

SPOTLIGHT

Dec 01-07, 2006



Politics : Peace Travails
Rayamajhi Commission : What Next ?

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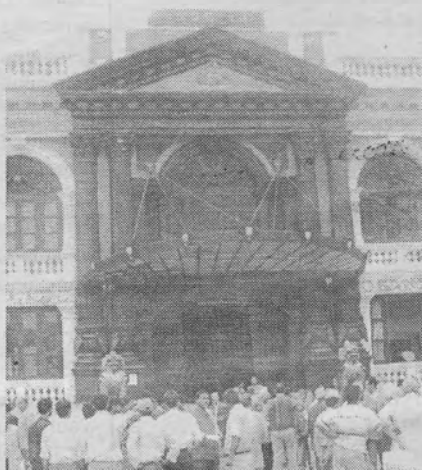
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CONTENTS

	Page	
LETTERS	3	
NEWS NOTES	4	
BRIEFS	6	
QUOTE UNQUOTE/TRANSITION	7	COVER STORY : Citizenship Row Parliament enacts a controversial citizenship act making changes in sensitive subjects like cut off year Page 12
OPINION : Dr. Ananda Bahadur Thapa	8	
NRB REPORT: Mixed Picture	11	
ARMS MANAGEMENT	18	
WOMEN IN PEACE PROCESS: Left Out	19	PEACE PROCESS : Hits and Misses Peace process moves ahead despite facing ups and downs Page 10
REVIEW: Bhakti's Valor	20	
ART: Collection of Ryutaro Hashimoto	21	
ARTICLE: Yubaraj Ghimire	22	
ENERGY: Solar Power	23	ENCOUNTER: Narayan Man Bijukchhe The president of Nepal Workers and Peasants Party Bijukchhe speaks on why he opposed the citizenship bill that was enacted by the parliament Page 17
FORUM: Tsutomu Hiraoka	24	



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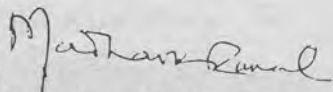
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The week long visit to Pakistan at the invitation of Islamabad Policy Research Institute provided an opportunity to this scribe of seeing the second most important country in South Asia pulsating with newly found confidence and optimism. Since the limited space would not permit me to go into details, reserving it for later issues, I will only briefly summarize my experiences. The continued high growth in the economy in the last few years under the present political leadership was clearly reflected in the life style and carefree behavior of the common man. Even though the persisting rivalries amongst the political parties, which are but natural in a democracy, might generate misleading notions about the socio-economic, political situation in Pakistan, the comparative cleaner image in the top leadership seems to have affected the behavior of the government and generally people at the ground level look happier, more satisfied and more contented. As such, the ensuing elections in the country seem certain to result in favor of the present government. Since the visit of Chinese President Hu Jintao coincided with mine, it was an excellent opportunity for me for studying China-Pakistan relationship in the reality without any embellishments. If the Musharraf government wanted to give them a very warm welcome and left no stone unturned to manifest their ingrained regard and friendship for China and Chinese leaders, the man in the street was even a clearer barometer to judge the intensity and sincerity of Sino-Pakistan relationship. They had no misgivings, of any sort, in China's protestations of friendship for Pakistan and relied heavily on China for all kinds of co-operations, economic and otherwise. Regarding Pak-India relations, despite the thaw in the relationship, the overwhelming Pakistanis were not prepared to believe that India would give up her aggressive designs and the Kashmir problem would be solved peacefully for all time to come, as they would not take any other solution than a free and fair plebiscite in India held Kashmir. On Pak-American relations, an average Pakistani does not hesitate to exhibit his anti-American skepticism. The official relationship and attitude does in no way reflect the common man's thinking. They think the anti-Islamic policies of U.S. President George W. Bush are indeed, very hard nut for the average Pakistani to swallow, lock, stock and barrel. On SAARC-South Asian Association for Regional Co-operation – the Pak intelligentsia wants China to become a full member in it so that it will help balance the lopsidedness of the organization and turn it into a really productive organ capable to fulfill the aims and objectives with which it was started. Lastly, on Pak-Nepal relations, most Pakistanis believe that this bilateral relations urgently needed more depth and substance. Pakistan has attained such a stature that can easily afford to play more aggressive and substantive role in the region and would be quite happy to help the smaller nations in South Asia in all spheres. It is now to be seen how far Nepal is prepared to go seeking for Pakistani help and cooperation.

