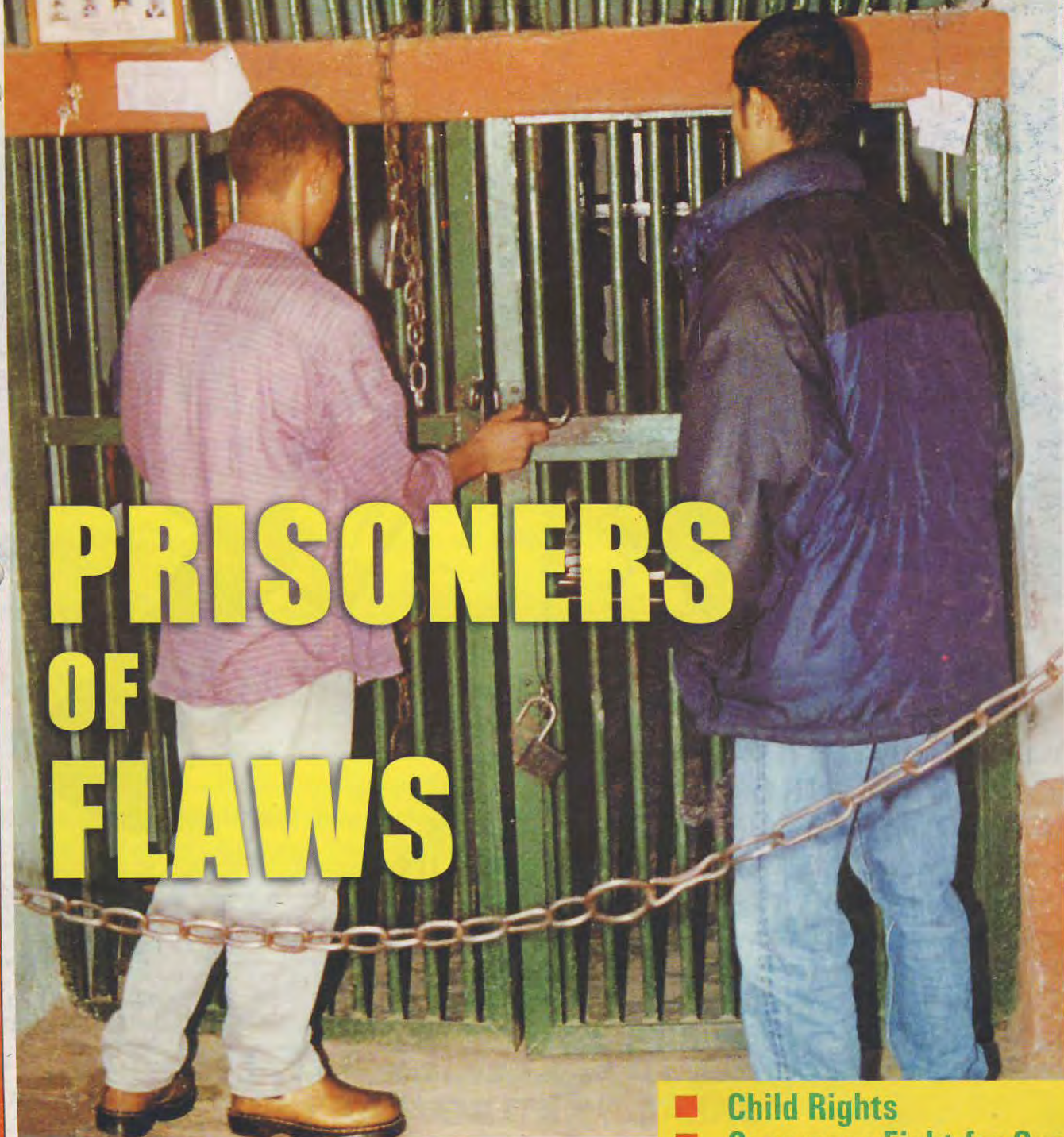


The National

DEC 28 '00-JAN 5' 2001

SPOTLIGHT



PRISONERS OF FLAWS

- Child Rights
- Congress : Fight for Survival
- Nepal Bhutan Talks

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COVER STORY: Prisoners Of Flaws

As the number of case backlog continues to rise in the courts, more and more people find themselves behind bars without actually having been proved guilty

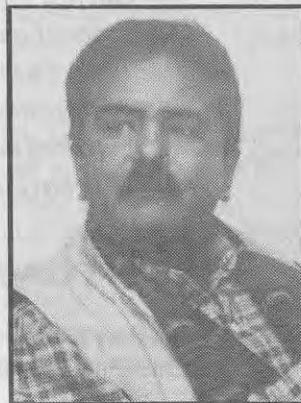
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CONGRESS CONVENTION: Fight For Survival

National Reconciliation Day this year approaches as ruling Nepali Congress leaders are engaged in an all-out battle to grab power.

Page 9



INTERVIEW : RATAN GAZMERE

A leading Bhutanese human rights leader, Gazmere says that international community needs to exert pressure on the government of Bhutan to ensure early repatriation of the Bhutanese refugees.

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SPOTLIGHT

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Chief Editor And Publisher
Madhav Kumar Rimal

Editor
Sarita Rimal

Managing Editor
Keshab Poudel

Associate Editor
Bhagirath Yogi

Senior Reporter
Sanjaya Dhakal

Reporter
Akshay Sharma

Design and Layout
Jyoti Singh

Photographer
Nishchal Chapagain

Art
Khokna

Legal Advisor
Advocate Lok Bhakta Rana

Marketing/Advertisement
Sarit Rimal (USA)

Marketing
Madan Kaji Basnet
Navin Kumar Maharjan
Madan Raj Poudel

Editorial Office
GPO Box 7256, Baluwatar, Kathmandu,
Tel : (977-1) 423127, Fax : (977-1) 417845
Chief Editor's : 435594
E-mail : spot@mail.com.np
Internet Add: <http://www.nepalnews.com/spotlight>

Cover Design
Wordscape
Kamal Pokhari, Ph : 410772, Fax : 432872

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G.P.O Box 2480, Ph: 222983 Fax : 229437
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E-mail : kishor@groupktm.mos.com.np

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EDITOR'S NOTE

The tenth round of Nepal Bhutan talks to decide the miserable fate of the Bhutanese refugees languishing in sub-human refugee camps in eastern Nepal does not seem to come to any final conclusion. While the Nepalese participants to the talks were exuding some kind of optimism on the outcome, Nepalese political pundits do not show much enthusiasm. Even though the Bhutanese delegation has shown a slight variation on their stance, the past experiences of nine rounds of talks make it very unrealistic to believe that the vexing problem will be resolved soon. The hopes that the recent visits of the U.S. dignitaries to Bhutan may exert some kind of pressure on the Bhutan government are apt to end in disappointments. Such international pressures in the past have failed to generate any reaction on the Bhutanese statesmen. Since Bhutan's defence and foreign policy are guided by their friend and big neighbor in their South, Bhutan can afford to ignore pressures coming from other directions. This ethnic cleansing by Bhutan, started more than a decade back, could not have been initiated without the tacit approval of Bhutan's mentor. Consequently, this imbroglio cannot be expected to be resolved without India's cooperation. It was in this perspective we have been advocating India's involvement in the discussions. Twisting Bhutan's arms may not produce any satisfactory results. Whether India is willing to lend its cooperation is another matter. Otherwise, the sorry episode of eleventh round of talks will be repeated without any end.

* * *

Storm in a tea cup. Why should the Nepalese people react in such a violent manner over the insensitive statement of an Indian actor is beyond comprehension. What is Hritik Roshan? What is his standing in the context of Nepal-India relations? Moreover, this is not the first time, Indian movie stars have made insulting remarks about Nepal and Nepalese people. This kind of comment does not deserve any attention. The Nepalese people can afford to ignore them. Have we forgotten the simple Indian proverb that elephants do not notice the barking dogs? Moreover, in a democracy, how can any one be prevented from expressing his opinion? By resorting to emotional outbursts, the Nepalese have only given importance to the statement of a man who does not know what he is talking about. The sooner we stop this violent reaction, the better for us. The unnecessary demonstration has taken away a few precious lives. Who is responsible for this? Such kind of behavior only reflects our immaturity.

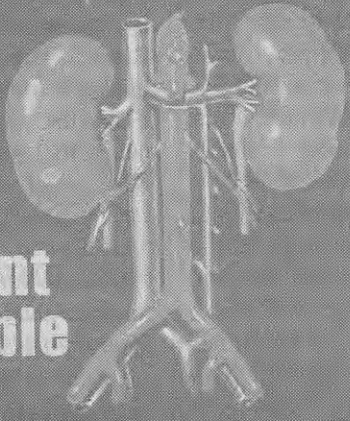


Madhav Kumar Rimal
Chief Editor & Publisher

Forum: Dr. Henning Karcher Interview: Jeffrey Cox
The National Newsmagazine

SPOTLIGHT

KIDNEY FAILURES



Treatment Accessible to Few

■
■
■

Kidney Failures: Major Problem

You have rightly pointed out that kidney failures has emerged as a major public health problem in Nepal (Spotlight Dec. 22-28). It is very heartening to know that out of annual reported cases of nearly 2500 kidney failures, our health institutions can treat only 100 person. That too at a cost not affordable to many Nepalese. It is high time the government introduced health insurance system as practiced by some premier health institutions in Nepal. It is the duty of the government, private sector and public in general to see that quality health services are available in the country at affordable prices.

Suniti Shakya
Bangemudha

soldiers killed during the Vietnam War. The North and South Korean governments are trying hard to reunite families separated during the war. Don't the Nepalese and British governments have a moral responsibility to reunite the loyal Gurkha soldiers with their loved ones in their motherland?

The Gurkha Army Ex-Servicemen Organization (GAESO) is not only raising the issue of "equal danger for equal rewards" but is also fighting to clear the stigma attached to the Gurkhas resulting from the discriminatory policies of the British government.

The British government continues to violate the Tripartite Agreement, the Race Relation Act 1976 (UK), and the Universal Declaration of Human Rights. By applying the Indian Pay Code to Gurkhas of the British Army, Britain is insulting Nepal, an independent and sovereign nation.

The British government cannot apply two different rates of pay for the same work. We are Nepalis, but this does not mean our blood is any less valuable. We are brown, but this does not mean the Gurkhas do not feel, hurt or remember. To continue pressing the argument of paying according to "their country's standard of living" in today's age is not only embarrassing but is also pure racism.

GAESO is trying to draw the attention of the world to this injustice through the media and national and international conferences. This grievous mistake needs to be rectified. The world is watching what Britain will do for the "loyal and honest Gurkhas". British honor and prestige are at stake.

Yam Bahadur Gurung
general secretary,
GAESO, Kathmandu

Valid Points

The interview with senior advocate Kusum Shrestha ("Constitutional Amendment Not Needed Yet," December 1-7) has raised some very valid points regarding the debate on amending the basic law. Shrestha's contention that calls by some political parties for an amendment is not the outcome of serious deliberations is very true. The main opposition UMLs call for an amendment is faulty and ludicrous. Definitely, there can be no government or election government that is neutral. Even during the last general election, when the poll was held by a coalition government to which the UML also belonged, there were big allegations of rigging. Therefore, the party's claim that elec-

tion governments could conduct free and fair polls falls flat on the ground. It is a pity that a responsible party like the UML is calling for changes in the constitution without studying what its long-term consequences are going to be.

Anil Sharma
Jamal

British Honor At Stake

As a retired British Gurkha soldier, I would like to comment on British Defense Secretary Geoffrey Hoon's interview with Keshab Poudel ("Gurkhas Will Remain An Integral Part Of The British Army", December 15-21). Gurkhas have sacrificed the best part of their lives in the interest of the British Empire. In return, they have received misery and pain.

In World War I, 250,000

Nepali youths fought for Britain, followed by 200,000 in World War II. The contribution of Gurkhas to the British Crown is so immense that it cannot be compared or valued in terms of money.

It is very unfortunate that neither Nepal nor Britain has maintained authentic records of Gurkha soldiers killed or missing during the two great wars. Neither government has officially informed the relatives, some of whom in their 70s and 80s are still waiting anxiously and praying for the safe return of their loved ones. Gurkha soldiers abandoned by the British government have been forced to settle in Burma, Malaysia, Fiji and other parts of the world as second-class citizens.

