of major political parties. As Nepal's overall political scenario is heading towards uncertainty again, neighboring countries are intensifying their activities here.

Although India is yet to mobilize its own political leaders like D.P.Tripathi and others to influence Nepal's political course, India invited a jumbo delegation of Nepalese journalists representing all major mainstream media for a week long visit to give an appraisal on Nepal's overall scenario from the media perspective. Although former King Gyanendra is also in India to attend the wedding of his relative, the visit has also generated some political meaning.

Led by senior leader Li Ping, the Chinese delegation met senior leaders of major political parties, including

CPN-Maoist leader Mohan Vaidya and his colleagues. However, Nepal's political impasse is yet to see a tangible way out. Despite the efforts of major political parties, they are yet to agree on the terms for summoning the newly elected Constituent Assembly.

The Chinese concern is understandable. Nepal's political stability and instability will have implications to Tibetan Autonomous Region of China. Similarly, India too is concerned over any increasing activity of other forces in Nepal.

As Nepal's political parties are showing no sign of a compromise on summoning the session of Constituent Assembly, western diplomats, including the American ambassador, are also meeting the leaders of major political parties.

"The message of the Chinese leader Ai Ping is: come to a compromise and hold the meeting of Constituent Assembly as soon as possible," said a Nepali, who was with the 18-member delegation throughout the meeting.

Along with the Chinese Ambassador to Nepal, Wu Chuntai, Ai Ping, who is vice-minister at the International Department of Communist Party of China on South Asian Affairs, met UCPN-M chairman Pushpa Kamal Dahal and CPN-M chairman Mohan Vaidya separately.

The Unified CPN-Maoist, which after an unexpected drubbing in the polls, is hemming and hawing to join the Constituent Assembly whereas its breakaway faction CPN-Maoist is for boycotting the assembly altogether.

The message of Ai Ping was loud and clear: get involved in the



Chinese Leader Ai Ping

constitution-writing process. China has long been concerned with Nepal's political instability as it does not bode well to internal security interest of the northern neighbour.

Beijing is aware that political crisis here in the country encourages anti-China activities in Nepali territory and undermines its efforts for maintaining internal security. So, it is not surprising to see Chinese authorities increasingly visiting Kathmandu and accentuating firmly on political stability in the country.

After the conduct of the November 19 Constituent Assembly (CA) election, a number of high-profile Chinese delegations have come to Nepal to convey their concern to the Nepali political leadership. The latest in the series is the visit made by a high-level 14-member Chinese team led by Ai Ping, a member of the Committee of Foreign Affairs of the Communist Party of China.

Ai Ping team met Nepali Congress president Sushil Koirala, CPN (UML) president Jhalanath Khanal and UCPN (Maoist) chairman Puspa Kamal Dahal. Similarly, the Chinese team held meetings with the leaders of CPN-Maoist.

As the formation of the new government is getting delayed, Nepal's neighbors are showing more and more concerns. The concerns by the two neighbors are likely to complicate the political situation. ■



SAARC General-Secretary Ahmed Saleem (Left) meeting chairman of council of Minister Khilraj Regmi

## SAARC Yet To Pick Speed

*Even in 28 years since the signing of its charter, the South Asian Association for Regional Cooperation (SAARC) has yet to pick up pace in work*

By A CORRESPONDENT

Eight South Asian Countries share many things in common. However, there are elements of diversity and differences as well. In dealing with bilateral relations, commonalities have little to do, but what matters is their own national interests, which is instrumental in taking decisions.

In the past three decades, the countries of the region are yet to make any major breakthrough in trade, people to people contact and other regional development agenda.

Established with an aim to promote peace, stability, amity and progress in South Asia through mutual respect among the member states for one another's sovereign equality, territorial integrity, national independence, non-use of force and non-interference in the internal affairs of other states and peaceful settlement of all disputes, SAARC has adopted many lofty goals.

However, SAARC flourishes in academic exercises than real politick. There is merely less than 1 percent of annual trade between the members. Despite geographical proximity, there is no direct transport route to conduct bilateral trade.

Politically, India, Pakistan and Sri Lanka are stable, having periodic elections. All other nations are, in one

or the other way, unstable. Bangladesh is going through the course of political chaos. Although Nepal, Bhutan and the Maldives hold the elections, they too are on an unstable course.

Along with this, the region has a history of long rivalries. As India is the largest country having shared borders with all the countries, South Asian regional cooperation is impossible without support from India.

Given India's own security problems with China and Pakistan and China's growing presence in South Asian countries, it is unlikely to see effective and functional South Asian Association for Regional Cooperation in the coming few decades. China is rising as a global force. India is also eyeing for high growth with high ambition to play a role at the global stage. Both want to retain their spheres of influence.

As India sees South Asia as within its sphere of influence, it challenges the presence of any outside power, including China, which also shares its borders with Nepal, India, Pakistan, Bhutan and Afghanistan.

Along with this, the relations between India and Pakistan is likely to determine the future of South Asian regionalism. Small countries of South Asia are more vulnerable in the context

as India sees its neighbors' growing interactions with China as against its own security interests. In reality, sharing culture, religion, ethnicity, language and geographical proximity, India's small neighbors are not in a position to harm India.

Way back in 1985, the heads of state and government of the member nations realized their ties of history and culture, common problems, interests and aspirations and decided to foster mutual understanding, good neighborly relations and meaningful cooperation to thrive together in an increasingly interdependent world.

"SAARC will materialize since countries of the region cannot solve the problems like poverty, environmental degradation without close cooperation. This is what we can see in the last 17 summits where leaders expressed their continued commitment to collaboration and cooperation towards the goal of attaining collective regional prosperity," said first general secretary of SAARC Yadav Kant Silwal.

"The ambit of engagement among the SAARC members has continued to grow by every passing year. Thanks to the involvement of the private sector, civil society, the media and academics, the scope of the regional body is widening further," said SAARC General-Secretary Ahmed Saleem in his message on SAARC Charter Day.

As the poorest region of the world having a lot of challenges and problems, SAARC nations can see regional cooperation making a lot of difference in response to environmental degradation, terrorism and transnational crimes, drug and human trafficking, energy scarcity, disasters, poverty and deprivation. Secretary general Saleem expressed his belief that SAARC is the best thing in South Asia for effective economic integration, peace and harmony.

Despite well established secretariat of SAARC capable in dealing with half a dozen of observers and member states, SAARC is yet to move things at a desired pace. As China rises in influence while increasing its activities in the region and India is looking warily on China's rise, the region is unlikely to see any meaningful cooperation happening at the moment. ■



# Controlling Gender Violence

By DEV RAJ DAHAL

## Introduction

Gender-based violence marks the regression of human civilization and dreadful episode of human history. The debut of gender-based violence defied the notion that democratic and peace processes in Nepal would bring transformation in attitude and foster the legal and factual equality between male and female. Violence-induced social disruption marks the deterioration of human rights and puts the democratic progress so far in uncertain shape. And the increased voice, visibility and empowerment of women remained confined to individual scores having little dent on the system. The peace agreement of Nepal aims to unfold opportunity leading Nepal down the road to reconciliation and peace by abolishing class, gender, ethnic, caste and regional discrimination and seeking structural transformation of public sphere. Fixing the dysfunctional system to new adaptation requires a return to the path of freedom, justice and solidarity. The day 25<sup>th</sup> November 2013 has been celebrated by the UN as International Day for the Elimination of Violence against Women which followed 16-day activities. Beneath the surface, however, remained the same untransformed context that has formatted the human life as a mere "selection." Women's ownership in the means of coercion and production of food, energy and goods is, therefore, necessary to control violence.

## Cultural Conversation

Nepali women's landscape is heterogeneous, diffused and split and, therefore, their emancipation requires different approaches to bridge building. One common theme is: education of women for leadership can build their power and self-confidence to transform the discourse, context and culture of power and use it as a creative, liberating force. The central message of this time is to enhance the role of women and help and heal the post-conflict condition of society the cost of which is mostly borne by women. Building an effective and responsive state with the ability to execute unified application of laws in society can deter violence-perpetuating forces that violate women's integrity of body, identity and choice. There is a correlation between the national integrity system of the state and personal integrity of women's lives. Reclaiming the state alone can provide an opportunity for Nepalese women to define their role in personhood and engage in the pursuit of life, liberty, justice and identity. This improves the format of security for them. There are more strategies:

- a) *Situating women in the multiple power relations:* An understanding about the complexity of power relations in which women are caught in Nepal is important to discover multiple causation of violence and seek the solutions of their disempowerment. This narrative underlines an argument to enable average women to control the condition of their lives.
- b) *Formulation of counter-hegemonic discourse beyond disciplinary trap:* Obviously, knowledge is power, medium of rationalization of activities and also policy means to discipline and punishment. Discursive power implies the knowledge and experience of Nepali women and men in the determination of politics, law and public policies. But, power operates in an institutional context producing incentives for peace for some

and violence for others if its game is played by unequal players. Women's struggle for engineering institutional change is essential to rectify the power imbalance and create level playing field at multi-level governance.