* * *

Coming back home after a week's absence, it was a shocking experience that almost jolted me out of my senses. The unnatural rush shown by the House of Representatives in passing the citizenship bill and the ghostly speed shown by the Speaker in sealing it into a law has only helped to establish, without a ray of doubt, their impious intentions. This has made me regret my naïveté in criticizing India's ex-foreign Secretary, Shyam Saran for his comments that "they can do to Nepal what they have done to Bhutan." The recent developments in Nepal have proved that Shyam Saran's comments did not manifest any arrogance. The man could easily have said, "with this kind of House of Representatives, and ruling political leaders of Nepal, we can turn Nepal into Sikkim whenever we want." Indeed. But perhaps, Saran might not be aware that the pliant Nepali politicians and the present House of Representatives that has usurped the Supreme authority as the mandate of *Jana Andolan II*, to behave and pass laws in the Hitlerian manner, are not the be all and end all. The overwhelming poor and patriotic Nepalis that have been used as pawns to satisfy their nefarious ego and interests have woken up and preparing for *Jana Andolan III*. And when it matures and assumes the size and shape of a Tsunami, it is sure to sweep away all those anti-nationals not yet gone to *Aryaghat*. So, all nationalists and patriots ! take heart and have patience. Wait for *Jana Andolan III*.


Madhav Kumar Rimal
Chief Editor & Publisher



Water For All

The cover story "Health and Wealth" (SPOTLIGHT November 24) has demonstrated well how the availability and access of water can bring about a huge socio-economic transformation in communities. It shows the utter importance of focusing the country's priorities on the water and sanitation aspects of development. Hopefully, the policies and planners will give more priority to these sectors in the days ahead.

Krishna Panta
Baluwatar

New Angle

The cover story "Health and Wealth" (SPOTLIGHT November 24) is an eye-opener. It lucidly portrays how development of basic amenities like sanitation can trigger positive changes in the living standards of people. The article also points out how underprivileged people belonging to lower caste could also transform their hygiene and cleanliness through better sanitation and how that led to closer integration with other so-called upper caste community.

Jitman Singh
Kuleshwore

Refreshing Story

When the country is moving on the path of transformation, attention of all and sundry have focused on the issues of politics (SPOTLIGHT November 24). All are busy debating the issue of constitution and political restructuring of the state. As such, there is very little attention being paid to the socio-economic condition of the overwhelming majority of the poor people. Obviously, the mainstream media has also left out this side of the story. In the pursuit for hot political news, these day-today issues are being overshadowed. Therefore, for your magazine to pick up this kind of story and build it up as a cover story is a commendable. These kinds of stories can help bring about change in the mindset of planners as well.

Kiran Bista
Bhainsepati

Clean Water

Thousands of children die in Nepal every year due to easily preventable diseases like dysentery, diarrhea and other gastro-enteritis-related ailments (SPOTLIGHT November 24). Likewise, many of them also succumb to preventable diseases like typhoid and jaundice. One thing common to all these diseases is that they are transmitted through unhygienic water. If only clean and treated water can be supplied to all the people, most of these ailments can be defeated. Although it may not be possible to supply clean water to everybody right away, first steps, like instilling a sense of hygiene and cleanliness among the public must be taken now. Developing good sanitation practices also go a long way in achieving these ends. The world has entered into 21st century – we cannot let our children die of such easily preventable ailments anymore.

Brajesh Singh
Kalimati

Water and MDGs

Developing supply of clean water and sanitation is one of the major elements of the Millennium Development Goals (MDGs). Therefore, the government authorities must be serious to achieve the sanitation goals (SPOTLIGHT November 24). As the story points out, the sanitation development could not only lead to hygienic and healthy practices in the villages, it could also be a weapon to fight

against the evils like caste-based discrimination.

Diwas Thapa
Tahachal

High Time For Economics

Apropos the interview with Bharat Mohan Adhikary (SPOTLIGHT November 24), it is high time that economics be brought to center-stage of politics. As the former finance minister has said, there is a need to reach a broad understanding on the common economic agenda now. After the signing of the comprehensive peace agreement, it is now urgent that the leaders start considering about reaching a consensus on how to go about in the building of new Nepal that they so frequently talk about.