The US government is taking home the remains of US

PM Gives Explanation To PAC

Prime Minister Girija Prasad Koirala has assured the Public Accounts Committee (PAC) of parliament that the government would take stern action against those guilty if any irregularities were found in the Lauda Air deal. Replying to questions from committee members Thursday morning, Koirala said his government had no intention of violating the directives of the parliamentary committee. RNAC brought the Boeing 767 jet aircraft on lease early this month for 18 months despite directives issued by the PAC not to implement the deal until the committee completed its investigation. Earlier, Minister for Culture, Tourism and Civil Aviation Tarini Dutta Chataut had told the committee that as RNAC was an autonomous body, it had the right to enter into the deal in the interest of the corporation. Koirala also asked the parliamentary committee to maintain the clear-cut boundary of jurisdiction between the legislative and the executive branches. *Leading dailies report Dec. 22.*

Management Of NBL, RBB To Be Handed Over To Private Sector

Senior officials said Friday that the government has decided to hand over the management of two public-sector banks to private firms shortly. Finance Secretary Dr. Bimal Koirala told the Public Accounts Committee of the parliament that the government was going to hand over the management of Nepal Bank Limited (NBL) and Rastriya Banijya Bank (RBB) to the private sector to rescue them from the precarious situation they are presently in. Koirala admitted that the banks faced problems due to a faulty loan disbursement process, weak accounts maintenance system, poor management and information system and huge amounts of negative net worth. He, however, did not mention rampant government intervention in the management of these two banks said to be primarily responsible for their poor health. Nepal Rastra Bank Governor Dipendra Purush Dhakal said the contract would be awarded in accordance with prevailing laws and that the selected managing companies would be asked to com-

pensate the banks in case they incurred further losses. *Gorkhapatra Dec. 23.*

Nepal, Greece Agree To Expand Cooperation

Nepal and Greece have agreed to increase and expand areas of cooperation for mutual benefit. During the visit of Greek Foreign Minister George A. Papandreou, Greece has agreed to extend support to Nepal in such areas as human rights, democracy, environment and health. After meeting with his Nepali counterpart, Chakra Prasad Banstola, Papandreou said Greece, as a member of the European Union, wants to expand relations with other countries and support their development efforts. Greece would support Nepal in such areas as consolidation of democracy, human rights, health and environment, he said. Papandreou is the first high-level Greek official to visit Nepal. He said the EU has taken the problem of Bhutanese refugee in Nepal seriously. Addressing a joint press conference in Kathmandu Tuesday, Papandreou said since the problem of Bhutanese refugee in Nepal is a global issue, the EU is interested in it. Bastola said talks between the two countries also covered the issue of easy access of Nepali goods into the European market. *Leading dailies report Dec. 20.*

Cases Filled Regarding Exam Irregularities

The Commission for Investigation of Abuse of Authority (CIAA) has filed cases at the Patan Appellate Court against four people on charge of committing irregularities while examining the answer papers of some students who appeared in the SLC exams held two years ago (in 2055 B. S.). Those implicated in the case include deputy director at the Distance Education Center Kedar Chandra Khanal and three teachers. The commission has also recommended departmental action against then-controller of examinations Haribol Khanal for failing to fulfil his duties properly and has instructed the Ministry of Education and Sports to rectify such irregularities in examinations. *RSS reports Dec. 20.*

RBB Raises Interest On Deposits

The state-owned Rastriya Banijya Bank has decided to raise the interest rates on its deposits by an average of 0.75 percent since Monday (Dec. 18), reports said. As per the new regulations, the bank will pay 6.25 percent interest for savings account and 7.5 percent for two-years' fixed deposits. Reports said the bank had decided to raise the interest rates following partial withdrawal of deposit by the Royal Nepal Army. Out of nearly Rs 1 billion belonging to the Army Welfare Fund, the army has already withdrawn nearly Rs 150 million from the bank. The RBB, which will have a new international management from April next year, has a total deposit of Rs 35.5 billion and has extended loans and advances amounting to more than Rs 23 billion. *Compiled from reports Dec. 20.*

Agriculture Tools Factory Remains Closed

Agricultural Tools Factory (ATF) remains closed for the last three years even after a new management was brought in through privatization, a newspaper reported. Established 36 years ago in Birgunj, the government had sold the factory to the private sector more than three years ago. The new management had, however, closed down the factory within six months in the wake of an employee strike. Interestingly, the government is still providing salaries to more than 250 employees at the factory though they don't have to report for work. The government has neither called bids to sell the factory to another management nor is ready to invest nearly Rs 20 million to re-start it. Interestingly, it released Rs 9 million a few months back to pay salaries to the employees of the privatized factory. *Kantipur Dec. 19.*

FNCCI Demands Lowering Of POL Product Prices

The Federation of Nepalese Chambers of Commerce and Industry (FNCCI) has demanded that the government and agencies concerned lower the prices of

petroleum products immediately. In a statement issued Tuesday, the apex private-sector body has asked the government to lower the prices of petroleum products as the international market price for crude oil has dropped from US\$ 37 per barrel to US\$ 27 per barrel now. The state-owned Nepal Oil Corporation (NOC) had recently hiked the price of petroleum products citing the hike in the prices of POL products in the international market. "It is very sad and practically unreasonable that the consumers in the country are compelled to buy petroleum products at the increased prices. Hence, the government and the NOC should immediately revise the prices of petroleum products," the FNCCI said. *RSS reports Dec. 20.*

Temba To Climb Mt. Everest Again

Temba Chhiri Sherpa, who abandoned the expedition from 20 meters below the summit of Mt Everest in May this year, announced Saturday that he would try to climb the tallest peak again and become the youngest person to reach the top of the world. Temba, 15, said he would try once more and become the youngest person to climb Mt Everest, "if I get enough support for my expedition". He, however, did not provide details of his plan. He was 14 when he attempted Sagarmatha to set a new world record. Although he abandoned the expedition from 20 meters below the Everest summit, he still established the world record by reaching the altitude of 8428 meters at the age of 14. Temba had to abandon his expedition as his fingers were frostbitten. He later lost four fingers at a hospital in Kathmandu in order to save his other fingers, doctors said. *Gorkhapatra Dec. 24.*

Over 1,000 People Killed In Mid-Western Region

Officials have said over 1,000 people have been killed in the mid-western region alone since the Maoist rebels launched their "people's war" nearly five years ago. According to police, 749 rebels, 172 policemen and 159 civilians were killed in fighting between the police and rebels. According to official estimates, more than 1,500 people

have lost their lives all over the country during the rebellion. Unofficial estimates put the death toll at twice that number. *Compiled from reports. Dec. 18.*

Nepal Asks Congress To Quit Power

Leader of the main opposition and general secretary of the Communist Party of Nepal (UML) Madhav Kumar Nepal has asked the ruling Nepali Congress party to quit power in order to facilitate a resolution of the five-year-old Maoist insurgency. Addressing an interaction program organized by his party's sister organization in the capital Saturday, Nepal said at least 50 percent of the country's problems would be resolved immediately if the Nepali Congress party was removed from office. He said a "common mechanism" could be worked out to resolve the Maoist problem as soon as the Nepali Congress government was forced out of power. Nepal did not clarify how a government that enjoys majority in the parliament could be removed from office. General Secretary of the Rastriya Prajatantra Party Pashupati Shumsher Rana said the 'social contract' among Nepali Congress; United

Left Front and the King in 1990 had failed now. "This is a very grave crisis for the country and it should be resolved with the help of all political parties and other sides," said Rana. *Himalaya Times Dec. 25.*

'Quarantine Duty On Nepali Products Illegal'

In what has come as a much-needed support for Nepali farmers, a top state official in India has said the quarantine duty being imposed by the Indian government on Nepali agro-products is illegal. Talking to Nepali reporters in Calcutta Friday, West Bengal Chief Minister Buddhadev Bhattacharya said there was no reason or rationale for imposing such a duty and, hence, it should be scrapped immediately. The Indian checkpoints have been charging more than Rs 3,000 per truckload of Nepali agro-products for the last six months. Bhattacharya said his government was willing to import excess milk produced in Nepal but there were legal and other hassles in imports from Nepal. A high-level Nepali delegation is currently in Calcutta to take part in the 14th Indian Industrial Trade Fair 2000. *Kantipur Dec. 24.*



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AND GLORIOUS LIFE
OF
HIS MAJESTY KING

BIRENDRA BIR BIKRAM SHAH DEV
ON HIS MAJESTY'S 56TH
AUSPICIOUS BIRTHDAY



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Spotlight family wishes King Birendra a very happy birthday on the auspicious occasion of His Majesty's 56th birthday.

CROWN PRINCE DIPENDRA INAUGURATED THE Nepal-Soka Gakkai International Peace Center building at Bafal, Kathmandu, amid a ceremony Friday. Constructed at a cost of approximately Rs 27.5 million on 6.5 ropanis of land, the center aims at promoting Buddhism, peace and culture, education and social service in Nepal. An international exhibition comprising more than 300 paintings selected from nearly 100,000 entries from 161 countries was also organized.

THE GOVERNMENT HAS DECLARED A HOLIDAY for the government employees belonging to the Gurung community on the occasion of 'Lhosar,' the new year day that falls on December 30, this year. Members of the Gurung community had threatened to launch a nation-wide protest if the day was not declared a public holiday.

THE NORWEGIAN GOVERNMENT HAS AGREED TO provide additional technical assistance of Norwegian Kroner 33.9 million (approximately Rs 545 million) to Nepal for the continuation of the final design of the Melamchi diversion scheme of Melamchi Water Supply Project. The technical assistance is in addition to NOK 33.2 million already provided by the Norwegian government for the project, the Ministry of Finance here said. Madhav Ghimire, joint secretary at the Finance Ministry and Ingrid Afstad, ambassador of Norway to Nepal, signed Addendum 3 to the agreement on behalf of their respective governments last week.

PRIME MINISTER GIRIJA PRASAD KOIRALA HAS said his government has decided to waive interests on loans of up to Rs 30,000 borrowed by farmers. Addressing the national industrial exhibition in Butwal last week, Koirala said stocks of rice and paddy will be maintained under an integrated program for distribution.

SRI LANKAN FOREIGN MINISTER LAKSHMAN Kadrigamar has said the SAARC process is moving ahead despite some hurdles. Kadrigamar was on a two-day visit to

Nepal as part of his government's efforts to reconvene the stalled SAARC summit. Kadrigamar left for New Delhi on Monday en route to Colombo. The South Asian Association for Regional Cooperation (SAARC) has seven member countries including Nepal.

THE SECOND MEETING OF THE SAARC PEOPLE'S Forum (SPF) has demanded that the 11th SAARC summit be held immediately. A statement issued by the Forum Thursday said the excuse given for not holding the summit was against the SAARC Charter. Such excuses are not congenial for the spirit of cooperation and are against the interests of the people of the region, the forum said. The 11th summit, scheduled to be held in Kathmandu in November last year, had been postponed indefinitely on India's request following the military takeover in Pakistan. The four-day forum also called for a memorandum on the production, import, distribution and sale of genetically modified plants and food products, which were threatening food security in the region.

INDIA HAS AGREED TO SUPPORT AND TRAIN NEPALI air force personnel in India. The agreement was made during a meeting between Defense Minister Mahesh Acharya and visiting Chief of the Indian Air Force Chief Marshal A.Y. Tipnis, official RSS news agency reported. Minister Acharya had asked for training personnel of the air transport wing of the Royal Nepal Army in India during his meeting with Tipnis last week. Nepal does not have an independent air force.

THE ASIAN PAINTS (NEPAL) PVT. LTD., A JOINT VEN- ture with the Asian Paints (India) Ltd., has declared 150 percent dividend to its shareholders in the current fiscal year during its annual general meeting held recently. According to the company, it has also paid Rs 20 million to the government as taxes in the current fiscal year. Established 15 years ago at the Hetauda Industrial Estate, the company was recently awarded ISO 9002 recognition. ■

Prem Prarthana Released

A collection of songs by lyricist Sindhu Rana was released on December 23, 2000 in the capital by senior artist and litterateur Lain Singh Bangdel at the Army officer's club. The songs are recorded on cassettes and compact discs.

During a program organized to launch the collection, renowned litterateurs lauded Rana's work. Poet Chhetra Pratap Adhikary and lyricist Dinesh Adhikary praised her choice of words and the emotional value of her lyrics.

Rana announced she would donate royalties earned from the collection to the Tilganga Eye Hospital to serve the poor and needy.

Granddaughter of famous dramatist Bal Krishna Sama, Rana is the wife of army Chief General Prajwalla SJB Rana.

“Girijababu would not mind drinking poison if that could save the party.”

Finance and Defense minister Mahesh Acharya in Gorkhapatra.

* * *

“The Nepali Congress is a ‘leader-oriented’, not a cadre-based, party. The process of record-keeping is not good. Whatever has been done so far to manage the party should be considered great.”

Baldev Sharma Majgaiya, Minister of State for Agriculture and Cooperatives and chief of the Organization Department of the ruling Nepali Congress, in Bimarsha.

* * *

“Nobody can claim to be the heir to somebody else.”

Arjun Narshing K.C., central committee member of Nepali Congress responding to former prime minister Sher Bahadur Deuba’s statement that he is the political heir to top Nepali Congress leaders, including the late B. P. Koirala.

* * *

“One of the main reasons for the non-performance of the Nepali Congress government is the intra-party feud, which is also responsible for growing instability. You can’t run a government like this.”



Bhim Bahadur Tamang, former minister and a central committee member of the Nepali Congress, in Deshanter.

* * *

“If businessmen themselves call the Value Added Tax (VAT) scheme a failure, this implies that they are not cooperating with the government. We aren’t asking them to pay VAT from their pocket.”

All we are asking them is to collect the tax (from the consumers) on behalf of the government.”

Dr. Bimal P. Koirala, Finance Secretary, in Chhalphal.

* * *

“There is nothing wrong in using government funds to set up institutions in the name of national leaders.”

Gopal Neupane, chairman of Melung VDC and member of CPN (UML)’s Dolakha district unit, defending the Dolakha District Development Committee’s decision to construct the party’s district office by raising Rs 10,000 each from all VDCs in the name of constructing the Man Mohan Foundation, in Space Time.

* * *

“I will not stop saying that the Maoists’ act of destroying this bridge was wrong even if they place a ‘khukuri’ on my neck.”

Abgati Pandey, a housewife at Manma VDC in remote Kalikot district, whose children have to walk for two days to reach their school (instead of half an hour before Maoists blew away the bridge), in Kantipur.