c) *Moving the discourse beyond the public-private dichotomy to capture an arena of political:* Since politics is an arena of contestation of power, empowerment of women alone can prevent subordination and violence inflicting them because in Nepal at the inner core of politics is still governed by utilitarian instinct, not democratic norms, that often legitimizes violence and impunity. Powerlessness of women means a lack of their capacity to alter the course of events that affect them. Since Nepali media is attuned to focus more on 'political' rather than other spheres of life-world and leaders communicate to multiple audiences through a channel of communication, visibility of women's workloads can be a powerful tool for preparing the society for the burden and benefits of sharing and reforms.

d) *Enabling the critical masses to reflect on 'human condition':* Women's awareness to know their position in the pyramid of power is critically linked to their struggle to overcome the situation through the means of political agency. The awareness

**And the increased voice, visibility and empowerment of women remained confined to individual scores having little dent on the system.**

of the relationship between medium of socialization and behavior in the life of men and women and their experiences are important factors to remove

the constraining conditions from bottom up for an alternative shared vision based on equal labor, work, stake and justice.

e) *Employing the emancipatory power of social movements:* Building rainbow coalitions of genuine civil society groups to engage women in a new social contract is necessary to liberate them from the confinement to social labor but also exercise gender-specific, constitutional and human rights and strengthen the Nepali society's moral fiber.

## Conclusion

Changing framework condition is important to enable law and development policies implementable. Those engaged in non-violent politics have to think beyond "there is no alternative" and develop practical inclusive projects in *cross-spheres of women's lives such as re-socialization, political participation, decent work, capacity building at grassroots level, gender budgeting, gender justice and broader level of collective action at the multi-level governance aiming to change the existing power structures of political economy that legitimizes violence and escape punishment.* This is a strategy to react to crisis moment and bring various identities of women and men into the framework of equal citizens and human beings and engage them in the production of knowledge, policy, institutions and political culture aligned with the democratic substances of modernity. Individual's opportunity springs from the context of family, state, market, civil society and international order, therefore, their democratization is essential for the broader humanization of society at large. We need to capture the metaphysical roots of our civilization's heritage of tolerance and coexistence. Therefore, a cultural return from the ongoing deculturalization is a solution to negate violence against the nature and women.

Dahal is Head, FES Nepal



## NEPAL-INDIA

# Trade Talk

*Nepal-India Inter-Governmental Committee meeting concluded after listening to each others' views and concerns*

By A CORRESPONDENT

Nepal has unlimited demands and concerns. Similarly India has concerns and demands with Nepal on bilateral trade, particularly on unauthorized illegal trade. However, it took the two countries nearly two years to listen to each other and address their concerns at the highest level.

Although Nepal prepared a draft to amend certain clauses in Nepal-India Transit Treaty, it was renewed automatically without any amendment due to unreasonable stand taken by then Nepalese foreign minister Naryankazi Shrestha.

Nearly overdue for one and a half years, high level Nepal-India Inter-Government Committee (ICG) meeting was held in Kathmandu discussing the grievances of both the countries. As proposed by Nepal, Indian side also agreed to review Nepal-India Transit and Trade Treaty.

Nepal and India are only two countries in the world which share a complex but an open border having tens of thousands of people crossing the border each day, exporting and

importing goods worth of billions of rupees. Along with official trade, open border and informal trade is the lifeline for people living in over the 1,600 kilometer long border.

The governments from both sides impose several formal ways to curb the informal trade. Recently, the problems appeared when some miscreants and smugglers misused the informal trade into illicit trade including fake currency, drugs and arms. This is the natural concern of India.

Nepal imports almost all commodities from India and India's ports are lifeline for Nepal's economic development. This is the reason existing trade and transit treaties envisage holding trade talks at secretary or joint-secretary level in every six months in alternative locations in both countries.

"Both the sides reviewed the implementation of issues agreed in the past meetings and discussed on emerging and longstanding issues during the three-day meeting," said Madhav Prasad Regmi, secretary to the

Ministry of Supply, Commerce and Trade. "We come out to the agreement on most of the outstanding as well as newly emerged issues which are crucial for bilateral trade."

As unauthorized trade is the concern of both the countries, both sides discussed measures for trade facilitation, control of unauthorized trade and facilitation for transit of goods, among other.

India is Nepal's largest trade partner commanding two-thirds of trade. However, it has not been in favor of Nepal due supply constraints amid slowdown in industrial sector. According to the government data, Nepal imported goods worth Rs 137.87 billion from the southern neighbor over the first four months of fiscal year 2013/14 while its export during the period was confined to Rs 18.85 billion.

Nepal and India also discussed on whether to make amendments to the Nepal-India Treaty of Transit. Nepal has proposed to replace mandatory provisions of importing vehicles through containers by introducing a new provision of transporting such vehicles on-its-own-power system. Similarly, Nepal also proposed to amend a provision in the treaty that bars export of goods imported from third countries via Indian transit route.

Nepal has been demanding opening up bulk cargo shipments along Kolkata-Jogbani-Biratnagar route and Kolkata-Nautanawa-Sunauli-Bhairawa routes, implementation of trans-shipment facility as agreed by India and operationalization of additional railway routes for Nepal's third-country trade, cancellation of Counter-veiling Duty (CVD) on Nepali exports by Indian states, settlement of outstanding dues to be received by Nepal under the Duty Refund Procedure (DRP), mutual recognition of quality certificate issued by the designated authorities of both the countries, removal of customs duty for Indian cement and clinker,



and abolition of agriculture reform fee on import of primary farm products from India are also among the agendas for the meeting.

Other points for discussion are resuming circulation Indian banknotes of Rs 1,000 and Rs 500 denomination in Nepal, speeding up the process of completing Integrated Check Posts (ICPs) under implementation along the border points, ways to facilitate Nepali private sector to import petroleum products, import of cows to increase milk production, operationalization of additional customs points, and restoration of margin of preference on import duty for Indian goods.

"India is ready to review the trade treaty of 1996 with Nepal in case of any complications pertaining to bilateral trade," said Indian Commerce Secretary S R Rao. "We will have no hesitation at all for a new agreement to make trade easier in the changed context of global trade and advent of new technology."

Along with other things, Nepal also proposed to seek unhindered export of books and related materials to India. Although several issues on transit also arose, both the countries have agreed to discuss transit issues during separate bilateral talks on railways scheduled to be held in June next year. Nepal also requested India to permit Nepal to use Bishakhapatnam port, opening Rohalpur-Singhabad railways for the third country import and export.

There was also the question on imposing duty on agriculture product. Indian officials held the view that Nepal can decide on its customs as per its convenience when it comes to agricultural products, besides allopathic and herbal medicines.

As Nepal has presented its list of demands to Indian officials and Indian sides also presented their points, the Nepal-India Inter-Governmental Committee meet has helped to understand the grievances and difficulties of each side. ■

# Rise In FDI

*Foreign Direct Investment shows some promise*

By DEBESH ADHIKARI

Despite the election hangs and uncertainties, Nepal's economy is showing some signs of improvement. Though the overall economy of the nation might not be that favorable, but in the midst of all skepticism, Foreign Direct Investment (FDI) commitment has increased.

The FDI commitment has nearly doubled for the first four months of this fiscal year compared to the previous fiscal year's same period. The pledged amount totaled to around NRs 10.88 billion through some 98 foreign investors, according to the Department of Industry (DoI).

Despite the rise, many economists are not too hopeful that those investment commitments will be turned into actual actions. Delay in the forming consensus among major political parties in constitution making process might turn interested foreign investors to look away, they believe.

The FDI commitment is expected to give rise to more than 4,000 jobs in Nepal if it is translated into action.

Nepal's gripping energy crisis contrary to the country's high energy production potential has attracted a lot of foreign investment commitment in this sector. Energy sector has attracted commitments worth NRs 5.35 billion in the first four months of the current fiscal year.

The FDI commitment in the service sector has increased to 2.29 billion from NRs 1.95 billion of the last fiscal year commitment for similar period. Manufacturing sector saw little dip in FDI commitments as the commitments for the first four months totaled to NRs 539 million down from

NRs 598 million during the same period last fiscal year, according to Republica.

FDI commitment has also increased significantly due to heavy investment commitment in a hydro-electricity project in Kaski, said Director of Foreign Direct Investment of the DoI, Bipin Rajbhandari. An Indian investor has promised some NRs 5 billion to develop a hydropower project of 44 MW capacity in Kaski district.



Finance Minister Shanker Koirala

However, it is very difficult to expect in the current scenario to imagine all the amount of commitments will be turned in to real investment. As high

discrepancy exists between the real investments and commitments. In the first four months of this fiscal year, the actual foreign direct investment (FDI) in the country totaled to some NRs 881.50 million. This is a 67 per cent decrease than in the same period last fiscal year. The amount is only around 5 percent of the total FDI commitment of the last fiscal year, according to various media reports.