Rishi KC
Balaju

Anti-Corruption Drive

Nepal certainly has problems with corruption but it has not been able to find out the correct procedure of solving its menace (Under Rule of Flaws, SPOTLIGHT November 24). Whether the midnight raid of custom officials a few years ago or the rampant actions taken at the behest of Royal Commission for Corruption Control a year ago, the authorities have only managed to worsen the situation by resorting to unlawful means. Consequently, the chief anti-graft body CIAA, too, has been unable to check corruption. Last week also the special court dismissed charges against two Congress leaders saying that CIAA's investigation were not flawless. Lets hope these incidents provide a lesson to be learnt for all in the coming days.

Sriram Manandhar
Satdobato

Political Uncertainty

Despite new peace agreements, there are many who continue to be suspicious about forthcoming political developments in the country (What Next? SPOTLIGHT November 24). As the article states, Nepal has always seen one or the other form of political violence. The country was never allowed to be stable. Various insurgencies wreaked the country over the years. Whether stability will return to the country now remains to be seen.

Biswas Shrestha
Managalbazar

Court Can't Test House Declaration's Legality

The government has requested the Supreme Court (SC) not to raise legal or constitutional questions over the House of Representatives Declarations 2063 – which was adopted on May 18. In a written reply to the apex court – which is the ultimate interpreter of the Constitution as per the 1990 Constitution – the Law Minister Narendra Nemwang, on behalf of the government, has said that the declaration had come as a special political document whose constitutionality cannot be tested since it sprung from the people's mandate expressed through the People's Movement. The Court had asked the government, on September 22, to furnish written explanation about its position regarding the House declaration in response to a writ petition filed by six advocates including lawyer Achyut Prasad Kharel who demanded that the apex court nullify the declaration, which they claimed was against the constitution. "The House declaration is a political matter. The court cannot enter into political area," the government's reply reads. It also adds that the House had been restored on April 24 as per the aspirations of the people and in accordance with the "Doctrine of Necessity." "The Declaration has neither violated any law nor the Constitution," the reply adds. Likewise, Speaker of the House of Representatives, Subas Nemwang, on Sunday (November 26), said they were not abiding by 1990 Constitution because it was not possible to do so after the restoration of the House. "The declaration passed after the success of the people's movement is not subjected to any test in the court," Nemwang said in a written affidavit he submitted to the SC. He also requested the apex court not to examine the constitutionality of the May 18 House declaration. He was also furnishing a reply in response to SC's show cause notice issued on September 22. *Compiled from reports.*

Indian Foreign Secretary To Visit Nepal

Indian Foreign Secretary Shiv Shankar Menon is expected to visit Kathmandu

in a week, sources said. It will be Indian Foreign Secretary's first visit to Nepal after the signing of the peace accord. During his visit, Menon is scheduled to meet Prime Minister Girija Prasad Koirala, leaders of other political parties and the government ministers. *The Himalayan Times daily reports.*

Ex-Gurkhas To Get British Residency Visa

All ex-Gurkha servicemen will be eligible to get residency visa to stay in the United Kingdom. According to Gurkha Ex-Servicemen's Organization (GAESO), the British government has changed its immigration provisions on Wednesday easing the visa processes for the ex-soldiers. Earlier, only those ex-servicemen who had retired after 1997 were eligible for such visa. "Now all ex-Gurkha soldiers can get British citizenship," said GAESO in its statement. It has welcomed the new change. *Kantipur daily reports.*

Nepal Criticizes Koirala

Madhav Kumar Nepal, general secretary of Unified Marxist Leninist (UML), has criticized what he called as efforts to undermine his party. "The interim government is not going to be formed as per any individual's wish. It will be formed as per the collective decision of all parties. There is no question of anybody giving UML seats in the interim cabinet," he said. Indicating to the Prime Minister Koirala, Nepal said no one should try to take credit of the success alone. "Nobody should think that the chair of Prime Minister belongs only to him," he said. His comments came days after PM Koirala had stated that those who do not join the interim cabinet will fall behind. *Nepal Samacharpatra daily reports.*