* * *



Deshantar Weekly

Soap War

When business groups fight, they use every weapon in their arsenal to destroy their rivals. This is precisely what is happening in the media war between OK washing soap and Puja soap. In their latest commercials, each group is involved in a full-blown campaign to portray the other in a bad light. State-owned Nepal Television, however, has emerged as the clear winner in this war of foams: it has found an easy source of revenue.

Common Syndrome

Nepal's trade unions, like political parties, seem to be running out of ways of organizing protests. This may be why they cannot go beyond displaying black flags and

launching chakka jams (transport strikes) to register their grievances. After the government announced that it was going to ban vehicles over 20 years old from the capital, the Federation of Nepalese Transport Entrepreneurs called on members to hoist black flags on their vehicles. Perhaps something more creative might have created a flutter in official circles.

Vocal Communists

If anybody wants to find out why communist regimes around the world fell like dominoes in the early 1990s, they should visit Nepal. Not a single day passes in the country without leftists raising their voices. You can find any of the more than a dozen communist parties protesting against some-

thing or the other. At a time when other communist parties in the world are trying to prove their liberal and people-friendly credentials, Nepalese communists are proving the opposite. Imagine how it must have felt to live in one of those countries where the communists were the only legal political group for so long.

Vow Of Silence

Despite their known differences, Prime Minister Girija Prasad Koirala and his predecessor, Krishna Prasad Bhattarai, actually share some similarities. One is that neither tolerates opposition. Although they have spent most of their political lives in prison for the cause of democracy, they do



Bhattarai: 'I am serious'

not seem to be able to follow democratic practices. The moment someone tries to raise his or her voice against something, Koirala and Bhattarai have an almost natural gift to impose silence.

श्री ५ महाराजाधिराज
वीरेन्द्र वीर विक्रम शाहदेव
सरकारको ५६ औं शुभ जन्मोत्सवको पुनीत
अवसरमा मौसुफ सरकारको सु-स्वास्थ्य
एव दीर्घायुको लागि हार्दिक मंगलमय
शुभ कामना छढाउदछौं ।

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and pray for His Majesty's
long life, good health
and happiness

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CONGRESS CONVENTION

Fight For Survival

As the Nepali Congress general convention approaches, rival factions are more firmly locked in their internecine battle

By KESHAB POUDEL

Prime Minister Girija Prasad Koirala revealed last week that some invisible forces are working to split the ruling Congress Party. That is a surprising turnaround for Koirala who just last week insisted that his party was too formidable to be fractured.

Koirala's contradictory statements show how the minds of political leaders are filled with suspicions and disinformation. When a seasoned politician like Koirala does not get the right facts, one can understand the compulsion faced by others.

It seems the Nepali Congress is plagued by disinformation, where each leader sees the other as a rival. Politics, in essence, has turned into a battle of survival.

At a time when the leaders feel their very survival is at stake, how could they be expected to take care of the country's problems? Party elections have turned into turf wars between competing factions. Ideology and policy no longer dominate the discourse.

Minister of Information and Communication Jaya Prakash Gupta, a Koirala confidant, has openly portrayed former prime minister Sher Bahadur Deuba as a villain and accused him of trying to split the party. Koirala's recent statements have only supported Gupta's accusations.

Bolstered by three Acharyas — Finance Minister Mahesh Acharya, party spokesman Narahari Acharya and former deputy prime minister Shailaja Acharya — and Gupta, Koirala is fighting what may be the last leg of his political battle with his one-time protege Deuba.

Koirala appears to have been deserted by almost all of those who were with him for decades. Even general secretary Sushil Koirala is out of the picture.

Former prime minister Krishna Prasad Bhattarai, who is in the news following the publication of what is essentially his autho-

riized biography, is rooting for Deuba in his fight with Koirala.

Deuba is backed by Bijaya Kumar Gacchedar, Sarat Singh Bhandary, Bimendra Nidhi, Pradip Giri and Chiranjibi Wagle.

Although the Deuba-Bhattarai duo is making desperate moves to clip the wings of Koirala, they are yet to find someone who

Koirala, Bhattarai or Deuba, all of them are flanked by fanatic followers who seem to thrive amid deep divisions in the party.

"My candidature is against the hegemony of certain individuals in the party," said Deuba while announcing that he would contest against Koirala for the party presidency.

Deuba's fear seems to be rooted in the fact that Sujata Koirala, the prime minister's daughter, is now gradually emerging from behind the scenes to take an active leadership role. Through the Sushma Koirala Foundation — set up in memory of her mother — Sujata has been gaining a nationwide prominence that could eventually propel her political career.

Even as the important party elections approach, general secretary Sushil Koirala



Congress leaders : Survival of the fittest

can bring along a large number of Koirala supporters. Former minister Khum Bahadur Khadka was present when Deuba announced his candidacy, but Khadka is yet to make up his mind whether to go along with the former prime minister.

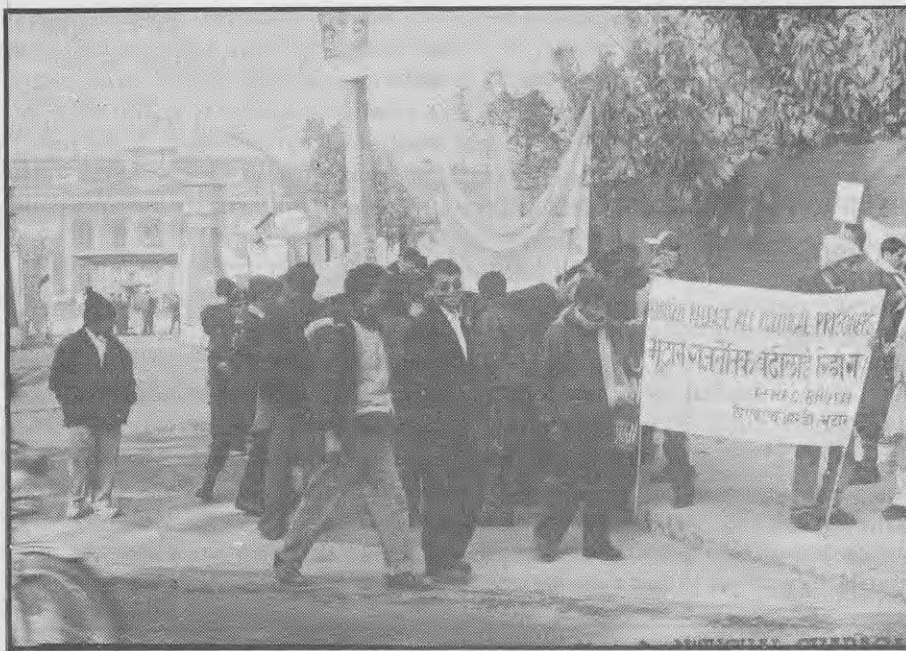
The longer the infighting in the Nepali Congress continues, the greater the political instability it would create. The call of national reconciliation propounded by Congress leader B.P. Koirala is no longer a mantra for his younger brother.

But Koirala loyalist say the prime minister is ready to do anything to maintain party unity. "Girijababu would not mind drinking poison if that could save the party," said Finance Minister Acharya.

is conspicuous by his absence, which might provide some indication of his standing in the shifting sands of Congress politics.

"All second-generation leaders are now very much worried by the emergence of Sujata Koirala in the forefront. Deubaji may not be so worried about Sushil Koirala but he definitely seems to be very worried by Sujata," said a political analyst.

As long as this full-blown factional fighting continues in the Nepali Congress, the country will be deprived of the political stability needed to achieve economic prosperity. Given the way sparks are flying in all directions within the party, it might take years before the country can even claim a semblance of political stability. ■



Bhutanese refugees : Long way to go

NEPAL-BHUTAN

The Christmas Talks

As both sides engage in the tenth round of talks, hopes are high. But it might still take quite long before the refugees return home

By BHAGIRATH YOGI

As Bhutanese Foreign Minister Jigme Y. Thinley landed at the Tribhuvan International Airport leading a 12-member delegation on Christmas eve, hopes were high in Nepal. "We are engaged in a very constructive dialogue to resolve the common problem of two neighbors. We believe that through this endeavor we would be able to find a mutually satisfying solution," Thinley told reporters upon his arrival. Added his Nepali counterpart, Chakra P. Bastola, "I am expecting a 'Christmas breakthrough' and hope this meeting would be able to find a lasting solution to the problem of Bhutanese refugees."

As the talks progressed for the second day till the writing of this story (on Tuesday) there were indications that it was not going to be an easy task. As

expected, the bone of contention in this round, too, was the issue of a mutually acceptable modality for verifying refugees.

During the eighth ministerial-level talks last year, both countries agreed to start a verification process in the seven refugee camps in eastern Nepal to establish if all the people residing there were Bhutanese citizens. In the ninth meeting held in May this year, both sides, however, came up with different proposals. While Nepal insisted that the verification process be carried out on the basis of the family as a unit, Bhutanese side maintained that the verification be done taking an individual above 18 years of age as a unit.

Analysts see it as a 'delaying tactics' on part of Bhutan to avoid the formation of a verification committee. "The identity and verification must be done through the head of a family and not on an individual

basis. There is no justification in interviewing every refugee when the census record, that is maintained in Bhutan, is not in his name but in the name of the head of the family," said Rakesh Chhetri, a Bhutanese political analyst.

"If Bhutan gets its way, then more than half of the refugees will be disqualified from going home. Bhutanese children under five years of age, who were evicted along with their parents before 1995, will not find their names recorded in the census record of Bhutan, and hence automatically disqualified." Over 17,000 children born in the camps will also be disqualified, he said.

Despite such differences, the tenth round of talks were being held in Kathmandu in a changed atmosphere. "This meeting is taking place in a totally different environment. A number of activities have taken place over the last eight months since the ninth round of talks," said Ratan Gazmere, a Bhutanese human rights leader.

During this period, United Nations High Commissioner for Refugees Sadako Ogata visited Nepal and Bhutan and assured that the Bhutanese government was quite "positive" in taking back its people. The European Parliament passed a second resolution urging the governments of both Nepal and Bhutan to find an early and peaceful solution to the problem. Interestingly, a donor consortium meeting in Thimpu in November this year discussed the issue for the first time.

US Assistant Secretaries of State Julia Taft and Karl Inderfurth visited Nepal and Bhutan early this month and floated their own proposal. And, finally, there was a "farewell letter" from the outgoing US President Bill Clinton exhibiting his interest in the refugee issue.

With all this, the Bhutanese government seemed to have few alternatives to coming to terms with Nepal on the verification process.

But considering the track record of past rounds, analysts ask us to be "cautiously optimistic". Three years after the influx of Nepali-speaking Bhutanese people started in eastern Nepal, both Nepal and Bhutan agreed to set up a joint ministerial-level committee (JMLC) to

discuss the problem and find a mutually acceptable solution.

Over the last seven years, nine round of talks were held, but to no avail. During each meeting, Bhutanese officials were shrewd enough to find one "excuse" or another to postpone the issue further. (See: Box)

Analysts say the major stumbling block in the bilateral talks is the classification of the refugees into four categories, which the JMLC agreed upon during its first meeting in October 1993. The categories include — Genuine Bhutanese who have been forcibly evicted; Bhutanese who have migrated; non-Bhutanese people; and Bhutanese who have committed criminal acts.

During all these rounds of talks, Bhutan's position has been that the refugee verification should be based only on citizenship and emigration law of Bhutan. The 1985 Citizenship Act of Bhutan stipulates forfeiture of citizenship in case of a citizen leaving the country voluntarily. Bhutanese have, hence, said they would not take people falling under category II, that is, people who have migrated. Nepal's official position, however, has been that since the refugees are not Nepali citizens, if Bhutan refuses to take them back, there will be thousands of stateless people which

is a violation of the United Nations Declaration of Human Rights.

During the eighth round of talks, the Nepali side proposed that field verification of refugees should begin from one of the camps and move on to other camps. The Bhutanese team rejected the proposal and insisted that the verification should begin on the basis of the list of 3,000 people prepared by an UNHCR official. Nepal rejected the proposal, saying that the list was not authentic.

As the UNHCR later supported the Nepali proposal, Bhutan was left with little to make further excuses. In the meantime, the US officials' proposal to validate the refugees on the basis of the families before the actual verification begins had not surfaced in the talks till Monday, reports said.

Meanwhile, nearly 200 Bhutanese refugees and human rights activists staged protests in front of the Shital Niwas Monday demanding representation of the refugees in the bilateral talks. "Any decision that is going to affect the fate of more than 90,000 refugees must involve their representatives. They have the right to accept or not accept any conclusion reached out of such negotiations," said Gazmere. (See: Interview)

While the refugees' demand is least

likely to be met, there is growing frustration among the refugee community about their early repatriation.

Bhutanese refugees say they were forced to flee their homeland because of the ethnic-cleansing policy of the Bhutanese government toward the people of Nepali origin living in southern Bhutan, also known as Lhotsampas. There are about 100,000 refugees seeking asylum in seven refugee camps in eastern Nepal, which is more than one-sixth of the total population of Bhutan. Another few thousand are said to be living on the own in different parts of Nepal and India. Bhutanese refugees started crossing into Nepali territory in December 1990. As a state party to all major international human rights conventions, Nepal could not refuse shelter to the fleeing refugees, who are granted that status in keeping with the well-known international norms and standards.