"The contributions of FDI commitments are not clearly seen in solving many economic issues of the country inconsistent to claims," said Economist Bishamber Pyakurel.

Although the rise in investment commitment is very welcoming, it is hard to predict how much of this will turn out to be meaningful investment and how the country can hold and attract foreign investors given the current political crisis, energy crisis and still lingering various labor issues. ■

# “Ingos And Ngos Have Been Making A Lot Of Difference”

- RABINDRA KUMAR

At a time when so much negative news reporting is going on against the NGOs and INGOS, Member Secretary of Social Welfare Council RABINDRA KUMAR has made efforts to streamline the INGOS and NGOs working in different parts of Nepal. Kumar spoke to NEW SPOTLIGHT on various issues. Excerpts:

**INGOs and NGOs are always criticized for their role. Are they doing really nothing?**

Media term for the INGOS is dollar farming. They portray them negatively. However, this is not the reality, as INGOS and NGOs have been making a lot of difference in the rural parts of Nepal, providing the poor and marginalized people with basic services like health, drinking water, sanitation, energy, disaster training, agriculture, environment, education, and livelihood programs.

**How do you say that?**

For instance, INGOS are actively supporting local NGOs to carry out works to benefit the poor and marginalized population even in the remote areas like Humla, Mustang and Jumla. Because of the INGOS and NGOs, the rural agriculture sector has changed. They help the locals to produce vegetables. They support in building the rope way, micro hydro, health post and so on. Along with this, they also actively work to generate awareness and support campaign against social evils. They have been doing something for the people of Nepal. We cannot ignore this.

**Don't you think anything is wrong in the functioning of INGOS and NGOs?**

Some INGOS and NGOs may have done wrongs, but we cannot generalize from this. We need to accept the fact that NGOs and INGOS help farmers to grow off-session vegetables, which is ultimately contributing to improve the livelihood. We can see a clinic run by an INGO in upper Mustang.

Similarly, they are supporting basic livelihood program in remote far western Nepal. It is a fact that where there is no presence of government, INGOS and NGOs are delivering the services. Health, education and other sectors are where INGOS have been doing a good job.

**Then, why are they criticized?**

There is no medicine for those who write and speak biased views. Nobody actually does any homework before making any criticism. I don't agree that all these organisations are bad for the country. People criticize only when they see there is something going on. Overwhelming numbers of INGOS and NGOs are working perfectly well. The Social Welfare Council is closely monitoring their work and taking legal action against those which do not work in the right direction. If somebody doesn't work, there is no merit and demerit. Since social organizations have been doing something, people have been commenting on demerits. What I can say is all the 178 INGOS and NGOs registered with us are doing their best. Out of 38,000 NGOs registered with us, only 15-20 percent are active.

**How do you see the role of INGOS and NGOs?**

We have to accept the fact that the role of INGOS and NGOs is very important in generating awareness. Thanks to the programs launched by them, people living in the rural parts of the country know their rights and responsibilities. They also enlighten Nepalese citizens about the role of the state. Whether it is education or health, NGOs and INGOS have been supporting Nepal government in these sectors. They are also actively supporting the program against HIV/AIDS, girl trafficking and abuse of children and so on.

**How do you say that they are doing well?**

Those INGOS registered with us have been regularly providing progress

report, budget and other program. We have all their progress reports, audit reports and updates about their activities. They annually submit these documents to us. INGOS registered with us are transparent in their dealings.

**Despite all these contributions, why is there so much criticism about INGOS and NGOs? Not only media, even the government does not recognize the work done by INGOS. How do you look at this?**

Practical Action helped to construct the gravity rope ways in various parts of Nepal. We can visibly see this when we travel to Narayanghad. Similarly, WaterAid has been supporting work to increase access of local people in sanitation. Similar is the case with World Vision and Save the Children. In development sectors, INGOS and NGOs have been supporting government's policies by implementing various programs.

**Why does the government fail to internalize the programs launched by INGOS?**

In many cases, the government has been internalizing the successful programs launched by INGOS. In health, sanitation, disaster, education, gender violence and trafficking, you can see this. As we don't have any indicators to show this, it is very difficult to be precise about it.

**On what basis are you saying that INGOS have been doing a good job?**

It is a matter of fact. Everyone can perceive the change brought by INGOS and NGOs. It is difficult to exactly say what they have done so far. For instance, INGOS or NGOs have been working in Nepal for the last 40 years to improve livelihoods. We don't have any parameters or indicators to justify it. For instance, in advocacy sector, INGOS and NGOs have made a great contribution, but we cannot exactly about the success level of parameters in advocacy and awareness

generation. We don't have any measurements to defend it.

**What do you see is lacking here?**

This is because INGOs and NGOs work through several doors. According to the existing laws, the Social Welfare Council is the only legal entity to allow social organizations to work. However, the situation is different. As per the provisions of Local Governance Act, some NGOs and INGOs have been implementing programs in districts and villages. Of course, INGOs and NGOs need the approval of DDCs to implement the programs, but they cannot go without permission of SWC. Various ministries are also signing memorandum of understanding with INGOs and NGOs. All these are making the situation more complicated. The existing law clearly says that Social Welfare Council is the only regulatory authority to regulate the International and National NGOs working in Nepal. No one can spend any amount of money without clearance of SWC. However, everyone is defying the SWC act.

**How do you suggest putting to rest the present controversy surrounding INGOs and NGOs?**

As long as we develop and implement the one-door policy, this kind of controversy will continue to appear. Nobody will come to defend the organizations which have been working for the interest of the country. SWC is responsible to regulate the expenditure in social sector. There is a mandatory legal provision which says that there is the need to get the permission from the SWC. It is unfortunate that we are unable to do so.

**Can SWC defend the INGOs?**

I don't have any hesitation to defend the 178 INGOs registered with us. I am ready to defend their performance because they present their reports, programs and budget to us. However, there are INGOs working in Nepal without our permission. In some cases, even SWC does not know about them. We need to bring all the INGOs and NGOs under our umbrella.

There are several acts related to NGOs and INGOs. Thus, it is very difficult to regulate the social organizations. There is the need to have an umbrella act to govern INGOs. As long as the government does not effectively implement one door policy, the present challenges related to INGOs and NGOs are not going to be solved.

**As INGOs and NGOs have been implementing several programs, how do the government agencies internalize them? How do you look at this?**

It is very difficult to say how. We need to set the priority of the government. INGOs and NGOs are just complementing the government's priority projects. They are not parallel to the government. The role of INGOs and NGOs is to support the government's priority. National Planning Commission has broader guidelines for us. However, there is no fixed priority of the government. It is the government which needs to disclose the priority areas. The role of NGOs and INGOs are to support the government program and complement and supplement them. The government needs to bring clear-cut programs and priorities. We need the government priorities. SWC cannot do it alone.

**What is the policy towards INGOs and NGOs?**

SWC has its own clear policy regarding INGOs and NGOs. We approve their programs only if they support the government's priorities. Similarly, we do not endorse programs without the approval of the concerned District Development Committees. In



this way, SWC has now been encouraging all development works to meet the government's priorities. We issue the approval only after DDC's recommendation. It is the sole duty of DDCs now to say what are the status of different development and other programs implemented by INGOs and NGOs?

**What is your personal impression about NGOs?**

If the recent trend is any indication, NGOs are spending much higher budgets than INGOs working in Nepal. All think that INGOs are not working properly, but they ignore the NGOs. Along with INGOs, SWC also needs to focus on NGOs. Large amount of money has been now allocated through NGOs. However, the NGOs are now guided by the act promulgated in 1977.

**Can you deregulate INGOs and NGOs in case of their failure to abide by the government rules and policy?**

Our act does not say anything about what action needs to be taken in case of failure of NGOs and INGOs to work as required. We don't have the authority to cancel the registration of NGOs and INGOs. SWC can only recommend dissolution of NGOs. We have to make standby orders for NGOs and INGOs ■

# AAP Ki Kasam

By ABIJIT SHARMA



After an overwhelming political debut in the Delhi state elections, newbie Aam Aadmi Party (AAP) is the talk of the town. The Indian politics, primarily dominated by two bigwigs Bharatiya Janata Party (BJP) and the Congress over the past two decades, suddenly seems to have taken a new turn with the emergence of this debutant party.

Headed by a former civil servant and activist-turned-politician Arvind Kejriwal, the AAP is all set to form the government in the capital after the party decided to accept the Congress' offer of outside support in the hung legislative assembly.

Whether the AAP's government will last its full 5-year term is anybody's guess given the history of unpredictability of the outside support to a minority government across India. But what has caught the eye of many is the 'unorthodox' brand of politics that the rookie party has displayed. Reinforcing its image of being a party that's different from its established rivals, it has taken a string of unprecedented decisions to the surprise of many.