Make Economy The Center-Stage: Leaders

Finance Minister Dr. Ram Sharan Mahat has called for making economic issues the main agenda. "If we continue to shadow the economic agenda even now, then the country will not be able to progress," said Dr. Mahat, addressing a

roundtable conference on "Bringing the Economic Agenda to the Center-Stage," organized by the Confederation of Nepalese Industries (CNI). Dr. Mahat said that to usher in prosperity, the country would need investment from the government, the private sector and the donors. "There is no alternative to market economy if we are to accelerate the pace of economic development. But we should not forget social justice while pursuing market economy," Dr. Mahat said. Dev Gurung, leader of the Maoists, also agreed that economic agenda need to be brought to center stage in the coming days. He, however, said the existing feudal production relations should be dismantled to take advantage of economic opportunities. Dr. Dilli Raj Khanal, an economist close to the Unified Marxist Leninist, added that the country should adopt federal system to achieve proportional development in economic distribution, agriculture and non-agriculture development, land reforms, energy, road network and so on. On the other hand, Dr. Prakash Sharan Mahat, leader of Nepali Congress (Democratic), said that economic policies had failed in the past due to lack of common approach among political actors. President of CNI Binod Kumar Chaudhary urged all political parties to come together to develop a common economic agenda. *Compiled from reports.*

NC To Launch Campaigns For Peace

The Nepali Congress (NC) party will launch "Peace Campaign" in districts for the next two months. The meeting of the Central Working Committee of the party decided to launch the campaign. The party has instructed its district organizations, sister organizations and affiliate organizations to launch the campaign. Peace rallies and mass meetings would be held to raise public awareness about the peace and democracy. Meanwhile, the CWC meeting has welcomed the Maoist decision to embrace the multiparty politics. It has hoped that the accord will be fully implemented on ground. *Leading dailies report.*

Bijukchhe's Party To Stay Away From Interim Govt

Narayan Man Bijukchhe has stated that his party will not join the interim cabinet, which is set to be formed soon by including Maoist representatives. The Nepal Workers and Peasants Party (NWPP) – despite being a constituent of the ruling Seven Party Alliance (SPA) – has stayed away from the current cabinet, too. In fact, Bijukchhe has stuck to his stance of staying in the opposition in all of the last fifteen years. The meeting of the 16th central council of the party has decided that the NWPP – a leftist outfit – will play the role of strong opposition in the interim parliament. The party has also decided to initiate countrywide campaign in favor of socialist republic. Even though the SPA and the Maoists have already signed the agreement to form interim cabinet by including representatives from the seven parties and the Maoists, the NWPP has stated that a cabinet with independent persons be formed to conduct the elections of Constituent Assembly in a clean, free and fair manner. Likewise, the party has reiterated that referendum should decide the fate of monarchy; voting rights should be given to all above 16 years of age; citizenship should not be given based on birth; and local bodies should be restored. Meanwhile, when asked why he did not attend the signing ceremony of the Comprehensive Peace Accord (CPA) on November 21, Bijukchhe said he was not properly informed. "I was busy in party meeting and they had called me in my office at the eleventh hour," said Bijukchhe complaining about the manner in which smaller parties are treated within the SPA. *Compiled from reports.*

A Draft Of RTI Bill Submitted

A draft of Right To Information (RTI) bill has been submitted to the government. The draft includes provisions that attempts to ensure people's access to information and their right to information. As per the draft provisions, no public service providing organization can conceal information. It proposes National Information Commission to monitor the access of information and impose penalty

against those who try to conceal information. The draft was prepared by a task force headed by legal expert Kashi Raj Dahal after two months of homework. Dahal submitted the report to Minister of State for Information and Communication Dilendra Prasad Badu. The minister said that the bill would soon be presented to the cabinet for approval after which it would be presented to the parliament for enactment. The draft provisions state that except for a situation where revealing certain information could have 'clear and present danger' to the public, no public institution can conceal information. *Kantipur daily reports.*