Although relations between the refugees and the local people have by and large been amicable, the presence of a large number of refugees in densely populated eastern districts has created some serious problems. As the government imposes no restriction on travel and economic activities of the refugees, this has created a situation of competition for scarce jobs available locally. The buildings of camps in densely forested areas together with illegal logging by the refugees have created serious environmental problems. There is mounting pressure from the local people on the government to find an early and lasting solution to the problem. Similarly, there are also signs of what they call 'donor fatigue' of late.

The problem of Bhutanese refugees in Nepal is by definition international that people originating in one country have crossed the international borders read : India and sought refuge in a third country which does not share a contiguous border with Bhutan. Solution to the problem thus entails taking recourse to the established international norms and practices.

As the international community has started showing concern about their fate, refugees have not allowed their hopes to die. But, what is certain is that the actual repatriation is still a long way off. ■

Nepal-Bhutan Talks: Going Nowhere

First Round, Kathmandu, October 1993: The JMLC agreed to classify refugees into four categories.

Second Round, Thimpu, February 1994: Nepal presses for the involvement of a third party.

Third Round, Kathmandu, April 1994: The JMLC agreed to constitute five members each from both Bhutan and Nepal in the refugee verification team.

Fourth Round, Thimpu, June 1994: Disagreement between Bhutan and Nepal on their positions on the four categories.

Fifth Round, Kathmandu, February-March 1995: The JMLC continue to discuss the category issue.

Sixth Round, Thimpu, April 1995: The JMLC exchanged names of five members of the joint verification team.

Seventh Round, Kathmandu, April 1996: The talks end in deadlock.

Eighth Round, Kathmandu, September 1999: Talks focused on the fate of the refugees under Category II.

Ninth Round, Kathmandu May 2000: Fails to make any breakthrough.

Tenth Round, Kathmandu, December 2000 (on-going): discusses the modalities of the verification.

US VISA

On The Rule Book

Growing public complaints rooted in misunderstanding of US immigration laws

By KESHAB POUDEL

As the number of Nepali citizens visiting the United States increases, the queue at the US Embassy in Panipokhari is getting longer. Also increasing is the number of people who complain of unfairness in the embassy's decision on who gets a visa.

Embassy officials say a large number of people who feel that they have been unjustly and/or intentionally denied a visa do not understand the US immigration laws. "People start to complain because there is a misunderstanding among them regarding the process of issuing a visa," said Paul M. Cantrell, visa consul at the American Embassy.

Last year, the US embassy received 13,000 visa applications, but fewer than half of the applicants were granted visas. Embassy officials say the problem experienced in Nepal is nothing more than a misunderstanding of US immigration laws.

As the embassy issues non-immigration and immigration visas under the act passed by the US Congress, there is no question of discrimination against anyone, embassy officials say.

In recent times, stories about visa denials to women married to Nepalis who hold a US green card have been reported. According to embassy officials, they have not denied visas to genuine people, as

the embassy does not issue immigrant visa as requested by such women.

"People often misunderstand the complexity of the visa laws as we issue visa following US immigration laws. We try our best to inform the people about rules on procuring the visa," said consul Cantrell. "We normally issue the non-immigration visa taking very short span of time."

Whether small or big, every country has its own immigration laws regulating the number of visitors. Issuing visa to a foreigner is the privilege of the host country.

"Everyone who applies for a visa considers that it is their right to obtain it. If some do not get the visa, the individual starts accusing the officials working in the embassy," said an official.

Compared to other embassies in South Asia, the annual increase of non-immigration visa applicants in Nepal is very low. ■

INDIAN SECURITY REPORT

Clean Chit To Nepal

At a time when the Indian media grabs any opportunity to describe Nepal as a fertile ground for anti-India activities, the Intelligence Bureau (IB) of India has come out with a report hailing Nepal's security agencies. The IB report specifically praises Nepalese attempts to prevent activities that could lead to armed or terrorist strikes in India.

According to a report published in The Statesman on Wednesday, December 20, 2000, the IB, in a five-page confidential report, stated that due to the Nepalese government's strict law enforcement, militants are confined to the North-east.

The IB report has asked the central Indian government to take urgent steps to combat "Sino militants' illegal infiltration, supply of huge quantities of sophisticated arms and ammunition and contraband from China to India's north-eastern parts."

However, this is not the first time an Indian intelligence agency has rejected allegations that Nepalese territory is being used to destabilize India.

Former chief of the Central Bureau of Investigation (CBI) Jogendra Singh, during a recent visit to Kathmandu, ruled out the possibility of the use of Nepalese territory by the Pakistan's Inter Services Intelligence (ISI) agency.

Following the hijacking of Indian Airlines Flight IC 814 a year ago, the Indian media portrayed Nepal as a sanctuary for hard-core terrorists. Strategic analysts saw such media reporting as a reflection of India's security perception.

Last June, India Today published "Nepal Game Plan" in which it described Nepal as a safe haven for the ISI. This report was widely criticized for its unsubstantiated materials. ■



**We Extend
Our Hearty
Felicitations
To His Majesty
The King**

**Birendra Bir Bikram Shah Dev
On His Majesty's
56th Birthday**



Rastriya Banijya Bank

Central Office
Singh Durbar, Kathmandu

MICRO-NUTRIENT INTAKE

Healthy Progress

There have been significant gains in fight against iodine and vitamin A deficiencies

By AKSHAY SHARMA

Nepal has made significant strides in the fight against two major global nutrition problems — deficiencies of iodine and vitamin A — according to the first nation-wide micronutrient status survey released this month. But anemia, another global nutrition problem, continues to trap Nepalese in a vicious cycle of poor growth and ill health. The survey, a random sampling of 15,000 households, notes that iodine deficiency disorders, which retards children's cognitive development, is nearing elimination in Nepal. Vitamin A deficiency, which decreases the ability to fight illness, has almost disappeared in preschool children.

"We attribute our remarkable progress to two successful public health interventions," said Minister of Health Ram Baran Yadav, at a press conference organized to release the survey findings. "The rigorous promotion of iodized salt among consumers, and the distribution of vitamin A capsules through mass campaigns, are measures taken by His Majesty's Government and will continue to be supported."

Over four million Nepali children in 69 districts receive vitamin A capsules twice a year, in a campaign made possible by the mobilization of community leader, volunteers, and health workers. The campaign is conducted through the joint efforts of the Ministry of Health, USAID, Austrian SID, NTAG, JSI and UNICEF. Nearly all the sodium in the market is fortified with iodine, and a social marketing campaign is under way to promote packaged iodized salt.

The survey findings show that visible goiter, a common sign of iodine deficiency, is no longer found in school-aged children and affects only 1.3 percentage of women. Night-blindness is detected in 0.27 and Bitots spots, a more advanced sign of deficiency, in 0.33 percent of preschool children — a great reduction from past surveys. The data point to an overall substantial drop in indicators related to insufficient intake of nutrients vital to human growth and well-being.

Reducing anemia, the deficiency of iron, is the new challenge. The survey shows that 68 percent of women and 78 percent of preschool children suffer from anemia. Anemia also affects 75 percent of Nepali pregnant women. This is alarming

because during pregnancy, the fetus requires its own supply of iron that can only be obtained from the mother.

Anemia greatly increases the risk of a mother suffering complications in labor and delivering a low birth weight baby, and helps put both the mother and child in a vicious cycle of malnutrition.

The highest anemia prevalence of 88 percent, according to the survey, is found in children between 6 and 23 months — a very critical period of growth and development. The staggering figure signifies that Nepali children are being born with low iron stores and are not receiving enough iron in their food.

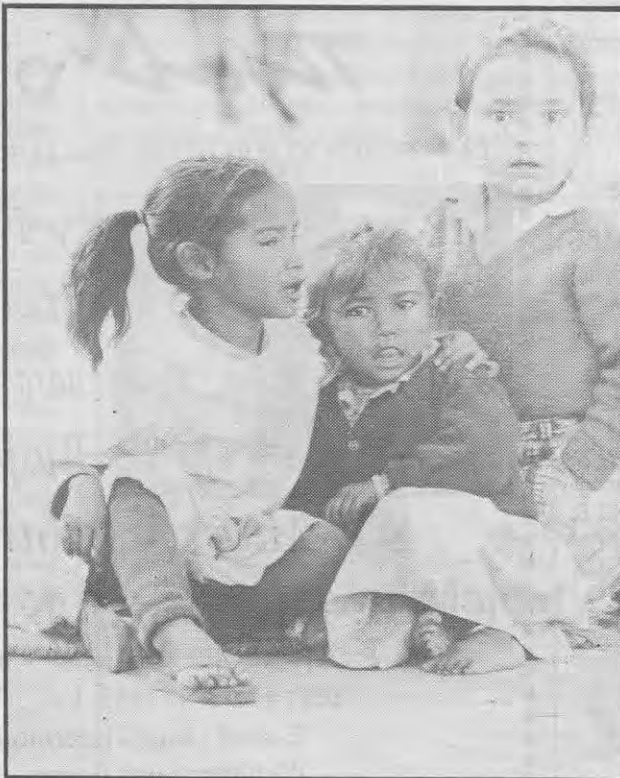
"Anemia is damaging to both mother and children, yet it is so widespread," said Stewart McNab, UNICEF country representative in Nepal. "Nepal has shown it can triumph over two of the most pervasive micronutrient problems," he added. "It now needs action to achieve another breakthrough in controlling iron deficiency."

The survey also points to little improvement in the general nutrition status of children over the last 23 years. Using height as an indicator, Nepali children are shorter than expected for their age. The prevalence of stunting among children aged from 6-5.9 months has dropped only 15.3 percentage points since 1975, from 69. And to 54 percent in 1998.

"His Majesty's Government is convinced of the need for new approaches to solving the problem of malnutrition. Malnutrition hinders a child's health and development, so we cannot passively accept it," said Minister Yadav.

McNab agreed that the poor progress in reducing general malnutrition called for new approaches. "We are seeing exciting results from HMG's decentralized, community-based approach, which we would like to see replicated."

The survey was conducted by New Era in 1997-98 with the support of the Ministry of Health, the Micronutrient Initiative, UNICEF and the World Health Organization.



Children : Iodized ?

MELAMCHI PROJECT In The Pipeline

Following the approval of a loan by the Manila-based Bank, the ambitious project is all set to become reality

By A CORRESPONDENT

Come 2006, the thirsty residents of Kathmandu valley will have safe and clean water flowing down their taps round the clock — provided they can afford it. With the approval of a loan package of US\$ 120 million for the ambitious Melamchi Water Supply Project (MWSP) in Manila on December 21, the much-talked about project seems to be heading toward becoming a reality.

Upon its completion in 2006, the project will divert 170 million liters of water daily from the Melamchi River into Kathmandu valley through a 26-km long tunnel. "The construction of the tunnel, however, will not kick off unless the government fulfils its promise of handing over the management of state-owned Nepal Water Supply Corporation to private operators," said resident representative of the Bank in Kathmandu, Dr. Richard Vokes.

The project comprises a water treatment plant and a bulk water distribution system. Out of the total project cost of an estimated US\$ 464 million, the ADB and Nepalese government have agreed to finance about a quarter of the cost each. Other financiers include the World Bank, the Japan Bank for International Cooperation, the Norwegian and Swedish aid agencies, the Nordic Development Fund, the OPEC Fund and the government of Japan.

The tunnel will be built to accommodate expanded flows when additional water is diverted from the Yangri and Larke rivers. The project will also construct a water treatment plant with an initial capacity of 170 MLD (million liters a day), capable of being expanded threefold. A bulk water distribution system will be built under the project and existing primary, secondary and tertiary distribution networks will be rehabilitated. Access roads to project facilities will be built and will serve also as farm-to-market roads.

"The project will relieve the acute and widespread distress caused by a chronic lack of safe water. It will also address the institu-

tional challenges to provide water and wastewater management services on a sustainable basis," said Arthur McIntosh, ADB's mission leader for the project.

A social program will help some 40,000 people who will be affected by the project. Facilities to improve living conditions for the people in the project area will include buffer zone development, rural electrification, health and education amenities and income generating community development. These will be maintained through a water levy paid by consumers in Kathmandu Valley for the benefit of the people of Melamchi Valley.

The ADB loan will be from its concessional Asian Development Fund which is repayable over 32 years, including an eight-year grace period. Interest will be one percent per annum during the grace period and 1.5

percent a year thereafter. With this, the ADB's lending for Nepal in 2000 will total \$ 173 million for four loans along with \$ 5.5 million in technical assistance.

The bank has also agreed to provide a loan assistance of US\$ 35 million (approximately Rs 2588.2 million) to Nepal for the implementation of Small Town Water Supply and Sanitation project. The project aims at improving the water supply and sanitation conditions of up to 50 small towns benefiting about 600,000 people. Finance Secretary Bimal Koirala and ADB country representative Vokes signed an agreement to this effect at the Finance Ministry here last week.

Official statistics in 1996 revealed that less than 35 per cent of the people residing in urban centers other than Kathmandu have access to piped water supply. Sanitation-related diseases account for 72 per cent of total ailments and diarrhea continues to be one of the leading causes of childhood deaths in Nepal. The ADB will finance 65 per cent of the project cost of US\$53.9 million while government, local governments and the beneficiaries will fund the remainder.