AAP's unconventional politics began from its manifesto itself. Rather than making tall claims and promises, the manifesto contained a set of precise solutions the party would offer to the impending problems in the city within a given deadline. The manifesto which addressed pressing issues faced by the Delhiites including soaring power tariffs, water shortage, price rise etc was successful in striking a chord with the public which eventually led to the party's spectacular poll performance. What was interesting was that the manifesto stated how the solutions would be achieved and offered the logical reasoning behind it. It was a unique move quite unlike its traditional rivals'.

AAP's unusual brand of politics continued even after the results were announced. After a meeting with the Delhi state governor regarding the formation of government with support from either of the two other parties, the AAP, in a surprising move, sent a letter with 18 conditions to the Congress and the BJP saying it would form government only if the conditions were accepted. The BJP did not respond but the Congress did without, however, being specific to the AAP's conditions. Under pressure from many quarters to take up the challenge and amidst criticism that it was running away from the responsibility, the party took another unprecedented move by seeking the opinion of the Delhiites on whether to form the government with Congress support or not. The party claimed that it was 'democracy in its true

sense' and a move to involve the people in the decision making process.

The AAP's experiments have drawn a lot of skepticisms too. Whereas many have lauded the party's decision to involve people directly in the decision making process and go for a more transparent system, it has also been seen as a mere publicity stunt. Political observers say AAP's decisions are nothing but a clever ploy to show that the party will remain rooted to the people no matter what. Many have criticized the party for riding on political idealism and showing big dreams to people which can not be implementable.

In this regard, the Jan Lokpal Bill, which was initially promised by the party to be passed within December 29 and now by the end of January, will be a big test. In case of a failure to deliver on other promises within a given time Kejriwal will have to face flak for shooing away from major issues and only focusing on minor issues from the manifesto like scrapping red beacons cars and shunning ministerial bungalow.

The question is: how will the AAP's much-claimed participatory, transparent and clean politics work in India where politics is often seen, as veteran actor Amitabh Bachchan once described, as a 'cesspool' characterized as it is by corruption, unprincipled power struggle and influenced by factors such as caste, religion and ethnicity?

Having secured a big win based on a popular plank, one will have to wait and see if AAP's unorthodox politics can actually usher in the changes it has promised. Otherwise it will meet the fate of parties such as R.M Lohia's Socialist Party and JP-mentored Janata Party which despite being popular at the time and despite giving promise of bringing in true transparency and grassroots democracy in India failed in no time and disappeared quickly from the political scene.

SHARMA is a political science graduate from Delhi University.



**Will the Aam Aadmi Party (AAP) be able to deliver on the promises it made to the voters of the union capital is a big question answer to which will influence the future course of politics across India**

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## CLIMATE FINANCE

## Nepal's Experience

*National Planning Commission has received an international award for implementing the climate change funding code*

By A CORRESPONDENT

Although Nepal is one of the most vulnerable countries in the world in terms of climate change, Nepal's current budget allocation has shown that the concerned officials and policymakers are nowhere near grasping it.

The main ministries, which are responsible to implement the annual climate change adaptation program, virtually received no budget at all. Prepared under a Climate Finance Working Group, UNDP and UNEP supported program under National Planning Commission, the recently released Climate Change Budget Code revealed the grim reality of Nepal's overall scenario.

Although Nepal has been passing through a prolonged political instability, the country has made a certain progress, which has even been heralded as an example for other countries. Introducing Climate Change Budget coding, Nepal has proven that it has the capability to use innovative methods.

The first evaluation of the application of this climate budget code is encouraging. Out of 27 ministries, eleven ministries have already allocated more budgets toward climate change activities. Overall, about 10 percent of the national budget is dedicated to the climate change activities.

For this, National Planning Commission and Ministry of Federal Affairs and Local Affairs received Climate Public Expenditure and Institutional Review (CPIER) and Global South-South Development (GSSD) Leadership Award 2013 for Nepal's exemplary leadership and innovative work on the Climate Public Expenditure and Institutional Review.

"As Nepal is highly vulnerable to climate change impacts, the country needs to increase its budget in adaptation in climate change related activities. In the absence of coordination among various ministries, it is impossible to meet the challenges posed

by climate change," said vice chairperson of National Planning Commission Dr. Rabindra Shakya. "It is a matter of pride for all Nepalese to have this international recognition."

As Nepal made the progress in budget coding, there was no challenger. Joint secretary of National Planning Commission Gopi Mainali received the award on behalf of National Planning Commission and Ministry of Federal Affairs and Local Affairs.

"Although it was not an easy task to code the budget allocated to different ministries on climate title, we were able



to make it through the support from Ministry of Finance," said Joint secretary Gopi Mainali. "I was privileged to receive the international award on behalf of Nepal government." The idea behind climate finance was Dr. Dinesh Chandra Devkota then former vice president National Planning Commission

Various questions were being raised regarding the investment of climate budget in Nepal. According to Nepal's climate change policy, over 80 percent of the climate change budget needs to be allocated to the local level, where it is needed the most.

"The publication of the results of the first review of the application of the budget code is a great achievement," said Yuba Raj Bhushal, member secretary of National Planning Commission. "After using this modality, we are able to tack down where the budget allocated to climate change is now," he added.

"As the project has started to track the budget allocated to climate change since 2011, we are now in a position to say what amount of budget is allocated

under the title in related ministries," said Joint secretary and coordinator Climate Finance Working Group at National Planning Commission.

As public finances are channeled through various ministries and departments that are different in their mandate, scope and area of expertise, it is very difficult to locate how much money each ministry and department spends in the area of climate change.

Here the modalities developed by the National Planning Commission's Climate Finance Working Group come handy. Although the climate budget code was introduced in the annual budget of 2011/12, tracking the budget was impossible as the budget was announced in three installments through ordinances. This was the reason the climate budget code was not officially endorsed in the budget.

As the current government presented the full budget, the budget code is integral part of the budget of fiscal year 2013/014. According to the study, the total climate change budget allocated for the fiscal year 2013/014 is Nepalese rupees 53,482,516,000 or equivalent to 10.3 percent of total budget and 3.1 percent of total GDP. Compared to last year, the budget was much higher. According to reports, the total 8.88 percent of the total budget and 2.7 percent of the GDP were allocated in the fiscal year 2012/013. Out of total budget distributed among 11 ministries, Urban Development has occupied the highest with 21.53 percent followed by Ministry of Agriculture, 20.85 percent.

Similarly, Ministry of Irrigation and Ministry of Finance secured 18.07 and 14.07 percent respectively. The Ministry of Science and Technology and Environment is the fifth in order with a share of about 9 percent. According to the study, these five ministries take over 85 percent of the budget allocated to climate change. Ministry of Forest and Soil Conservation received 7.44 percent.

Although Ministry of Federal Affairs and Local Development has been made the focal ministry to implement Local Adaptation Plan of Action (LAPA), it received merely 4.04 percent of the budget in fiscal year 2013/014. Ministry of Energy secured merely 1.72 percent and Ministry of Education 0.28 percent.

# Can One More Election Help Nepal To Be Stable ?

By DHRUBA H. ADHIKARY



This is a question which has been exercising the minds of Nepali voters, particularly since the day the Khilaraj Regmi-led caretaker government started making preparations for November 19 ( Mangsir 4 ) poll. The inherent aim is to elect a new constituent assembly, hoping that it would complete the unfinished work of erstwhile assembly which ceased to exist in May 2012. But the original job remains unchanged : to write a statute needed for a post-monarchy Nepal. A constitution suitable for a republican set-up.

Conducting a credible election is the task of the Election Commission which is expected to be free, fair and impartial. And this is what it claims to have tried to be in the first post-2006 election, held in April 2008. Since it was not a periodic parliamentary election to select a winner and a loser instantly, the election commission of the day had to face a series of challenges to make the electoral exercise as widely participatory as possible, for an oversized Constituent Assembly (CA) with 601 members. Ensuring ethnic representation and enhanced women's participation were some of the thorny issues that the election authorities were required to resolve before the polling day. Leaders of armed Maoist insurgency (1996-2006) and their comrades-in-arm were to be persuaded that following democratic norms and procedures would yield sustainable results; that "capturing the state" strategy might not be useful for longer-term gains.

Were these objectives achievable? To find answers to some of these points, inquisitive Nepalis—with access to English—as well as non-Nepalis should find time to go through this recently-released book written jointly by Bhojraj Pokharel and Shrishti Rana.

The title "Nepal Votes for Peace" is indicative of the 2008 election organized after a decade-long Maoist rebellion ended in a peace accord. The book is obviously rich in information on events and trends leading to the voting day. And it was bound to attract wider international attention as well as cooperation. Says Pokharel: "Our elections were truly global. We had Australian ink, American ballot paper, British generators, Chinese election materials, Danish computers, Indian vehicles, Japanese ballot boxes and Korean fax machines." Pokharel has made special mention of Graeme Lade,

Australian ambassador, along with his Japanese counterpart in Kathmandu, for his support to the commission at critical moments.