Hill Poor To Get Free Health Services

The government is providing free health services to the poor and destitute in 26 hill districts from December 15 for the first time. The beneficiaries will be issued identity cards for the implementation of the program in district hospitals, which have less than 25 beds. However, the services will be free in indoor and emergency sections only. The government has allocated Rs 50 million for the program, of which Rs 300,000 will be given to each district hospital while the primary health care centers will receive Rs 100,000 each. The Health Ministry has also allocated Rs 100,000 to verify whether the patients deserve free services. Dr. Mahesh Maskey, advisor to the Health Ministry, said, "The government is introducing the policy so as to provide quality health care services free of cost to those who cannot afford." As per the rule, the first category, which belongs to absolute poor – whose source of income cannot sustain them for six months – will receive free medical services for the whole year. The middle income group – which falls in the second category – will have to pay certain amount for IDs while they, too, will get free indoor and emergency services. The middle income group include those whose income can sustain them for a year. While the third category – revenue generating group – will have to pay the fees 'with some discounts.' The 26 districts are Bhojpur, Morang, Taplejung, Tehrathum, Dhading, Dolakha, Nuwakot, Ramechhap, Sindhupalchowk, Gorkha, Kapilbastu,

Palpa, Parbat, Syangja, Tanahu, Dolpa, Humla, Jajarkot, Kalikot, Mugu, Rolpa, Salyan, Baitadi, Bajhang, Bajura and Darchula. *The Himalayan Times daily reports.*

NOC's Monthly Losses Come Down

With the decrease in the price of petroleum products in the international market in recent weeks, the volume of monthly losses of the state-owned Nepal Oil Corporation (NOC) has come down to the lowest level in the last one year. According to NOC, the total monthly losses have come down to Rs 150 million in November. The vole of loss stood at Rs 250 million a month ago. In fact, a year ago the volume of monthly loss was Rs 400 million. The price of oil at the international market had reached up to US\$ 78 per barrel and now it has come down between \$58 to 60 per barrel. One barrel is equal to 159 liters. At present, the NOC is suffering losses worth Rs 6 per liter (in petrol); Rs 5 (in diesel); and Rs 6 (in kerosene). In cooking gas, the NOC is losing Rs 340 per cylinder. *Compiled from reports.*

Peace Fund Set Up

The government has set up a Peace Fund to generate internal and external resources required for the peace process. The cabinet meeting on Tuesday had decided to set up the fund. According to Finance Ministry, the government would require nearly Rs 6 billion in the initial phase. The government plans to generate and mobilize the resources for this purpose through this fund. The resources would be utilized to develop physical infrastructure, elections of Constituent Assembly, rehabilitation of displaced persons and providing job opportunities and security. Sources have informed that the Ministry is working to generate resources for the fund. The government has already allocated Rs 100 million to the fund – out of which Rs 70 million was handed over to the Maoists on Thursday. Separate committees can be set up as per the need to mobilize the fund. *Kantipur daily reports.* ■



Celebrations of peace

Annapurna Post

KING GYANENDRA, ON WEDNESDAY (NOVEMBER 22), said he was pleased by the peace agreement that has been signed in keeping with the "nation's needs and people's aspirations." According to the press statement by the Royal Palace Press Secretariat, "King Gyanendra appreciates the contributions of all those involved in bringing to end the bloodshed, violence and terrorism through the peace accord and hopes that, by ensuring sustainable peace, a prosperous Nepal can now be built with the collective efforts of all the Nepalis through multiparty democracy." The King has also prayed for the eternal peace of the souls of the people who have lost their precious lives. The CPA, among others, has clipped all the powers of the King and nationalized his traditional properties. The agreement also decides to determine the fate of monarchy through the Constituent Assembly.

THE GOVERNMENT IS GOING TO SET UP "KATHMANDU Valley Drinking Water Company" to hand over the management of drinking water in the capital valley to the private sector. In that company, the government and the Kathmandu Metropolitan City (KMC) will have 30 percent shares each. Lalitpur sub metropolitan will own 10 percent shares whereas the Federation of Nepalese Chamber of Commerce and Industry and Nepal Chamber of Commerce will own 15 percent. Likewise, municipalities of Thimi, Bhaktapur and Kirtipur will own 10 percent and the remaining five percent will be owned by employees of the company. After this company comes into being, the Nepal Water Supply Corporation (NWSC) will walk away from the valley. It will only be responsible for supplying drinking water to the remaining parts of the country. The company could be set up within a month. The management of the company would be given on lease to a foreign consultant. A British company is the sole bidder for this purpose. According to Melamchi project, there are 147,000 taps in Kathmandu valley. The leakage crosses over 40 percent.