The Ministry of Physical Planning and Works will be the executing agency of the project scheduled to be completed in December 2006. ■

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On The Auspicious Occasion Of
His Majesty's 56th Birthday*

THE TIGER MOUNTAIN GROUP

P.O. Box : 272, Lazimpat, Kathmandu, Nepal

Tel : 977-1-411255, Fax : 977-1-414075

E-mail : info@tigermountain.com

Webhsite : ww.tigermountain.com

INTERNET DIAL For It

ADB project provides free access to a law library on the Internet

BY AKSHAY SHARMA

There is a huge — and growing — quantity of legal material available on the Internet. Most of it is available free. Governments, courts and universities around the world post legal information they produce on the World Wide Web.

The full text of legislation from over 100 jurisdictions, major collections of case law, treaties, law reform reports and hundreds of the journals are available this way.

The problem is that it is often very difficult to find the right legal material from around the world or from a specific country when you need it. Existing research tools on the Internet do not provide worldwide coverage and are often difficult to use with enough precision for legal research.

Project DIAL (Development of the Internet for Asian Law) is a project funded by the Asian Development Bank (ADB) which aims to make it easier to find and use legislation-related materials from this growing Internet law library. DIAL provides free access to a one-stop starting point to the world of legal information on the Internet.

DIAL does not add new legal material, it provides better access to what is already there.

It is based on a well-structured catalogue of links to thousands of the world's best law sites. Although DIAL is only in its early stages of development, it has links to legislation from over 100 jurisdictions worldwide, hundreds of law journals and much other material. DIAL's subject index classifies material by over 30 subjects.

DIAL also allows the full text of most of these sites to be searched. The search facility already covers over 10 gigabytes of legal texts, and this is growing very rapidly. A web robot being sent to sites in the catalogue builds the search facility.

Many additional DIAL features make it a powerful research resource. The search

engine used by DIAL provides a wide range of search options, from the simple entry of a couple of key terms through to sophisticated Boolean and proximity searching. Searching results are sorted with the most relevant items presented first.

Each page in DIAL's catalogue contains a search form that gives users the choice of searching the full text of all sites, or of limiting the scope of the search by the location in the catalogue. This makes it possible to search legislation from all countries (but not other materials), or similar precise searches.

It is also possible to search only within the content of a single site. Searches are stored as links in the catalogue, assisting users to do more expert searching.

DIAL has a special emphasis on the law of Asia-Pacific countries — an Asian perspective on access to world law.

DIAL has been developed with the particular aim of assisting the developing member countries (DMCs) of the ADB in the process of law reform by providing efficient

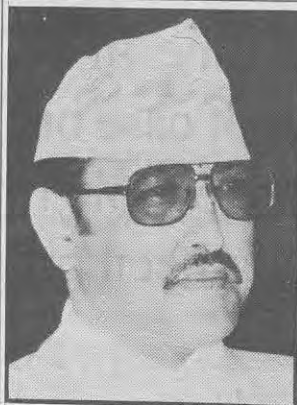
access to a worldwide online library of legislation-related materials. DIAL's first priority target audience is the law reform and legal drafting personnel of DMCs who do not otherwise have access to comparative law materials.

DIAL is also intended to benefit legal education, the legal profession and the general public, particularly in DMCs.

The project DIAL team will provide in-country training in Internet legal research to government lawyers in seven selected DMCs: China, Mongolia, India, Pakistan, Indonesia, the Philippines, and Vietnam. The regional training coordinator will establish DIAL Internet workstations at key locations in each country, and will assist the local training associate in each country to provide training. All DIAL trainees receive support and assistance by e-mail.

DIAL includes on-line training facilities accessible to all users through the DIAL home page. User guides will initially be available, followed later by interactive training courses.

Project DIAL also includes DIALogue, an e-mail based facility by which authorized users in DMCs can make contact with, and obtain some assistance from, panelists with expertise in particular legal subjects. The assistance might include brief statements of general principles and guidance on resources and further contacts. Officials in DMCs are authorized as users by the ADB's Office of the General Counsel. ■



**Hearty Felicitations
To His Majesty The King
Birendra Bir Bikram Shah Dev
On The Auspicious
Occasion Of His
Majesty's 56th Birthday**



NEPAL BANK LIMITED
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NEPALI PRISONS

Going

To

Hell

Over half of the 5,500 prisoners in the country are still under trial. Because of traditional court procedures, some accused are forced to spend more time in prison than their crime would carry. As the number of case backlog continues to rise in the courts, more and more people find themselves behind bars without actually having been proved guilty.

By KESHAB POUDEL

Maila Gharti Chhetri (GC), (not his real name), a resident of Pyuthan district, was released after spending 10 years in Kathmandu's Central Prison. Pyuthan District Court had sentenced GC to life imprisonment and ordered the forfeiture

of his property after finding he was involved in a murder case.

GC's sentence was upheld by the appellate court. But the Supreme Court set him free a few months ago, overturning the verdicts of the two lower courts.

There are 1,419 inmates in Kathmandu's Central and Bhadrageal prisons, held on different charges. Half of them are still under trial.

Many prisoners are challenging the rulings of the lower and appellate courts in the Supreme Court. Studies conducted by many non-government organizations (NGOs) show that higher courts have turned down more than 50 percent of the convictions made by lower courts.

Fateless Detainees

For a person like GC, who was detained for 10 years without proof that he

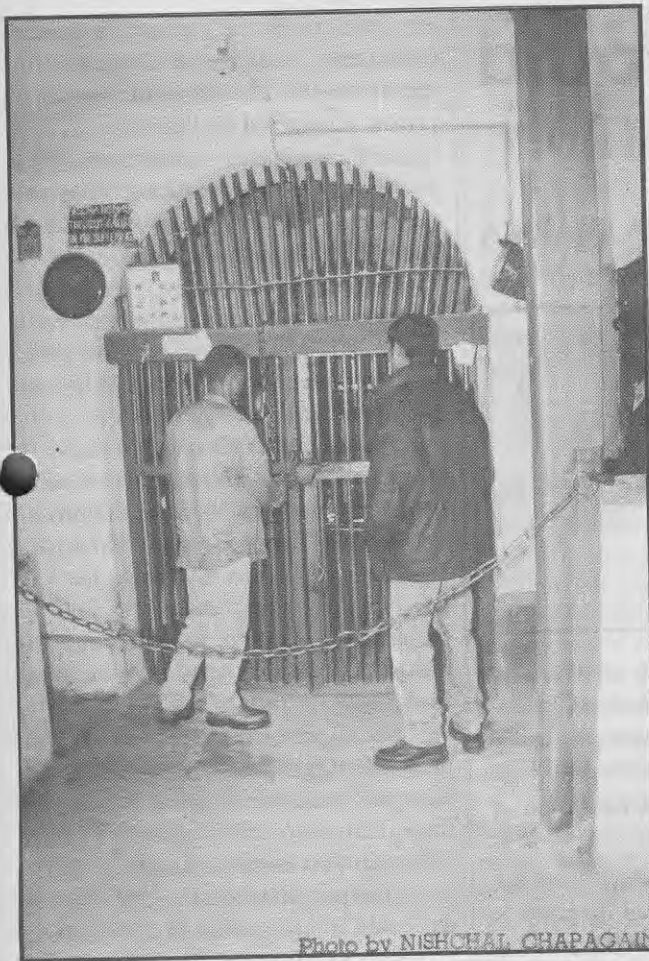


Photo by NISHCHAL CHAPAGAIN

Central Jail : Under trial

committed a crime, the question is: Who will pay compensation for the suffering endured over such a long time?

For GC, the Supreme Court's decision to set him free cannot regain his prestige in society. The community still sees him as a criminal and treats him as an outcast.

In most such cases, the individual moves away from his or her original residence to more crowded urban areas and lives under a new name and identity. Even in the eyes of the police, former prisoners are always an object of suspicion. Whenever a crime occurs, ex-convicts in and around the neighborhood are the usual suspects.

In Nepal, the practice of holding a suspect in police custody for the investigation is normal. According to a study, only nine percent of those arrested are produced in court at the time of their first remand. As most of the convicted crimi-

nals are poor, they cannot not hire lawyers to defend their case.

Even in prison, most of the convicts are either financially weak to hire a lawyer or are unfamiliar with the legal procedure. It is the tendency of convicted criminals to change the statements given to the police and the court.

A large number of prisoners appeal against the verdict given by the lower courts. Prison officials are supportive of the inmates and help them get legal advice. "Prisoners are allowed to consult their lawyer, prepare writ for appeal and meet the people," according to the report on Penal Reform in Nepal, 2000.

The trial and investigation system have several loopholes. One cannot rule out the possibility of an innocent person

being trapped in a crime situation. This would make it difficult to prove that the individual is not guilty. As there are no laws in Nepal to compensate individuals spending time in the court, innocent people are more vulnerable to such traps.

In more than 50 percent of cases, the accused are imprisoned for a longer period than he or she is liable to be sentenced under the existing acts and legislation. After serving their sentence in prison, there is no easy way for former inmates to regain their status in society.

"I won't have a place to go because my neighbors will still see me as a convicted murderer. It doesn't matter to them that I have served my jail term," says Sharmila Dewan, a women facing 15-year imprisonment for murder.

According to the report of the Attorney-General's Office for 1999\2000, the government prosecutor filed 25,850 cases in different courts. Among those, 10,102

— or 39.07 percent — were settled in which the court endorsed 5,271 charges filed by the government. In district courts, the government won 60.43 percent of the cases compared to 35.71 percent in the Supreme Court.

"There is great injustice for prisoners as many are still under trial. In one case, a person was jailed for 12 years for a crime that carried a term of no more than three years," a report of the State Affairs Committee of the House of Representatives said this year. "Initiatives need to be taken to settle the cases to give justice to the prisoners."

Interestingly, no studies have been conducted on post-imprisonment life of a prisoner. After being released, the majority of the former prisoners are a totally forgotten entity — until the next crime occurs in their neighborhood.

They become the first prey of the police. "The behavior of former prisoners should be monitored and recorded, but there is no such scientific system to do so," said the State Affairs Committee report.

Even in prison centers, no individual records are maintained. "No full records, containing photographs of prisoners, are maintained by the prison officials," said a report presented by a team on Penal Reforms in Nepal organized by Penal Reform International and CVICT.

Rehabilitation and Reform

A system to rehabilitate prisoners after the completion of their term needs to be developed. As the government does not have appropriate policies, ex-prisoners themselves have to find a place to stay after they are released.

"A traditional society like Nepal, which is based on old values, always suspects a convicted prisoner even after he or she returns after serving out the sentence for the crime," says Dr. Rishikeshab Raj Regmi, an anthropologist. "One has to take the initiative to increase society's acceptance of former captives."

Under such constant social suspicion, and even police surveillance, the life of former prisoners is always uncertain. In many cases, a former captive has to go underground and change his or her

'Petty Criminals Should Not Be Put In Jail'

— Dr. BHOGENDRA SHARMA

DR. BHOGENDRA SHARMA is president of Center for Victims of Torture (CVICT) which has been working against torture and for prison reform. Sharma spoke to SPOTLIGHT on various issues related to the task of reforming Nepal's prisons. Excerpts:

How do you see the physical condition of Nepal's jails?

Frankly speaking, more than 60 percent of our prisoners have not been proven guilty by law. Physically, the prisons are in a very terrible situation. There is a need to improve the management. If we change the management, the jails can be improved.

How do you see the process of prison reform?

One of the important aspects is to reduce the crime rate. To do that, we need effective social justice. If we are able to distribute the country's resources based on the principles of social justice, there is a possibility of reducing the crime rate. There are two kinds of destructive violence — murder and serial killing — but other petty crimes are not dangerous. We could put violent criminals in jails and

name to survive as a normal citizen.

Although many organizations have been working in the field of prison reforms, no ex-prisoner has been interviewed on life after jail.

According to a study by Nepal Police, fewer than 20 percent of former prisoners commit another crime after they leave jail.

Inside the prison, the inmates do not get proper opportunity to change their behavior. "We have been making every effort to provide a sound and healthy atmosphere for the prisoners," said

find an alternative system to punish other petty criminals.

Could you elaborate?

We have to introduce alternative dispute-resolution mechanisms to end small and petty crimes. If we do so, the number of criminals will automatically decrease. How can one justify placing a pickpocket in jail?

How do you view the condition of prisoners?

Over 90 percent of the prisoners are people who come from below the poverty line. Most of the convicted criminals are poor people who cannot afford to pay for lawyers.

Are all inmates convicted criminals?

More than 80 percent of the prisoners deny that they actually are criminals. If we believe them, less than 20 percent actually deserve to be punished. The cases of more than 60 percent of prisoners are yet to be proven by the court.



Dharma Raj Dhungana, acting director of the Department of Prison Management.

Physical Facilities

At the relatively well-managed Central Prison, four prisoners have to share a 10x14 room. They would be counted as lucky by inmates in other Nepali prisons. Studies conducted by different institutions, including the parliamentary committee, show that the situation outside the valley is very bad. Prisoners are even expected to have their own umbrellas during the monsoon.

"Most of Nepal's prison centers are deplorable," said Gopal Guragain, in a report on the condition of women in prison, conducted by INSEC.

All criminals — murderers, pickpockets and women trafficker, economic offenders, drug smugglers and drug addicts — hauled in the same place.

According to a study, a large number of prisoners are illiterate and backward. This is in sharp contrast to the 1980s, when a large number of inmates were educated political prisoners.

As the Central Prison has many facilities, including a library, health facilities, playground and school, the prisoners have a different lifestyle. "No prisoners want to be removed from here," said Bashyal, chief of Central Prison. Although it is said to be comparatively crowded, it is still better than the other ones.