The political contents and concomitant analyses are really pithy and weightier in this book spreading over 260 pages. Of course, relevant pictures have made the texts livelier. But most striking revelations are in the forms of notes and quotes, some of which have surfaced at Pokharel's meetings with national leaders, international visitors, donors and diplomats. It is here where, Pokharel says, genuine interest to assist Nepal came along with condescending attitude, out-of-context suggestions, claims of expertise and unceasing interference. (page 75). But such unpleasant remarks and observations would not have come if Nepali leaders had not reduced themselves into diminutive figures. To substantiate this, one needs to turn to Indian ambassador Shiv Shankar Mukherjee's comment: "What can I do if your leaders act so strangely? Senior leaders come and beg me to make them prime ministers, even if for a few days. All your leaders seem to want primeministership." (page 142)

Anyhow, it is a reliable reference book in true sense of the term, or else the Cambridge University Press India Pvt. Ltd. would not have published it.

After all, Pokharel is the person who led the Election Commission during trying circumstances. He earlier had a distinguished civil service career of 27 years. And Ms. Rana, a budding researcher, joined this book project after having drawn experience in research works on Maoists armed struggle.

Former US president Jimmy Carter's frequent presence in Nepal has been cited as encouragement. To find his name in the list of prominent election observers might have been a matter of encouragement, but his premature observation on the fairness of election several hours before voting closed drew considerable criticism. The book under review alludes to yet another point where Carter purportedly "suggested" that the monarchy be abolished through a declaration by the so-called "Legislature-Parliament", and be subsequently endorsed by a simple majority at the first meeting of the elected Constituent Assembly. Events recorded thereafter show that Nepali leaders

indeed followed Carter's prescription without any change. Legendary GP Koirala and revolutionary Prachanda too did not bother to examine whether it would be legitimate for a body of "mixed deputies" to impose such a significant agenda upon an upcoming elected assembly. Conversely, how could a former democratic president of world's oldest democracy advise leaders of an emerging democracy to adopt a fundamentally-flawed undemocratic method to abolish a traditional institution of monarchy? Carter's first visit to Nepal several years ago is often remembered because of his controversial remarks on conversion of Hindus into Christianity. As a pro-Christian lobbyist, he must have then found the Hindu monarchy a big hurdle standing on the way of proselytizing aims. Apparently, he now found a handy pretext to prescribe abolition of

**And it came in line with European agenda to remove Nepal's identity as a Hindu-majority country to a "secular" one. As the readers are familiar, the desired results for all those campaigners came in the shape of May 18 ( 2006 ) proclamation made by the House of Representatives, which in turn was restored on April 24th by King Gyanendra himself !**

monarchy, without seeking public opinion through referendum. And it came in line with European agenda to remove Nepal's identity as a Hindu-majority country to a "secular" one.

In sum, "Nepal Votes for Peace" helps conscientious Nepalis to understand how unstable their country has become seven years after the upheaval of 2006. The broader question to examine now is: will one more election help Nepal to write a right constitution ensuring stability for the South Asian region? Will the transition period end after another poll?

The authors have left it to readers to make a considered judgment. They have provided a wealth of credible information on matters of serious public concern. Pokharel's previous stint as the secretary in the ministry of home affairs has added inputs to enable readers to read the minds of Nepal's immediate neighbors, on the north and on the south.

(Source : Nepal Times Australia; October 2013)

## PRACTICAL ACTION

# Working For Safety

*Practical Action Nepal has been supporting Pokhara sub-municipality to implement the building code and prevent damage from earthquakes and sinkholes*

By A CORRESPONDENT

Although scientists predicted the possibility of Pokhara developing sinkholes long time ago by analyzing its fragile geology, nobody heeded to the warning as the city expansion and haphazard construction of buildings was going on.

The recent sinkhole that appeared at Thulibesi Phant of Armala in Pokhara, adjoining Pokhara Sub-Metropolitan City (PSMC), has sent shock waves to the city residents. Given the present rate of urban growth and building construction, the damage will be devastating in Pokhara in case a big earthquake jolts it or more sinkholes develop.

Looking at the geological vulnerability of Pokhara, Practical Action Nepal has been supporting the Sub-Municipality in strengthening its capacity to strictly implement the building code before any such havoc happens. The program implemented by



Sinkholes in Pokhara Photo Courtesy Yubaraj Bhusal

Practical Action has changed the overall scenario in the Sub-Municipal Area.

Practical Action Nepal has been working in three areas: policy layer, community level and capacity improvement. "We are providing training to the private sector engineers and technical support personnel. We have already trained over 400 local construction workers and masons. We have also informed the house owners about the work."

Alongside the support for Municipality's capacity building, Practical Action has also supported retrofitting school buildings, early warning system and raising awareness.

"We are working to build early warning system in Niti River building check dams to provide safety to the people living in the river banks," said Gehendra Gurung, head of Climate Change and DRR at the organisation.

As Pokhara Municipality has already made the building code mandatory for new constructions since the Earthquake Day 2013, Practical Action Nepal's support has enhanced the Municipality's institutional capability to implement it.

Annually, Pokhara municipality has been receiving over 2000 applications a year for new constructions and it is issuing permissions for 150 new constructions every month. Practical

Action Nepal's support comes as a boon to the Municipality's technical department. Having no capable manpower and modalities for building codes, the Municipality used to issue permission to houses on the structure suggested by the house owners, contractors and engineers.

"Pokhara is a high risk area because of its geological formation. There is always a risk to construct buildings and structures," said Dinanant Bhandari, program chief of Climate Change and DRR of Practical Action.

According to a Report on Impact of Settlement Pattern, Land Use Practice and Options in High Risk Areas of

Pokhara Sub-Metropolitan City prepared by UNDP, Pokhara Sub-Metropolitan City is considered a moderately vulnerable city in terms of earthquake hazard, with the probability of intensity of VIII MMI earthquake in the region. High liquefaction susceptible zones are found in the banks and tributaries of Seti River and some patches of liquefaction susceptible zones are found in KI Singh bridge area, Laitin Bazar, and Kamal Pokhari areas.

The sinkhole collapse prone areas were identified in Chipledhunga, Mahendra Pul, Male Patan, Manaswar, Baidam, Simal Tunda, Bhagerthan and other areas which belong to the core areas of Pokhara sub-metropolitan city. "Lama Chaur, Battule Chaur, Tersa Pati and Male Patan areas were found to have high susceptibility to sinkhole hazard," said the report.

Along with encroachment of river, haphazard construction of buildings also made the area prone to sinkholes. Thus, people and authorities concerned must be aware about the geological condition of the area before conducting any construction work.

However, these areas have now dense human settlements with barely any space left for new buildings. Currently, there are over 4,100 houses in Chorepatan and Birauta areas of Ward -17, according to the PSMC office.

According to the PSMC office, altogether 2,854 new buildings were constructed in all the 18 wards of the sub-metropolitan city in the last fiscal year alone. Of the total constructed buildings, 490 buildings were constructed in Ward-17. It was followed by 208 buildings in Ward-8 and 186 in Ward-5. All three wards lie on weak geological structure.

As some 35 sinkholes had already formed in the Armala area east of Pokhara Municipality, this has sent an alarm bell ringing among the people. According to experts, there are chances that more such sinkholes might be formed in the coming days.

As the city is already on a high alert, the support provided by Practical Action to the municipality and vulnerable communities to prevent any disaster may pay in the future if sinkholes form or earthquake hits. ■

## WATER FOR SMALL TOWNS

## Users Willing To Pay

*Second Small Towns Water Supply and Sanitation Project shows how community's involvement makes a difference*

By KESHAB POUDEL  
in Megauli, Chitwan

Although the democratic process at the grass roots level came to an end following the dissolution of the local bodies in 2002, the people are finding other means to express their voices and deciding through their local democratic exercises. Whether it is in the management of drinking water or construction of road or irrigation, user groups are taking a lead in the local affairs.

At a time when many development works at the local level are stalled in the absence of locally elected bodies, some communities have found other ways to make their work accountable and transparent. Meghauli Small Towns Water Supply and Sanitation User Group is one of the examples.

As the centralized development projects are facing the question of sustainability, the Asian Development Bank is pushing local community managed model in rural and small urban areas to make the communities more responsive to their own projects.

According to Asian Development Bank, the expected impact of the project is improved health and economic and environmental living conditions of people in small towns in Nepal. The expected outcome of the project is improved affordable and sustainable water supply and sanitation services which are governed and managed by locally accountable representative bodies.

Fed up with drinking water contaminated with arsenic and high level iron, community of Meghauli Village of Chitwan District, 150 kilometers South West of Capital Kathmandu, spent a lot of money for their medical treatment.

Indra Bahadur K.C., chairman of

Meghauli Drinking Water Project, remembered those days when they spared no time to knock the door of politicians and technocrats. However, all went in vain. "By drinking polluted water, we paid a high health cost to treat our water-borne diseases. We decided to go any extent to have clean drinking water. Then came Second Small Towns Water Supply and Sanitation Project to save us," said K.C., an elected chairman of the community.