THE MANAGING DIRECTOR OF NEPAL ELECTRICITY Authority (NEA) Arjun Kumar Karki has revealed that the country could face crippling load shedding beginning mid-December. Saying that efforts to import 50 MW power from India were not bearing fruit, Karki said that daily power cuts of up to 9 hours

could be imposed. He said the NEA will be compelled to impose load shedding in winter months for six years at least.

THE GERMAN GOVERNMENT IS GOING TO INCREASE its assistance in the peace process by three-fold. For the year 2006/07, the German government is providing Rs 3.6 billion. In the year 2004/05, the Germany had provided Rs 1.2 billion as support. According to German ambassador Franz Ring, the German assistance would also be provided to help in the peace process as per the bases fixed by Nepal government.

THE INTERNATIONAL CIVIL AVIATION ORGANIZATION (ICAO) concluded its mission by highlighting the need to improve and enhance the aviation system in Nepal, said the Civil Aviation Authority of Nepal (CAAN). The ICAO members Farid Ali Shah and Roger Mulberry met with Tourism and Civil Aviation Minister Pradip Gyawali and other government officials in a de-briefing program. "The mission will soon send a report to the CAAN including its recommendations, which we will try our best to implement and make necessary changes in our rules and regulations," said Mohan Adhikari, director general of CAAN. The ICAO team was here at the request of the government.

THE REPUTED CARTER CENTER OF THE UNITED STATES has agreed to monitor the elections of the Constituent Assembly (CA). The chief of the Center, former US president Jimmy Carter has written a separate letter each to Prime Minister Girija Prasad Koirala and Maoist chairman Prachanda expressing the center's willingness to monitor the polls. Earlier, Koirala, Prachanda, UML general secretary Madhav Kumar Nepal and NC-Democratic president Sher Bahadur Deuba had written separate letters to the Jimmy Carter requesting for such monitoring. According to Dr. Duman Thapa, representative of the center to Nepal, this will be the 62nd country where the center will be monitoring the polls. He said a separate office of the center will soon be set up in Nepal. He said ten international election observers will arrive shortly whereas 40 others will come during the time of election. "During the election, Carter himself could come here," he said.

THE PRODUCTION OF RICE – THE PRINCIPAL AGRO product of the country – is set to decrease by 9 percent this year compared to previous year. A field study undertaken by the Agriculture Ministry has shown that the production of paddy could come down by 8.9 percent this year. Last year, 4.2 million metric tons of paddy were produced. This year the volume of paddy production could decrease by 500,000 metric tons. Earlier, in August, the Ministry had estimated that the production of rice could decline by 25 percent this year. However, as there was heavy rainfall since August, the level of decline has been reduced.

THE UNITED NATIONS POPULATION FUND (UNFPA) handed over 700,000 male condoms and 500,000 female condoms to the United Nations High Commissioner for Refugees (UNHCR) representative in Nepal Abraham Abraham. The two UN bodies are working to increase awareness on family planning and protection against sexually transmitted disease among refugees. "Enabling access to condom is a key component ensuring that every community and every person has the necessary tools to make informed choices and empowered decisions," said Junko Sasaki, UNFPA representative in Nepal.

“Nobody should think that the chair of Prime Minister belongs only to him.”

Madhav Kumar Nepal, general secretary of the Unified Marxist Leninist (UML), addressing a public program.

* * *

“The act is related with the nationality and livelihood of the people of Terai. This is the greatest achievement for the people of Terai in the last 53 years.”

Rajendra Mahato, general secretary of the Nepal Sadbhavana Party (NSP-Anandidevi), celebrating the enactment of Citizenship bill.

* * *

“There is a possibility of Nepal turning into Fiji.”

Narayan Man Bijukchhe, president of Nepal Workers and Peasants Party (NWPP) - a constituent of the ruling Seven Party Alliance who had voted against the citizenship bill at the parliament, indicating his concern over the lax provisions of providing citizenship in the new act, in Nepal FM.

* * *

“A certain element is conspiring to derail the elections to Constituent Assembly (CA).”

Dr. Baburam Bhattarai, senior leader of the Maoists, indicating at the delay in the promulgation of



Bimarshu

interim constitution, parliament and cabinet, in Kantipur Television.

* * *

“As far as other timelines regarding interim constitution or parliament are concerned, there can be a delay of 2-4 days, but the two leaders (Prime Minister and Prachanda) agreed that the CA polls should not be delayed.”