Not all prisons have the same inmate pressure. Arghakahchi Prison does not have any prisoner. Central Prison and those in Birgunj and Biratnagar are known to be the most congested ones.

"The prisoners must be classified on the basis of the nature of their crime. Prisoners serving time for violent crime and those sentenced for petty offenses must be separated," said Dr. Bhogendra Sharma, president of CVICT.

Demands to reform criminal justice procedures for petty criminals and hardcore criminals are growing. A separate system to incarcerate hardcore criminals like murders would also reduce prison congestion.

At the Central Prison, murderers, women traffickers and rapists represent only half of the population. The remainder are serving time for other crimes.

"We have been doing our best to manage the prison within the limited annual budget," said Dhungana, the acting director of Department of Prison Management.

Prison Management Department

The story of the Prison Management Department itself is interesting. Among employees of the Ministry of Home Affairs, a transfer to the department is considered a punishment. The annual budget of the department is about Rs. 130 mil-

lion. Some NGOs working in the area of prison reform have a budget that is ten times larger. According to the department, there are about 5,500 prisoners in 71 prisons across the country.

In the last five years, more than half a dozen directors-general were transferred from the department. The state is not giving basic facilities to the prisoners.

As more foreign aid is coming in the prison-reform sector, only NGOs are getting the benefits. Reforming and strengthening the department seems to be nobody's concern. As there are no opportunities for training, transfer to the Prison Management Department is like going to prison.

Last year, Rs 3.5 million was sanctioned for maintenance purposes. All prison centers were built during the Rana regime so they need a larger budget for maintenance. The roof of all jails have leaks.

Nepal's first jail, built in 1912 AD, is Sadar Jail of Jagnath Deval, where the Central Prison is located today.

There are 73 prisons in 71 districts of the country. Almost all district prisons are congested and dilapidated. According to the book, "Prison Within Prison" (Karagar Bhitra Karagar) written by Gopal Guragain, women prisons are in a worse situation in terms of physical structures.

As a large portion of the budget goes to feed prisoners and to pay salaries for the employees, the prison centers receive a nominal amount for maintenance. "As we don't have adequate budget, we normally spend a very nominal amount to repair the buildings," said Dhungana.

From jail reform commissions to the State Affairs Committee of the House of Representatives, all bodies have recommended reforming the prison centers. In reality, nothing is happening.

With an aim to encourage prisoners to change their behavior, the department also sets free some prisoners who have maintained excellent records. Annually, about 100 prisoners are released on such occasions as Democracy Day and Constitution Day.

The Prison Management Department

'Our Criminal Justice System Remains Entirely Traditional'

BADRI BAHADUR KARKI, Attorney-General, is one of the prominent young lawyers of the country. He has been working to bring changes in the criminal justice system. Karki spoke to SPOTLIGHT on various issues. Excerpts:

How do you see the present prison and criminal justice system?

First of all, we must know what our goal of prison system is. If there is no definition of that, how do you measure success and failure in the prison system. Imprisonment simply means sentence by the court for a specified period of time for a crime. This definition separates the people living in society.

What are your views on reform?

Once again, we must see who is the reformer and what is reform. What reform do we want in society? Do we intend to reform the prisoner, society or offender? We must make up our mind about our goals. What type of reform do you need? Is it procedural reform or infrastructural or behavioral?

Can you explain how reform can be done?

If your policy and reform is directed toward the offender, every effort should be made to do that. We have to develop a mechanism to reform the behavior of the prisoner when he or she comes out of prison. The person should be a fully reformed, acceptable and useful person in society and for himself.

As attorney-general, how do you see Nepal's criminal laws?

As far as our laws, regulations and policy goals are concerned, they seem to be confusing. No law is clear about what the ultimate goals of imprisoning and prisoners. Therefore, there is a need to redefine the crime and then reclassify the crime in view of the modern concept and practice of the criminal justice system.

What do you mean by classification of crime?

There is a need for reclassifying the



crime - serious crime like terrorism, murder and some other traditional crimes. Also, crime related to economic regulations where compensation to the victims could be better

in terms of pecuniary satisfaction rather than putting the offender into the jail. Correctional crimes like juvenile delinquency, drug addicts need to have separate procedure. Like correctional home rather than prison. Such offenders need behavioral reform as their treatment should or would be the goal. Based on these classification of the crimes, you should or would redefine the function and goals of prisons.

What is the current task force on criminal justice system doing?

The task force intends to look into basic questions and issues concerning our criminal justice system as a whole. Our criminal justice system remains entirely traditional. No attempts have been made in the recent past to make a wholesale review and to make necessary changes. In the absence of this, our criminal justice system will remain insensitive to the needs of society and ineffective in operation.

Why are the number of prisoners increasing?

Although no studies have been made, the assumption on the growing number of the prisoners could be the conservative outlook on the part of judiciary on matters of bail. Society is also not liberal as the general people want the accused behind bars before they are actually convicted. This is evidence from the frequent public demonstrations demanding for immediate arrest and jail for the accused. Punishment cannot be seen as an end itself which seems to be a ruling principle today. ■

Facilities provided to prisoners

Prisoners are divided into two categories: Class A and Class B. Class A prisoners are given 700 grams of fine rice and Rs. 12 in cash daily.

Class B prisoners are given 700 grams of thick rice and Rs. 10 in cash daily. Male prisoners are given shirts, trousers, cloth for a cap in winter, and shirts, trousers, cloth for a cap and half pants for summer. Female prisoners are given a sari, blouse and shawl, according to the season, twice a year.

A blanket and mattress is given every two years, according to local conditions. The clothing of prisoners of Class A costs 25 percent more than those of prisoners of Class B. Additional facilities are provided every three years. Woman prisoners who have just given birth and minor prisoners are given some additional facilities depending on their age and other circumstances.

also recommends the release of more than 300 prisoners on the occasion of the King's birthday. The prisoners who are set free on such occasions need to have completed half of their terms.

More than half a dozen NGOs have been working in the area of prison reform. Instead of making infrastructure and other changes, these organizations have been spending their budget on seminars and other programs. The office and the employees of the NGOs are better equipped than the Department of Prison Management, as donors and international non-governmental organization seem to be more interested to work through NGOs.

Although concerned officials are talking about the need to transform the prison center into a reform house, no jail employee is trained for that purposes. In the last three years, no single employee at the department has participated in any kind of training.

Lack Of Policies

During the Panchayat days, there was no policy on prison reform. But even today the government does not have concrete programs and plans. Although prison reforms fall under the broader umbrella of human rights, policy makers are yet to accept them as such.

As long as the government does not have clear concept on what a prison should be and what prison management is, it is impossible to start the reform process.

"I don't see any long-term or short-term policies on the part of the govern-

ment. I am very happy to say that the Department of Prison Management wants to bring some positive changes in the Prison," said Dr Sharma.

In the last couple of years, Penal Reform International — an organization based in the Netherlands — has made efforts to bring changes in prison and criminal law.

With support from the British Embassy, Penal Reform International and CVICT organized a seminar in Kathmandu and visited some prisons in the country.

Most of today's political leaders have spent years in prison. They have not shown real interest in bringing substan-

Number of Jails

Class A

1. Central Jail Section, Kathmandu
2. Parsa Prison, Birgunj

Class B

1. Sadar Khor Branch, Dillibazar
2. Prison Section, Lalitpur
3. Prison Section, Morang
4. Prison Section, Jhapa
5. Prison Section, Palpa
6. Prison Section, Rupandehi
7. Prison Section, Banke
8. Prison Section, Mahottari

There are 11 prisons in Group C and 52 in Group D

tial changes in the prison system. Strangely, no political leader visited a prison center during their tenure as prime minister and minister.

Commissions and Committees

In the name of prison reform, various committees, commissions and task forces were formed by the government in 2004 B.S. (1947 A.D.), 2008 B.S. (1951 A.D.), 2016 B.S. (1960 A.D.), 2029 B.S. (1973 A.D.) and 2044 B.S. (1987 A.D.). On the basis of their suggestions and recommendations, gradual reform in the physical conditions of the prisons and basic increase in the facilities given to the prisoners have been made.

With the restoration of democracy in 2047 B.S. (1990 A.D.), several steps were taken toward reforming prisons by releasing all political prisoners, enforcing the legal provisions for granting pardons for one fourth of the confinement, upgrading standard of personnel, and 100 percent increasing the cash ration of prisoners.

Under the chairmanship of Badriram Bhandari, a Prison Reform Committee was formed in 2047 B.S. (1990 A.D.), 1996 and 1999 to start improving conditions in jails.

"Because of the recommendation of the committee, one can see many changes in the prison centers," said Bhandari. "The prison is getting much better day by day."

The jail management is left in clerical-level routine work, although most of the present-day leaders, including the prime minister, were witness to and victims of the poor prison management system.

For the gradual implementation of the suggestions and recommendations, the government needs to increase the annual budget for prisons. Despite the formation of so many reform committees, the fate of the prison is yet to change.

As the nature and variety of crime has increased, so has the number of criminals. Strangely, the prison center remains caught in a time warp. Although Nepal has entered the modern stage of the world, the pattern of working in prison is like that of the Rana days. The time has come to change the old mentality and turn prisons into reform centers. ■

CHILD LABOR

Ungainful Employment

Economics and ethics come into direct conflict in a developing society

By AKSHAY SHARMA

The public debate over the plight of child workers was rekindled a couple months ago when newspapers covered how police rescued a group of children from a carpet factory in Kathmandu. These children were said to have been beaten mercilessly for not working the long hours their employer expected them to. Calls for ending the practice of hiring children for work gained new urgency and activists once again swung into action.

Hari Chaudhary's story explains another aspect of the debate. He earns his living by doing house chores in Kathmandu. When he goes home, he takes clothes and other things for his father, mother and siblings. In Kathmandu, he can eat better, go to a better school and do things he could have never done in utahat, which he left at the age of six.

Hari's father allowed him to go to Kathmandu because he wanted his son to have a better life. He thought it would be better for everyone in the family for Hari to be the economic benefactor. In macro-economic terms, that is how Hari became another unit in boosting national output. In purely economic terms, every human being has a production value. But economics goes to the extremes when children are exploited for monetary gains.

"Gross exploitation of child persists in many forms. They are trafficked in and out of the country like contraband, bought and sold as sexual and economic commodities to a large number of exploiters," Steward McNab, country representative of UNICEF, said in an address to a workshop organized

by Child Workers in Nepal earlier this month. Law-enforcement officials agree that the scale of the problem is alarming. "Child abuse is a nightmare from which we have only recently begun to awaken," said Dr Govind Prasad Thapa, District Inspector General of Police.



A child : Huffing and puffing

Among the many forms of trafficking, the worst is the illegal purchase and sale of human beings. In Nepal, there may be some deeper reasons for the prevalence of this pernicious trade. Of 123 recent registered cases related to human trafficking, only 23 of the offenders were punished, according to experts. Why don't victims report to the authorities and why do the traffickers managed to avoid punishment even when the victims have filed cases?

Sexual abuse of children has been reported in alarming numbers in recent years. "Incest or sexual deviance in the family, new male member of a household with a record of sexual offense, loss of inhibition due to alcohol, loss of maternal libido or sexual rejection of father, a pedophilic sexual orientation, especially in the relation of father, and sex rings and pornography are the factors predisposed to child abuse," said Dr Harihar Wasti of the Teaching Hospital.

Experts call for a multi-pronged solution. They say Nepal needs to enlist more active support from India in combating trafficking in human beings. A large portion of the victims of sexual assault are aged 15 or below. This calls for proper psychological counseling for the victim and relatives who are faced with a long-lasting trauma.

Hari's fate took a new turn when he decided to leave his village. He seemed to be in an economically better condition. But the mean streets of Kathmandu are taking their toll on the boy.

He plans to go to Bombay where someone told him "the streets are paved with gold." There are many stories like Hari's. All you need to do is ask. ■

John Bull Whisky Launched

The Nepal Distilleries has launched the John Bull whisky in Nepal. Compared to what is available in the market, John Bull has class. At its reasonable retail price, the whisky should be able to gain a major share of the market. It is expected that connoisseurs of whisky will welcome John Bull's arrival in the Nepalese market.

'Refugee Problem Cannot Be Resolved Bilaterally'

— RATAN GAZMERE

On the eve of tenth round of Nepal Bhutan talks, RATAN GAZMERE, chief coordinator of the Association of Human Rights Activists (AHURA) Bhutan spoke to BHAGIRATH YOGI of SPOTLIGHT on the refugee imbroglio Excerpts:

What do you think was the main reason for the Bhutanese government decision to start persecuting their own citizens of Nepali origin in the late eighties?

The government of Bhutan was looking at what was happening in the former Soviet Union, in China and across the borders in Darjeeling of India. This may have led it to formulate new policies: the new census policy, 'one nation one people' policy and so on. We later found that their objective was to drastically cut down the Nepali-speaking Bhutanese population. When the government started implementing these policies, all these problems started.

What may have led the Bhutanese government to fear a section of Bhutanese people?

Well, there was no evident reason. These people were living in Bhutan in harmony for several generations. Both northern Bhutanese and southern Bhutanese (known as Lhotsampas) were working jointly for the development of their country. Some kind of compulsion in regional politics may have led the Bhutan government to adopt such a policy.

Do you mean some external factor was responsible?

I am sure the government of Bhutan must have sought some kind of advice from outside before adopting such a policy.

What is the main obstacle in finding a solution to the refugee issue even after a decade?