The user group has already fixed the tariff. Each household will have to pay Rs. 260.00 per month for ten thousands liter of water. "This amount of money is nothing but peanuts compared to what each family used to pay in medical bill to treat water borne diseases," said Pabitra Poudel, member of the User Group. "Ours is an elected body and we can decide on each and every matter related to the project after intense discussions in the committee."

Registered with the government, Meghauli Drinking Water and Sanitation User Group has certain limitations as it cannot take care of all issues as a Village Development Committee can do. But, they hold periodic elections to choose their members and other stakeholders to take care of the issues related to water and sanitation.

Taking the decision to be a part of over 200 million project, they have shown that user groups cannot substitute to the elected Village Development Committee but they can give space to local people in the decision making process.

Bordering with Chitwan National Park, Meghauli has enough surface water as well as ground water. However, the surface water of Rapti river is polluted and underground water in the areas pumped from wells contaminated with arsenic and high level of iron.

Knowing that Small Towns Water Supply Project will provide the certain amount of grant in case of their agreement to collect half amount of money, K.C along with others visited the Division Office in Chitwan.



The project will cover wards 3,4,5,6,7,8 and 9 of the villages. With 1,765 households, the permanent population of the areas is 11,180. However the project is designed for 18,176 population. Situated in the buffer zone of Chitwan National Park, the village comprises various indigenous groups.

Started in January 2013 with an aim to complete the project in 15 July 2014, the project construction is in full swing to meet the target. With the total cost of NRs 209,310,407.06, there will be two deep tube wells and 533 meter transmission and 56,019 meter distribution lines. There will be 99 connections for the poor households. Interestingly, half of the money will be borne by the user's group.

Although it lies in the buffer zone of Chitwan National Park at the Bank of Rapti river which is known for Ghariyal Breeding, the community has already selected a nearby land to



## 'Communities Owning Their Projects'

RAM DEEP SHAH

collect the waste water. "As it lies in the buffer zone of Chitwan National Park, we are taking all environmental safety measures not to harm the eco-system and wild animals of the park," said Deepak Bahadur Singh, senior environment officer Nepal Resident Mission Asian Development Bank.

As Nepal's small towns have been facing water deficiency in terms of both coverage and quality of water, the Asian Development Bank supported project provides safe, accessible and adequate water supply and sanitation facilities in about 20 towns with average 16,000 per town.

"We have been implementing the projects in 20 small towns like in Meghauli to provide water supply services to 240,000 people and sanitation services to 270,000 people," said Ram Deep Shah, project manager. "One of the beauties of the project is that local people get involved in the project from the initial period. Communities are the key stakeholders and it is the user groups, which are responsible for selection and operation of the project."

As there is the involvement of the community at all the levels, the projects will be based on democratic principle for the people, by the people and to the people where the community are the masters and main stakeholders.

Funded by Asian Development Bank, Second Small Towns Water Supply and Sanitation Project follows unique modalities of public community partnership. RAM DEEP SHAH, program director of the project, spoke to NEW SPOTLIGHT on various issues.

**What is the state of your project?**

Second Small Towns Water Supply and Sanitation Project is running under the grant assistance of Asian Development Bank. During the first stage, 29 projects were completed under the loan of ADB. After successfully completing those projects, Asian Development Bank provided 45 million US dollars as a grant for second phase. Under this phase, we are now running the projects in 21 small towns all over Nepal. Our aim is to provide safe drinking water and sanitation facilities. We have made over 75 percent of progress. We have selected the projects in two rounds. In first round, we selected 12 projects and the work is in progress in those projects. The five projects will be completed within two months and they will be handed over to the user groups. This project will complete by 2015.

**How do you see this project is different than others?**

This project has certain arrangements which are different than other drinking water and sanitation projects. Based on community participation, the project strictly follows social safeguard and environment protection during the project implementation. Under the social safeguard, we don't want to do any harm to our consumers and residents on any land acquisition. We don't have any problems related to land resettlement. We strictly follow the environmental guidelines during the construction of the project. We develop environmental plan during the construction phase. Our consultants monitor environmental aspects. From the designing phase, we do a lot of work. We also monitor the project.

**As you said the user groups will run the projects, how capable are user groups to operate the project properly? What about your experiences in first phase projects?**



As community is involved in our project since the design, the management of the project is handled by our division office and there is project office in the site which is led by an engineer. This project office is co-chaired by chairman of user group. This way, community's participation is ensured from the initial stage of the project and they are performing managerial role. The community has a feeling of ownership in the project. The project provides various kinds of training to enhance the capacity of the user group. We provide them technical training, managerial training and so on. Since this is technically superior project, there is a provision for two posts, a technician and a manager. From the initial phase of construction, we involve those persons. Government will bear half the salary and user group will bear half. They will be there for two years and they will teach other members of community.

**How do you see the possibility of the community to bear such a huge loan? Will they pay back given your first phase of experience?**

Mostly the user groups have been paying back the loan of Town Development Fund. This project is able to generate the message that urban community has responsibility to bear the cost for water and sanitation. In the areas where drinking water is supplied properly, the user groups are willingly paying the tariff. This also gives the message that the urban communities can afford to pay the cost of water. The user groups have been paying back the loan they acquired from the project.



ELEVENTH FILM FESTIVAL

# Theme Mountains

*As in the past, the eleventh Kathmandu International Mountain Film Festival (KIMFF) has been depicting the life and challenges in the highlands*

By NIKKI SHARMA

Like in every festival before, the Kathmandu International Mountain Film Festival (KIMFF) this year brought non-fiction movies, with the sole purpose to enlighten the human mind, but in a different context. The KIMFF was back with many educational works, including 47 films from 20 countries, nine documentaries, short films, and animation films. The movies were divided into two parts: Nepal Panorama and International Competition.

David Breashears inaugurated the festival in Rastriya Sabha Griha. The five-day festival, between December 11 and 15, showed movies as worldwide deals with the issues on traditional practices, life-style, conflict, wildlife, mountaineering, environment, globalization and gender.

"The reason for choosing non-fiction movies is to present the societal

issues among the people and also to make people familiar with the problem related to mountains, people and their social order. After all, KIMFF is all about the mountain people, their cultures and the way of their living," remarked Basanta Thapa, chairperson. "In 2007, we celebrated the first annual event and targeted to achieve more and finally we are now at the heart of the capital, Rastriya Sabha Griha. On the whole, our aim is to convey the information and entertain the audience."

He said: "We trying to fulfill the ideal purpose and as we are getting positive responses from viewers, I want to admire my co-operative team-work, the strong-minded pioneers and those who chased their dreams of reaching higher goals." Thapa, an organizer from Himal Association since 2000, said.

One of the jury members and sociologists, Dr. Dyuti Baral, said, "You will get lots of entertainment and information from KIMFF and you cannot afford to miss it. As a judge, it was my first experience but I had seen many documentary movies before."

The first day of film event started with the world-premiere movie 'Chasing the Rainbows' directed by Sahara Sharma, starring Deepak Ghimire and Saman Pyakural. It is a non-fiction, independent movie and also an exploration of infinite and irresistible expectation of human feelings and struggles to grab success and happiness in the modern and stylish capital city of Nepal.

In the 88-minute film, scenes like passion of youth towards technical devices, having lots of medicine tablets against frustration, the fashion of making English good from internet and many others fun loving and heart-touching acts have been presented in a convincing way. In the five day event, other must watch movies were 'Red Monsoon' directed by Eelum Dixit, which was shown on the fourth day.

Red Monsoon was highly applauded during its screening. The film projected the life of a family of Lalitpur. It takes the life of traditional Newar town of Lalitpur district where the surroundings are still different than elsewhere. Director Eelum Dixit was able to show human aspects and perceptions.

On the first day of this festival, "we are connected" was announced as the winner of short films organized by WWF. The competition was related to motivating and heartening the independent film-makers and scholars to take a more closer look with the environment and the natural creation.

Commonly, the people watch movies to entertain themselves and films have become one of the important mediators to educate people. Films make us laugh and equally make us conscious from the bitter reality of the society in an ironic way. In other words, it is a language of art just to educate the people with humorous and heart-touching acts in a convincing way. ■

KUSL

# Debate on Elections Results

Organized by Kathmandu University and Nepal Constitution Foundation, election expert Kare Vollan comments Nepal's Electoral System and the Recent CA Election

By A CORRESPONDENT

In alliance with Kathmandu University (KU), Nepal Constitution Foundation (NCF) organized recently a roundtable discussion on the recent electoral outcome (Constituent Assembly elections) in Nepal. The main focus of the discussion were the "review and analysis" subsequent to the completion of the CA elections in 2013 and reconciliation of the anomalies inherent in the current elections in contrast to the previous election in 2008.

In addition, the program sought to provide an empirical study on the results of the recently conducted CA elections and highlighted the challenges that lie ahead. The discussion was attended by members of the KU Steering Committee, newly elected members of the Constituent Assembly, faculty members from Kathmandu University, law advocates, academicians and staff members from NCF. The chief speaker of the program was electoral expert. Kare Vollan.