Dr. Shekhar Koirala, a close aide to PM Koirala, about the recent talks between the PM and Maoist chairman Prachanda, in BBC Nepali Service.

* * *

“It is accepted that no recruits made after 25 May (when the ceasefire code

of conduct was signed) will be recognized for the purposes of cantonment and if those under 18 years of age are brought to cantonments, they will be reintegrated (to society).”

Ian Martin, UN Secretary General's Personal Representative to Nepal, at a press meet.

* * *

“If we continue to shadow the economic agenda even now, then the country will not be able to progress.”

Dr. Ram Sharan Mahat, Finance Minister, calling on all to make economic agendas as the main agendas in the coming days.

* * *

TRANSITION

ENACTED: Citizenship Act 2063, by the House of Representatives.

LEFT: Ian Martin, UN Secretary General's Personal Representative to Nepal, for New York, to brief UN officials about the peace agreement and the ongoing negotiations on tripartite agreement on modalities for management of arms and armed personnel.

VISITED: A mission of the International Civil Aviation Organization (ICAO),

including its members Farid Ali Shah and Roger Mulberry, to study the aviation sector and suggest ways to improve and enhance the aviation system in Nepal.

RETURNED: Madhav Kumar Rimal, chief editor and publisher of Spotlight Newsmagazine, after completing a week long visit to Pakistan.

RE-ELECTED: Madan Regmi, as the president of China Study Center. Bishweshwar Man Upadhyaya and Sundarnath Bhattarai have been elected as

vice presidents while Dr. Upendra Gautam has been elected as general secretary and Prakash Babu Poudel as secretary of the center. Likewise, executive committee members of the Center include Dr. Sadmukh Thapa, Keshab Bhakta Mathema, Dipta Prakash Shah, Dr. Lila Pathak, Dr. Milan Adhikary, Hari Bairagi Dahal, Buddhi Narayan Shrestha, Mahendra Bahadur Karki and Dr. Dilli Prasad Subedi. Advisors of the center include Govinda Bhatta, Rajeshwore Acharya, Yubaraj Singh Pradhan, Dr. Subhadra Dahal and Tamla Ukyab. ■

The Columbia River Treaty

By DR. AB THAPA

The Columbia River Treaty is an international agreement signed between Canada and the United States. The Treaty was signed in 1961 and ratified by both federal governments in 1964. The Treaty coordinates electrical energy production and flood control in the Columbia River Basin. There is no expiry date to the Treaty.

The Treaty called for the construction of three dams in Canada; the Duncan Dam on the Duncan River north of Kootenay Lake, Keenleyside Dam on the Columbia River near Castlegar, and Mica Dam at Mica Creek on the Columbia River north of Revelstoke. These dams were completed between 1968 and 1973. A fourth Treaty dam, the Libby dam, was built by the Americans at Libby, Montana. It created the Kootenusa Reservoir which floods back along the Kootenay River into Canada.

The Columbia River

The Columbia River is the largest river flowing into the Pacific Ocean from North America. It is exceeded in discharge on the continent only by the Mississippi, St. Lawrence, and Mackenzie rivers. The Columbia is one of the world's greatest sources of hydroelectric power and, with its tributaries, represents a third of the potential hydropower of the United States. In addition, its mouth provides the first deepwater harbor north of San Francisco. Two-fifths of the river's course, some 800 km of its 2,000-km length, lies in Canada, between its headwaters in British Columbia and the U.S. border.

Many controversies have marked the economic development of the Columbia River. Notable among these have been the division of responsibility between public and private agencies, the effect on the fish life (particularly salmon) and loss of traditional Indian fishing sites, proposals for a Columbia Valley Authority, the proper rate of interest to be charged on the federal government's investment in hydroelectric power development, and arrangements for sharing power-generating revenues and costs with Canada for upstream storage reservoirs in British Columbia. Nonetheless, exploiting the river's hydroelectric and irrigation potentials has been instrumental in developing the region's economy.