We are citizens of Bhutan. The international community and the Nepalese government have urged the Bhutanese government to take back their people. But this has not happened. The government of India has been requested to use its good offices to help resolve this problem. If these quarters join hands, a solution to the refugee problem could be found.

How optimistic are you about the 10th meeting of the joint ministerial level committee?

This meeting is taking place in a totally different environment. A number of activities have taken place over the last six-to-eight months. Sadako Ogata of the UNHCR visited Nepal and Bhutan, the European Parliament passed a resolution, a donor consortium meeting in Thimpu raised the issue. US Assistant Secretaries of State Julia Taft and Karl Inderfurth visited Nepal and Bhutan and, finally, there was a letter from the US President Bill Clinton. With all this, the Bhutanese government must be coming to the bilateral talks with a slightly different mindset than in the past. Hence, there is some reason to expect that some kind of breakthrough, some kind of movement forward could take place. However, given the past experience we must be cautiously optimistic that something concrete comes up.

What were the main stumbling blocks in finding a common ground to resolve this impasse?

Number one was the way the Nepalese government agreed to categorize Bhutanese refugees into four groups. That was the biggest mistake taken by the joint ministerial level committee. That was totally unnecessary. If you wanted to categorize the refugees, you could have done so in two categories—the Bhutanese and non-Bhutanese. But two of the categories included are non-issues. We don't think we should be categorized into people who left Bhutan voluntarily or who are terrorists or whatever.

How does the refugee community look at the present Nepalese government?

The Bhutanese refugees think that the Nepalese government has not done enough to ensure early repatriation of the refugees. They think the Bhutanese government could not have treated the refugee issue like this if the Nepalese government had acted in a much coherent way. The Nepalese government should adopt a much more stronger posture.

Do you think the Nepalese government may have been pressured by the Indian government in this matter?

I have no idea. But definitely India being a big power in the region may have influenced Nepal's

They think the Bhutanese government could not have treated the refugee issue like this if the Nepalese government had acted in a much coherent way.

policies at some time. Unless there were some kind of pressure from somewhere, the Nepalese government would not have taken the position it is taking now.

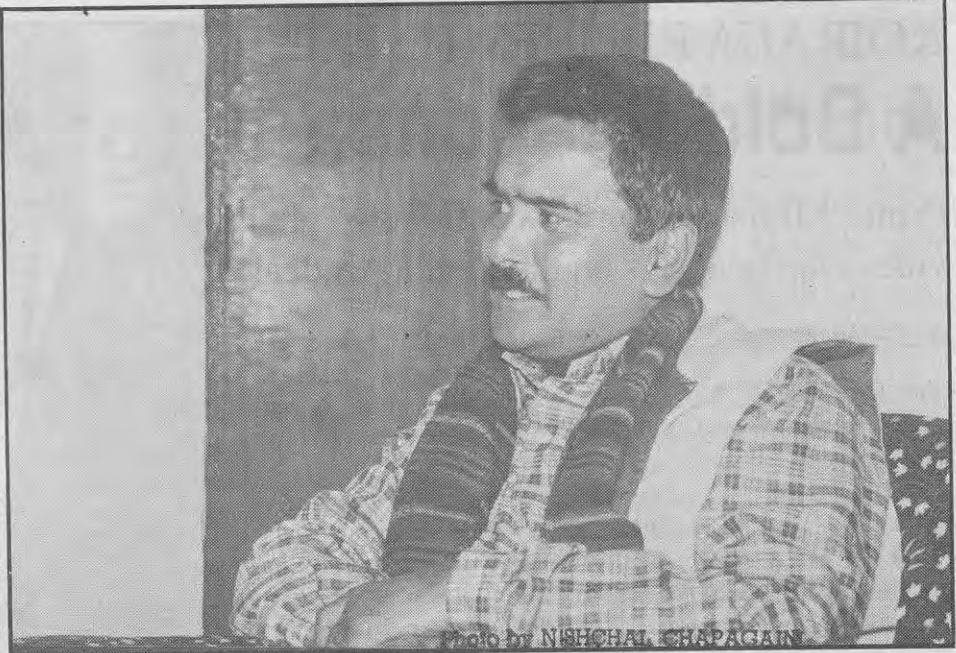
In case the tenth round of meeting also proves to be a failure, what will be your next step?

We hope there will be some kind of progress in the bilateral negotiations. But if it doesn't happen, the Nepalese government should be courageous enough to take this issue to international community in a very formal and official manner and give the responsibility of the repatriation of Bhutanese refugees to them.

What exactly do you want the international community to do?

One of the main problems we have found in the ongoing bilateral negotiations has been lack of any mechanism in order to carry out verification in the last three rounds or so. What is clearly lacking is an independent and impartial mechanism to verify the refugees. If refugees are verified under the present structure we don't think the refugees will be going back to their homes. There are 90,000 Bhutanese citizens who are holding citizenship certificates, land certificates and other documentary evidence to prove that they are the citizens of Bhutan. If such evidence were not looked into then we will be going nowhere.

Why have you called for involvement of a



representative from the refugee community in the bilateral talks?

At the moment only two governments are involved in the talks. Any decision that is going to affect the fate of more than 90,000 refugees must involve their representatives. They have the right to accept or not accept any solution coming out of such negotiations. We have a very able leader, Tek Nath Rizal, among ourselves who has spent ten years in prison for this cause. His involvement becomes very important in finding a long-lasting solution. ■



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KOIRALA REPLIES TO PAC A Bold Response

Prime Minister Koirala confidently provides clarifications on the Lauda Air deal

By KESHAB POUDEL

Date: December 20, 2000

Venue: Public Accounts Committee (PAC)

Subject: Lauda Air deal

Belying expectations, Prime Minister Girija Prasad Koirala dominated the meeting convened by parliament's Public Accounts Committee (PAC) for clarifications on the government's stand on RNAC-Lauda Air deal.

Although PAC chairman Subhas Chandra Nembang and other members tried to provoke Koirala, the prime minister provided his clarifications clearly and concisely.

Six years ago when Koirala was summoned by the committee to clarify certain issues relating to the infamous Dhamija scandal, the affair was one-sided and the prime minister largely was on the defensive.

This time, too, the PAC members made every effort to press Koirala to reveal something more about the deal. But the prime minister's replies were not contradictory.

PAC members and UML MPs Ishwor Pokharel, Birodha Khatiwada, Krishna Lal Shrestha, United People Forum MP Pari Thapa and RPP MP Buddhiman Tamang aggressively put questions to the prime minister. But Koirala held his ground.

Interestingly, former foreign minister and RPP leader Dr. Prakash Chandra Lohani and leader of Nepal Sadbhavana Party Hridayesh Tripathi, who are known for their tricky questions, were not present.

As Koirala entered the meeting hall, he appeared prepared for the volley of questions. With bold and strong words, Koirala gave clear and concise answers on questions related to violations of the committee's directives, irregularities in the Lauda deal and the right of institutions

like PAC to intervene in matters considered to be within the purview of the executive branch.

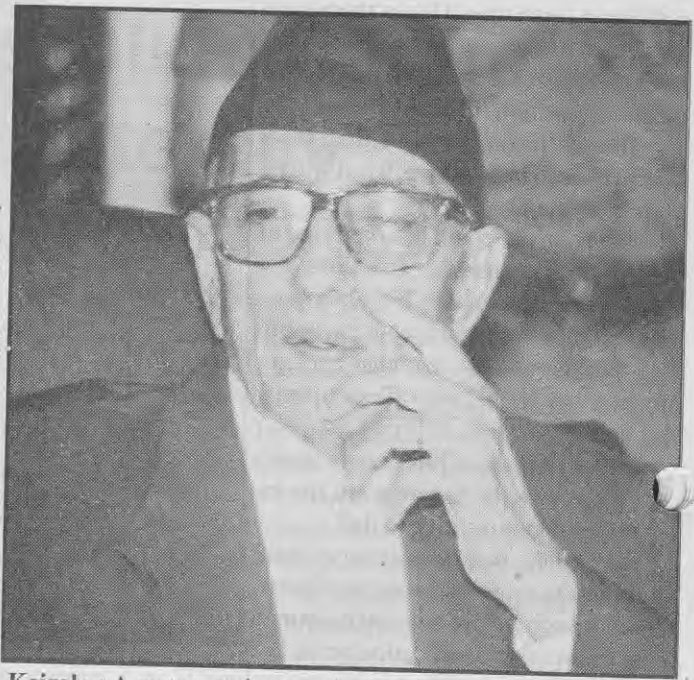
Koirala said: "As far as recommendations, suggestions, advice or directives are concerned, if they are not against the law and the constitution and constitutional

practice and are in the interest of the country and institutions, there could be or should be no objection or hesitation on the part of any government to accept and implement them."

When members turned to the specifics of the Lauda deal, the prime minister said, "As far as the disputed issue of the Lauda deal is concerned, all the details I have were put before the committee by the Minister of Culture and Tourism and Civil Aviation."

Koirala assured the PAC members that, if in the course of investigation by any of the competent agency or authority any irregularities and illegality was detected and any guilt on the part of any official was established, the government would not spare anybody from punishment.

The prime minister for the first time questioned whether the parliamentary committee could intervene in the work of the executive. "The most important thing, in my view, which has given rise to this controversy is the question of the power, function and jurisdiction of the



Koirala : A moture and expression

parliamentary committees, including this committee, and the modus operandi of issuing directions."

It was Prime Minister Koirala's performance four years ago which boosted the morale of the PAC. But his latest expressions forced the PAC to review the limitations of its jurisdiction. ■

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MOVIES

Doubly Delightful

Two Danish films on a dog that speaks and a mysterious healer captivate the audience

By AKSHAY SHARMA

The Royal Danish Embassy and Nepal-Denmark Friendship and Cultural Association screened two Danish movies with English subtitles at the Russian Cultural Centre in Kathmandu on December 18 and 19.

"Hannibal and Jerry" is a baroque comedy that hurtled viewers of all ages into a "magical musical tour" as one viewer, Akhanda Rokha, remembers. All characters break into songs at unexpected moments. The plot provides a lot of action,



Danish film festival : Cultural exchange

though everything is played very deadpan.

The film's twists and turns into a hilarious drama regaled the young audience, who jumped on their chairs, and the older people, whose laughter echoed through the walls.

Hannibal is a boy who lives with his mother, father and a grandmother who misinterprets words into comical and cynical manner. Jerry is a dog the parents manage to buy for Hannibal, but Jerry can speak and narrates the whole drama.

Hannibal's neighbour suffers from every disaster as Hannibal tries every new gift from his parents.

Uncle Granddad is a jovial son of a businessman and commercial on-screen

television phony — and also a dog snatcher. Hannibal and Jerry are kidnapped when the latter is discovered speaking the human language.

There are also a male and female cop whose romance adds another hilarious comedy of a brazen kind. The movie has a happy ending when Hannibal and Jerry are rescued from the kidnappers.

"The Magnetist's Fifth Winter" also captivated the audience. Just who is this mysterious stranger, Meisner, who arrives in a northern Swedish town in 1820 where Dr. Selander lives with his blind daughter Maria? Meisner calls himself a magnetist — an amalgam of hypnotist and healer — and claims he can cure diseases the towns doctors have laid their hands off.

Dr. Selander ignores the objections of his colleagues and allows Meisner to try to cure Marie. Not only does she regain her sight, but she also falls in love with the charismatic arrival. However, rumours begin to circulate about Meisner's past — about fraud and rape.

Psychology takes center stage in the drama with Morten Henriksen's large-scale narrative. Calmly but surely he delves in to the innermost recesses of his protagonists, where dark secrets and repressed memories dwell.

But it is also a moving love story — of love between father and daughter, man and woman — and a story of change and release. The occasional use of expressionist visual effects accentuates the moral conflicts in this subtle drama in which light and shadow, good and evil, are not unequivocal quantities. The film is based on the first novel by the Swedish author Perolov Enquist, published in 1964.

The English subtitles worked — the audience simply loved the movies. ■

UML-MAOIST FRONT Strange Alliance

The student wings of the CPN-UML and the Maoists join hands in opposing the education system

The emergence of strange political alliances is not unprecedented in Nepal. In the case of left politics, parties representing different ideologies tend to join hands on any issue at any time.

When the student outfits of the main opposition CPN-UML and the CPN-Maoist united to shut down schools, suspicions were raised about the role of the CPN-UML. Interestingly, student wing of CPN-UML even joined with its arch rival CPN-ML.

The five student wings of various left political parties, including the All Nepal National Free Student Union ANNFSU (UML), ANNFSU-ML, ANNFSU (Revolutionary), ANNFSU (Sixth) and ANNFSU (2022) decided to launch an agitation against what they call the commercialization of education.

The latest marriage of convenience seems to be guided by the top leadership of these parties. "We have agreed to hold a joint agitation because the commercialization of education concerns all of us," said Rajendra Rai, president of the UML's ANNFSU.

"We disagree with the way the CPN-Maoist harass the common citizens and oppose any kinds of violent move," said K.P.Oli, one of the powerful leaders of the CPN-UML.

In Nepali politics, these tactical alliances are used to destabilize the political or economic process. The democratic Congress Party joined hands with seven left parties in 1990 to overthrow the Panchayat system. RPP leader Lokendra Bahadur Chand, a staunch monarchist, became prime minister with backing of the CPN-UML in 1997.