Following a welcome note by Dr Surya Dhungel, Program Convener (NCF), the program was initiated through Vollan's presentation on the "review and analysis" on the recent electoral outcome in Nepal. Subsequently, a discussion was held with the members involved raised concerns and sought Kare Vollan's expertise on national and comparative electoral issues.

Kare Vollan initiated summarizing the composition of the CA and its electoral process in Nepal. There are, in total, 601 members elected as the members of the CA; of which 240 are elected through First Past the Post (FPTP) system; 335 members are elected from the Proportional Representation (PR) system; and the remaining 26 members are appointed internally through consensus among the political parties. The voting procedure comprises

of citizens voting in two ballots: one pertaining to the candidates in FPTP and other pertaining to the parties in PR ballots. It is the same procedure as evident in 2008 elections.

Subsequently, Vollan highlighted the inclusive requirements in the CA as per the provisions of the Comprehensive Peace Agreement (CPA). As per the CPA: "In order to end discriminations based on class, ethnicity, language, gender, culture, religion and region and to address the problems of women, Dalit, indigenous people, ethnic minorities (Janajatis), Terai communities (Madhesis), oppressed, neglected and minority communities and the backward areas by deconstructing the current centralised and unitary structure, the state shall be restructured in an inclusive, democratic and forward looking manner."

Criticizing the lack of coherence created through such provisions, Vollan stated that the drafters of the CPA had not thought this through and, in doing so, neglected the complexities it introduced. The problem, according to him, was that there were no clear data on the actual number of Dalits, indigenous people, ethnic minorities (Janajatis), Terai communities (Madhesis), oppressed, neglected and minority communities. In addition, the 2001 census registered 100 groups, none of which explicitly categorize themselves as dalits, janajatis or madhesis creating difficulties in the mapping process for their inclusion into mainstream politics.

Vollan then went on to the provisions for inclusion for women. According to him, since half of the Nepali population comprises of women, efforts were initiated in establishing a 50 percent representation of women in the PR system in 2008. In addition, Vollan, citing the prohibition in invoking minority rights at the discretion of the individual, criticized the provision in the Nepali electoral system that compels the individual to disclose his/her identity prior to running for elections. This, according to him, is in contradiction to the international provisions. Moreover, he advocated that an individual should be able to decide whether to invoke his/her rights belonging to a certain (minority) group or as a general person.

Subsequently, Vollan presented a statistical comparative review in terms



CA Member NP Saud (left) and Dr. Surya Dhungel

of different groups represented at the CA: in 2008 and 2013. In 2008, there were 30 women and 7 Dalits elected through the FPTP system. In contrast, in 2013, there are 10 women and 2 Dalits elected through the FPTP system. However, the PR system would incorporate the excluded groups in, more or less, the same ratio as its mandatory. Similarly, the remaining 26 appointees would consist of 5 women, few janajatis and some outstanding personalities who are needed in the drafting process including party leaders who have lost the elections.

In terms of selections, Vollan presented that there were a total of 4,914 nominated candidates for FPTP, out of which 1,115 were independent

candidates and 667 (13.6%) were women candidates. Similarly, there were 122 parties contesting for elections under the PR system. This, according to Vollan, was a very high number. Vollan voiced concerns in regards to the sheer number of political parties as it would create complications and confusions among voters. In addition, Vollan criticized the lack of transparency and accountability inherent in the PR election systems.

According to him, under a standard PR system, the names of the nominated candidates are ranked providing the voters with a clear idea as to the person they are voting for. However, in Nepal, the PR list is not ranked and subsequent to the elections, the matter of fielding candidates is sorted out by the party leaders. In this regard, the system lacks transparency and accountability. The only other country to employ this closed PR list system is Serbia, and we know that it is not particularly known for upholding the highest democratic standards. Moreover, this system has also created two classes of candidates within the CA: the elected members under the FPTP and the elected members under the PR system. The FPTP elected members, arguing, that they were elected by the people as opposed to the party leaders under the PR system, sought to assert their superiority.

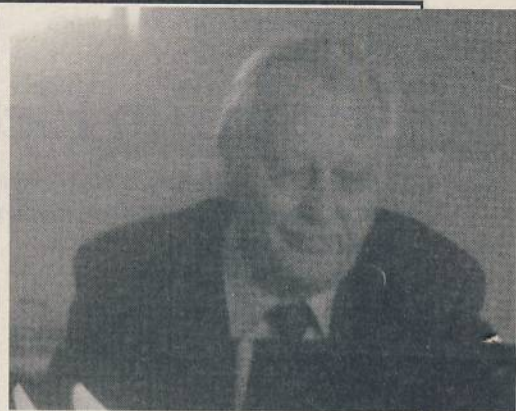
Subsequently, Vollan went on to discuss the election turnouts. In the current elections, there were a total of 12,147,865 registered voters in the FPTP system. A total of 9,516,724 (78.3%) valid votes were registered in the FPTP. However, 471,826 (4.96%) votes were registered as invalid. In the PR system, a total of 12,249,062 voters were registered, of which 9,778,703, (79.82%) valid votes were registered and 312,841 (3.20%) invalid votes were registered. Mr. Voller acknowledged the high percentage of voter turnout and suggested lack of awareness of election procedure as the possible reason for the registered invalid votes. Under the FPTP systems, 10 parties won seats in the CA and 2 won as individual candidates. Under the PR systems, 30 parties won seats. All the parties winning FPTP seats also won List PR seats so the total of parties in the CA was 30, plus the two

independent candidates. In List PR there were 10 one-seat parties. The lowest share to win a seat was 0.22%, the same as in 2008. Criticizing the high number of marginal candidates unable to garner substantial votes, Mr. Vollan advocated for a system to allow only "serious" parties to contest elections. "Serious" parties in this context meant nationally represented political parties that had a decent amount of representation and could acquire substantial election votes.

The main challenges, according to him, was the possibility of parties boycotting the CA. In light of the allegations made by the UCPN Maoists in regards to poll irregularities, there is a strong concern that Maoists and other dissenting parties would be reluctant to join the CA. Subsequently, there is the issue of implementation of inclusiveness and the proper adherence of the mandatory provisions as per the Interim Constitution, 2007.

Following Vollan's presentation, the members involved raised concerns and sought Mr. Kare Vollan's expertise on national and comparative electoral issues. Dr. Bipin Adhikari, Chairperson NCF, raised concerns as to the hotly debated topic of threshold requirements for political parties, in light of the ordinance brought forward by the President, and sought Vollan's views on the potential impact of such provisions on the electoral outcome for political parties. Similarly, Mr. M.P. Saud, newly elected CA member, highlighting the current nature of the current electoral system, stated the different levels of accountability inherent in the two systems: In light of this, CA member Saud outlined the incompatibility of current electoral system with the equal opportunity principle and advocated for provisions to counter the disparities within the two systems, in regards to the accountability, and create a superior democratic electoral system. Furthermore, MP Saud requested Vollan to present his views as regards to the imbalance between the nominations under the two systems, i.e. 240 elected under the FPTP as opposed to 335 under the PR system, and access the current electoral system's viability for future elections.

Vollan, addressing the issues raised, highlighted the abundance of research



Kare Vollan

available on alternative electoral methods. He further mentioned that one such book is being published under the tutelage of UNDP and is due in the market next week. Furthermore, Vollan provided that one alternative to the current representation system could be to nominate a provincial candidate lists rather than exaggerated national list pertaining to the whole country. So, hypothetically, when a party wins 100 seats then there is a scientific method of distributing such seats into provincial lists.

In terms of threshold, Vollan was in agreement for a threshold provisions to allow for a more organized representation system. In Germany, there is a 5% threshold (quite high), however, in Nepal the lack of threshold system has allowed for a lot of smaller parties to get into the election fray. According to Voller, the sheer number of parties does not mean the election system is more democratic; rather, it causes confusion and complications among the voters. He advocated for a threshold system (around 1-2%) to filter out the parties unable to garner adequate votes and, thus, abolishing the chaotic political culture.

Ganesh Datta Bhatta, Associate Professor NLC, highlighting the peaceful election process and high voter turnout, seemed optimistic as regards to the timely drafting of the constitution and institutionalization of democratic norms. In addition, Bhatta sought Vollan's opinion on the UCPN Maoist's allegations regarding the irregularities in the vote registering and counting process. Similarly, Anup Acharya, NCF, inquired about the difference in numbers as regards to the registered PR List votes and the FPTP List votes.

In addition, Acharya sought Vollan's

expertise in establishing the rationale or mechanism in allocation of seats under the PR List system in relation to the votes acquired. In addition, Dr. Ramesh Dhungel, Professor, inquired about the social aspect of the electoral results. Citing the drastic changes in votes for revolutionary parties, in contrast to precious CA elections, the current elections upheld the status quo maintained by the traditional parties. In light of this, Dhungel sought Vollan's expertise on similar instances around the world. Further, B.P Bhandari, NCF, raised concerns as to the possibility of instability created through the current CA election system as it is designed in such a way that parties are unlikely to acquire majority votes. In light of lack of co-operation and trust among parties, Bhandari inquired about the way to deal with such challenges in the future.