It will not be surprising if the student wing of the Nepali Congress, not wanting to be perceived as timid in matters concerning education, shares the platform with left groups. If such an alliance takes place, the students will come up with arguments to justify it. ■

NATIONAL RECONCILIATION A Forgotten Agenda ?

As different forces are out to destroy the constitution, late Congress leader's policy becomes more relevant

By BHAGIRATH YOGI

Upon his return home from eight years of exile in India on December 30, 1976, Nepali Congress leader and the first popularly elected prime minister of Nepal, Bisweswar Prasad Koirala, propounded what is now known as the "Policy of National Reconciliation."

At a time when Indian Prime Minister Indira Gandhi had imposed a state of emergency in her country, Pakistan, Afghanistan and Sri Lanka were reeling under tension and conflict and the tiny Himalayan kingdom of Sikkim had lost its independence, Koirala risked his life by returning to Nepal, where he faced a life sentence or even the death penalty.

"The existence of the king is linked

with the nation's existence. When there is a grave crisis in the making upon the very existence of my country, I can't remain a spectator in an alien land," he said. Koirala said there was a need for the king and democratic forces in the country to come together at a time of national crisis.

Though he was jailed upon entering Nepal, within three years King Birendra announced a referendum asking the people to choose between the continuation of the Panchayat polity with reforms and the restoration of multi-party polity. The Panchayat camp was declared victorious by a narrow margin. In 1982, B.P. Koirala died in Kathmandu.

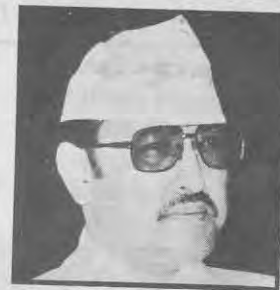
Twenty-three years later, when democracy has been restored in Nepal and his party is running the government, Koirala's visionary policy is still relevant, say analysts. Koirala had said he would not fight against the king but would not bow down to the then autocratic regime.

Koirala always put the national interest ahead of his struggle for the restoration of democracy. He said his party, the Nepali Congress, would become irrelevant the day it abandoned its stand on nationalism. Similarly, it would also lose its relevance when it engaged in power politics, casting aside democratic values.

As the ruling party has sunk deep in internal feud at a time when the country is facing threats from within and outside, Koirala's sayings have become much more relevant today than anytime in contemporary Nepali history. ■



B. P. Koirala : A relevant message



We extend
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To His Majesty The King
Birendra Bir Bikram Shah Dev
On His Majesty's
56th Happy Birthday



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TRANSITION

INJURED: Prince Nirajan, in a road accident last week when his car collided with a police van at Samakhushi, Ring Road in the capital. Policemen in the patrol van were also injured.

PRESENTED: Letters of Credence by ambassador of the European Commission to Nepal **Michael Caillouet**, ambassador of Morocco **Mohammed Loufa** and ambassador of Sweden **Johan Nordenfelt**, to King

Birendra, amid separate functions at the Naryanhiti Royal Palace last week.

ACCREDITED: **Balram Singh Malla**, Royal Nepali ambassador to Germany, also as ambassador to the Slovak Republic also.

RETURNED: Air Chief Marshal **A. Y. Tipnis**, chief of the Indian Air Force, and **Mrs. Tipnis**, after completing a five-day official visit to Nepal, at the invitation of Chief of the Army Staff **General Prajwolla Shumsher JB Rana**.

APPOINTED: **Acharya Purna**

Chandra Dhungel, a noted scholar of Sanskrit, as Vice Chancellor of the Mahendra Sanskrit University, by King Birendra, in his capacity as Chancellor of the University.

AWARDED: **Sarubhakta**, a noted litterateur, the Gamki Basundhara award, for his contribution to the development of Nepali novel, by the Gamki Basundhara Foundation.

Raju Lama, a former child worker at a carpet factory, for topping a graphic design competition organized by Nepal Rugmark Founda-

tion. The award includes a fee for advance training in graphic designing.

FORMED: Society of Nepali Students in Germany, comprising students and academics studying and staying in Germany, with a view to promote Nepali culture and welfare of Nepali students' in Germany.

DONATED: An ambulance and an oxygen supplement machine, to Bhaktapur Cancer hospital, by Dabur Nepal Pvt. Ltd., a leading Indo-Nepal joint venture company. ■



*Hearty Felicitations
To His Majesty
King Birendra Bir Vikram Shah Dev
On The Auspicious Occasion Of
His Majesty's 56th Birthday*

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Video (English)

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- The Grinl stole Christmas
- UN Brakable
- Little Micky
- Red Planet
- Lucky Numbers



Hindi

- Champion
- Ghaath
- Kahi Pyaar Na Ho Jaaye
- Jwaalamukhi
- Dil Kitna Nadaan Hain
- Tune Mera Dil Le Liya
- Mohabatain
- Mission Kashmir
- Aaghaaz
- Shikari

(Source : Super Star Video, New Road)





*Heartiest Congratulations
To His Majesty The King
Birendra Bir Bikram Shah Dev
On His Majesty's 56th
Happy Birthday*



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JUDGE PARKER



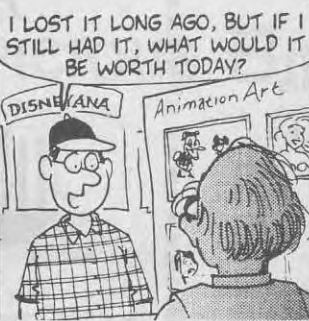
MARY WORTH



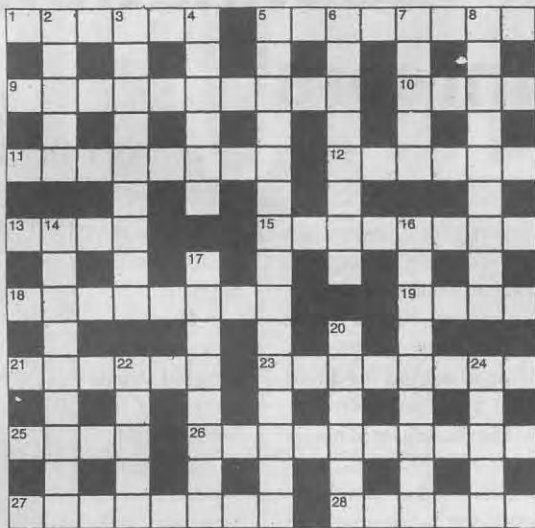
STITCHES



LUNN



CROSSWORD



ACROSS

1. Jester, one about to appear in royal house (6)
5. I'll miss gin, perhaps — almost none in diluted drink (8)
9. Fleming's agent used to keep physically fit (10)
10. Rebecca's son returned from exploit, penning article (4)
11. Oriental's pranks catching a Northern European (8)
12. Some of the crew is dominant — result of experience? (6)
13. Bond reported in from part of Asia (4)
15. Time in the capital with an ardent supporter (8)
17. What char may do, linking up with other char in a plant (5,3)
19. Get filled up, where drivers start to join motorway (4)
21. In conversation, show recentment of a wedding (6)
23. Tank designed for Siamese fighters? (8)
25. Mix red and yellow at first? I might (4)
26. Italian writer using reason concerning the environment (10)
27. What's needed to keep one's head above water? (8)
28. Law broken in other-worldly Hants town (6)

DOWN

2. Misguided aeroplane losing way in comic entertainment ? (5)
3. So is butter sincerely recommended? (9)
4. Could be have taken a risk, ill-advised, about English? (6)
5. Obviously lacking instruction (4-11)
6. Infection's grown nasty inside raised edge (8)
7. Hair given very French style at first (5)
8. Disappear, having fallen out over a tape (9)
14. Asking about second person's health (3,3,3)
16. 'Almost call in popular opinion for face-to-face meeting? (9)
17. Rascal observed keeping friend quiet (8)
20. Strike about to become isolated (3,3)
22. Time to encapsulate Catholic's proud character in writing (5)
24. Person with 12 supporting University's custom (5)

Across: 1. York 5. Spritzer 9. Penicillin 10. Esau 11. Japanese 12. Wisdom 13. Thai 15. Partisan 18. Sweet pea 19. Teem 21. Bridal 23. Aquarium 25. Dyer 26. Ecological 27. Buoyancy 28. Fawley
 Down: 2. Opera 3. Imitative 4. Kaiser 5. Self-explanatory 6. Ringworm 7. Tress 8. Evaporate 14. How are you 16. Interview 17. Spalpeen 20. Cut off 22. Darcy 24. Usage

NOILUTOS

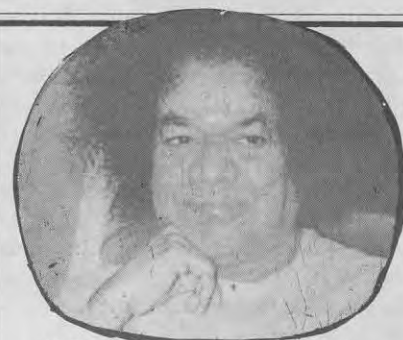
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 physical joy and, by
 so doing, discard the
 more permanent joy
 of inner calm and
 contentment.”*

SATHYA SAI BABA

'Nepal A Popular Destination For Peace Corps Volunteers'

- MARY LOU SNOWDEN

A former Peace Corps volunteer herself, MARY LOU SNOWDEN recently completed a three-year tenure as country director of US Peace Corps Nepal. Before leaving the country, Snowden spoke to KESHAB POUDEL on various facets of the Peace Corps' involvement in Nepal. Excerpts:

How do you evaluate the role of Peace Corps volunteers?

Peace Corps Nepal has been here since 1962. Next year, the Peace Corps will celebrate its 48th anniversary, and Nepal will celebrate the 39th anniversary of the organization's presence in the country. During this period, over 4,000 volunteers have served in Nepal. In many areas, we feel that we have graduated. Although we no longer do fishery, Peace Corps volunteers first introduced fishery along the terai region. Earlier, there used to be no fish in ponds, only in rivers. In the education sector also, we have changed the priorities. Half of our volunteers are involved in the education sector and they teach along with their Nepali counterparts in the 4th and 5th grades in secondary schools and also in 10+2 grades.

How many Peace Corps volunteers are working in Nepal now?

Right now, we have 120 volunteers. We get two new groups every year and each group stays for two years. Half of them are working in education. The remaining are in natural resources, reproductive health, youth development

and community development.

Which areas are the volunteers are working in?

We have changed our focus a lot. There are 31 districts where we do not place our volunteers because of many reasons, including security and remoteness. We are primarily present in the far-west, far-east and terai. But we are no more in the mid-hills.

What do your volunteers think about the worsening law and order situation in certain parts of the country?

They primarily live with host families and the villagers are the greatest source of safety and security. The villagers take very good care of our volunteers. Last week when schools were closed down for one week, our

volunteers did not report even a single incident. We had checked about their situation.

How do you recruit volunteers?

The recruitment process begins in the United States. They go around college campuses to set up recruitment stations in various localities. They recruit some senior citizens and older volunteers. They have a lot of means but a

lot of it is based on word of mouth because Peace Corps volunteers have been around for long. People know about it. First, they recruit and placement is made by the Washington office. The volunteers are placed according to their skill. Different countries require different things. For instance, in the reproductive health, there is a need to give the volunteer coming to Nepal some orientation. First, the country directors send their requirements and the volunteers are proceeded based on the demand. There are several countries where the demand for Peace Corps volunteers is high.

How many volunteers are interested in coming to Nepal?

Nepal is one of the popular destinations among Peace Corps volunteers. I think it is because Nepal is a beautiful country. Most of the volunteers know about the natural beauty of the country so they like to come here.

As you also meet people from different offices, what is their response toward Peace Corps volunteers?

Request for volunteers come in continuously from different ministries. We have a very good working relationship with many ministries. In my three-year tenure, I have seen different governments and I met a lot of new officials but I did not face any difficulty in maintaining relations with them. We work mostly at the department level, including in the forestry and health sector, and we have very a good working relationship with the officials.

What benefits do countries like Nepal get from volunteers?

Helping the community to learn self-governing and establishing NGOs are some of the major works of the volunteers. Along with these, a country like Nepal also benefits from specific services provided by the volunteers. In rural areas, getting a native English speaker as a teacher in itself is a major achievement. Our volunteers see what the needs of

the community are and how they can help.

How was your experience in Nepal as a director of the Peace Corps?

My greatest experience in Nepal has been

working with the staff of the Peace Corps. We have outstanding staff and we travel to various parts of the country to meet the volunteers. Nepal is not an easy country for traveling.

As a person from the developed world, how do you observe the social and political transformation in Nepal?

Peace Corps is an apolitical organization, so we try to keep away from politics. As you know, America has its own problem in democracy as shown by the recent elections. I would say that through grass-root development, more local organizations are becoming stronger. The democratic process, I think, continues to grow here.

How do you see the future of Peace Corps volunteers in Nepal?

We hope to place more Peace Corps volunteers in Nepal in the future for rural development along with the NGOs. We have started establishing contacts with the ministries to do that. The other thing I want to mention is information technology because all of our volunteers know how to deal with computers. The Ministry of Education is very much interested in our offer. We are trying to get computers to those communities. In areas where other resources and electricity are available, we hope to become involved more in information technology. It is very interesting to say to you that more than 50 percent of the first batch of the volunteers who came here forty years ago recently came to Nepal. There are also a lot of people who came here as Peace Corps volunteer and are still living in Nepal. Some of them have already established businesses. Even after returning from Nepal, many volunteers continue to maintain contact. They also contribute to strengthen relations between Nepal and the United States. ■



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