Vollan, in response, was reluctant to comment on the allegations brought forward by the UCPN Maoists. However, Vollan stressed that, if there were such irregularities and there are clear evidences, then the matter should be pursued in the courts. Alternatively, Vollan advocated for the vote counting to take place, as common with international practice, in the polling stations rather than at a different location. According to him, the storing and counting of votes at a different location diminishes the credibility and transparency of the electoral system and raises the likelihood of fraud. In addition, such a procedure would require adequate transfer facilities, security, and logistics unit, rigid protocols on sealing ballots, electricity and other added expenses. Furthermore, Vollan highlighted the room for improvement as regards to the transportation and counting of vote ballots.

In regards to the disparities among voters in the two different systems, Vollan highlighted that this was due to the displacement of the voters in different constituencies. In additions, election officers, security personnel on duty during the polls were only allowed to vote in the PR List, hence, creating the disparities in the number of votes pertaining to the two systems. In addition, Vollan stressed the use of internationally accepted methods to convert votes into seats. According to



Bipin Adhikari

him, robust scientific methods were used in order to ascertain the ratio of number of seats from the votes registered. In terms of government formation, Vollan stressed the prevalence of coalition government under this system. However, citing examples such as England and India, where coalition governments have been successful, Vollan was optimistic about the future prospect of parties working together towards a common goal in a coalition government in Nepal.

In addition, Phurpa Tamang, Advocate, criticized the provisions under the current electoral election systems that allow party leaders to contest from two different constituencies. According to him, this is highly undemocratic system.

In response, Vollan stressing the prominence of PR list system, as one of the most commonly used electoral systems in the world, advocated the merits of a ranking based PR List system. According to Vollan, the main problems in Nepal are the unique provisions of an unranked closed PR List system which is in contradiction to prevalent democratic norms. In addition, citing political immaturity as a possible hindrance to the institutionalization of democracy in Nepal, Vollan criticized the sheer number of parties represented at the CA elections.

According to him, there is a clear lack of political structure and identity. As a result, there were more than 120 parties with different ideologies contesting the elections. "No country in the world needs that many parties and it does not mean that the more parties there are the more democratic the

election process" he confessed. In fact, this, as has been mentioned above, creates confusions and complications among voters and creates uncertainty in the institutionalization of democratic goals. In terms of leaders contesting for two constituencies, Vollan stressed his disapproval for such practices.

However, alternatively, he provided that, in order to protect the leaders, they could be allowed to contest in one constituency in the FPTP system and also in the PR List. It will reduce the costs pertaining to re-elections if the candidate wins from both constituencies, as evident in these elections, and provide an acceptable alternative to the current discriminatory package.

Finally, Dr. Bipin Adhikari, in relation to the topic of dual candidacies, further criticized the undemocratic provisions of allowing party leaders to contest from two different constituencies under the FPTP system. In addition, Dr. Bipin advocated that, in case of a leader winning the election from both constituencies, subsequent to that particular leader accepting his seat from one of the constituencies, the runner up from the other constituency should be allowed to take the seat that the winning leader has chosen to discard, rather than go for re-elections. This, according to him, would discourage the practice of dual candidacies and provide a pragmatic way out of a difficult situation. In response, Vollan disagreed with the idea of Dr. Adhikari citing the possibility of a different electoral outcome in case of a different candidate contesting the polls. However, he did accept that the provision could provide a possible method to discourage dual candidacies.

In conclusion, Vollan acknowledged the ranked PR system as a highly democratic electoral norm widely accepted around the world. However, he highlighted the lack of uniformity in Nepal as regards to the ranked PR system. Subsequently, Vollan advocated for Nepal to adhere to the prevalent democratic electoral systems and incorporate the ranking based PR list methods to establish a transparent, accountable and democratic electoral culture. ■

# Worm In The Brain

By **BUDDHA BASNYAT, MD**



Twenty year old medical student, Krishna Thapa had a sudden bout of seizure. In his hostel, his friends had witnessed a sudden onset of his whole body shaking. The seizure lasted for about 3 minutes after which time Krishna appeared to be somnolent. By the time they brought him over to emergency, Krishna was less drowsy and he was able to answer simple questions. He told the emergency room doctors he now had a throbbing headache. The doctors did a thorough examination and found that except for his history of recent seizure and his present somnolence which seemed to be improving, there was nothing else the matter with Krishna. They treated him with anti-seizure medicines. He stayed for 3 hours in the emergency room and gradually he felt much better. He was discharged to his hostel to be monitored by his friends and told to come back for follow up after a couple of days or if he had a seizure in the meantime. The knowledgeable doctors also told him, he probably would require a CT scan of his head. Krishna had no further episodes of seizure, but his head CT scan was abnormal. It revealed a "worm in the brain" lesion.

Worm in the brain in Nepal means neurocysticercosis. Indeed all of South Asia is endemic for this disease. This is a very common cause of epilepsy in the young in Nepal. Infections are caused by the pork tapeworm, *Taenia solium*. Krishna was infected either by drinking dirty water (all Nepali tap water is generally unclean if not boiled or treated with iodine or chlorine) or eating undercooked pork. It is also possible that fecal-oral transmission ("eating shit", to put it crudely) took place when the patient ate food stuff contaminated with tapeworm eggs. After absorption from the intestines, the eggs may go in the blood to the brain and form cysts (neurocysticercosis).

Nepalis love to eat *Badel* (pork), and eating this meat is potentially another important risk factor for acquiring this dangerous infection. The pigs get the disease by eating human feces that contain the eggs of the tapeworm. The eggs then form the larva (cysticerci) of tapeworm in the muscles of the pig which humans ingest. In the human intestine, the cysticerci develops further and enters the blood stream after penetrating the wall of the intestine. In the blood stream the cysticerci just like the tapeworm eggs are ready to migrate to the brain or other organs like the eye or muscles.

In our medical student, the cysts formed in the brain, caused an inflammatory reaction which led to a seizure. So, when young people like Krishna have a seizure it is important to scan the head to rule out neurocysticercosis as treatment with drugs like albendazole or praziquantel may be necessary.

Travelers who have been diagnosed with neurocysticercosis after returning to their native countries in the West have often been initially incorrectly diagnosed as brain tumors as neurocysticercosis is rare in the developed world.

An important reason why this disease became a rarity in the West is that post second world war, there was a strong public health campaign to separate pigs from human feces and confine them to enclosed piggeries. Besides eating and drinking hygienically prepared food, staying away from eating pork (hard to do in Dasain or Tihar!) may also help avoid acquiring neurocysticercosis. At least make sure the pork is very well cooked. Finally, for prevention some doctors would advocate taking one dose of worm medicine like albendazole once or twice a year. ■

## EU EOM Donates To NGOs

NGOs in Nepal received over 18 million Nepali Rupees worth of office materials from departing EU Election Observation Mission. The European Union Election Observation Mission to Nepal donated office materials, medical equipment and other supplies valued at over 18 million Nepali Rupees (138 000 EURO) to 17 different NGOs operating within Nepal.

The material was purchased for operations of the EU Election Observation Mission during observation of the 19 November 2013 elections. Rather than taking the equipment to Europe or another election observation mission, the EU has decided to donate these items to local NGOs in Nepal in order to encourage and support them in their activities.

Seventeen NGOs were selected to receive equipment from the EU Election Observation Mission. They are Environment Development Society (EDS), Integrated Development Society (IDeS), ASTAHA Nepal, Protection Desk Nepal (PD-N), Child Workers in Nepal Concerned Centre (CWIN-Nepal), Human Rights Protection and Legal Service Centre (HRPLSC), Samajik Samanata Abhiyan (SSA), Nepal National Dalit Social Welfare

Organization (NNDSSWO), Disable Empowerment and Communication Centre, Nepal (DECCN), Rastriya Haliya Mukti Samaaj (RHMS), Helping Hands Health Education (HHHE), Youth Welfare Society (YWS), Volunteers Initiative Nepal (VIN), Nepal Integrated Blind Development Association (NIBDA), Nepal Jesuit Society (NJS), Social Welfare Centre - Elderly's Home (SWC), Planete Enfants (PE).

Ambassador Rensje Teerink of the EU Delegation to Nepal and Elena Todova, Project Manager of the EU Election Observation Mission to Nepal, presented the materials to the beneficiaries.

Ambassador Rensje Teerink said, "The European Union is committed to supporting Nepal and the work of NGOs in Nepal in important areas such as tackling poverty, defending human rights, improving governance and strengthening democracy. With this donation we are supporting a vibrant civil society and NGOs that are able to assist Nepal all around the country."



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कर्जा अवधि

१० दिन-६ वर्ष

ब्यवसाय सञ्चालन गर्न आवश्यक पर्ने पूँजीको लागि सरल ब्याजदरमा  
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