Multipurpose Development

Multipurpose development of the Columbia's main stem began in the 1930s with the construction of Grand Coulee and Bonneville dams by the US federal government. Nearly all of the river's 390-metre fall within the United States has been converted into a series of "stair steps" by 11 dams on the main river, augmented by dams on tributaries and three upstream storage reservoirs in British Columbia constructed in accordance with a treaty between the United States and Canada. The four lower dams on the Columbia, plus four more on the lower Snake, provide large navigation locks;

and all are equipped with fish-passage facilities, the original assumption being that these fish ladders would make possible the continued annual upstream run of the salmon.

Grand Coulee Dam, the largest and most complex of the Columbia's dams, augments the low winter flows when power demand is the greatest. A powerhouse completed in the 1970s makes use of the Canadian storage capacity, and the dam has remained one of the world's largest hydroelectric power plants. Water also is pumped from Franklin D. Roosevelt Lake, the reservoir behind Grand Coulee Dam, for the Columbia Basin Irrigation Project, the largest single project of its kind in the Northwest and the first large-scale use of the Columbia River itself for irrigation. The first water delivery was made in 1952 to the designated lands, which previously had been covered by sagebrush and other desert vegetation. Some three-fifths of the project's planned area is now being irrigated. A major share of the cost of this expensive project is being paid by the sale of the power generated at Grand Coulee Dam.

All power plants along the system are connected by high-voltage, federally owned transmission lines, the backbone of a power network in which all utilities of the Pacific Northwest participate. This system is linked with the power grid in the state of California and with the American Southwest. Surplus Columbia River power is sold to the Southwest during the summer (and Southwestern steam-generated power to the Northwest during the winter).

The treaty with Canada (1961), supplemented by a further pact in 1964, called for the United States to pay Canada sums representing that country's share of power- and flood-control benefits for building three large dams (two of them on the Columbia), and for the United States to build a fourth dam on the Kootenay in Montana.

Process Leading Up To The Treaty

In 1909, the Great Britain and the United States entered into the Boundary Waters Treaty. Among other things, the purpose of that treaty was to prevent disputes between the two nations regarding the use of boundary waters. Boundary waters included all lakes, rivers and connecting waterways along which the Canada-United States border passed.

Although Canada had governed its own domestic affairs since the 1840s, it had no independent foreign policy even at that time when World War I began in August 1914. Britain's declaration of war on Germany meant that the entire empire, including Canada, was at war.

In 1926 the British government acknowledged the equality of the dominions with Britain itself, and in 1931 the British Statute of Westminster confirmed that Canada was a sovereign state sharing a common monarch with Britain. There were some leftover details: Canadian Supreme Court decisions could be appealed to the Judicial Committee of the Privy Council until

1949, and Canada had no procedure for amending its own constitution (which was an act of the British parliament) until 1982.

The Boundary Waters Treaty stipulated that except as otherwise permitted by it, or pursuant to special agreement between its signatories, neither party could make use of, obstruct or divert boundary waters in a manner which could affect the natural level or flow of those rivers on the other side of the Canada-United States border, unless it first had the approval of the International Joint Commission. The International Joint Commission (IJC) was an entity formed under the Boundary Waters Treaty, and was granted jurisdiction to decide all cases involving the use, obstruction or diversion of boundary waters which were specified to require its approval, as well as any other matter referred to it by Canada and /or United States which raised issues relevant to rights obligations or interests in respect of their "common frontier".

In March of 1944, Canada and the United States asked the IJC to look into a number of issues concerning the Columbia River. Pursuant to that request, the IJC established an International Columbia River Engineering Board (the "Engineering Board") to carry out studies on the Columbia River.

It was recognized that a key requirement for the development of Columbia River water resources would be the provision of upstream storage in Canada. In terms of the production of hydroelectric power, the development and regulation of Canadian water storage would prevent the River from flowing unchecked, and would allow a greater amount of useable energy and a higher level of dependable capacity to be generated at American power plants.

In December of 1959, and again at the request of Canada and the United States, the IJC developed a set of principles intended to govern any sharing of benefits between Canada and the United States which might arise as a result of joint development of the Columbia River. In making its recommendations, the IJC was guided by the basic concept that the principles it formulated should result in an equitable sharing of the benefits attributable to any cooperative undertakings and in an advantage to each country as compared with any alternatives that might be available to it. In total, the IJC formulated sixteen principles: thirteen of which applied specifically to questions of power production and flood control.

On February 11, 1960, direct negotiations commenced between Canada and the United States in respect of the selection, construction and cooperative use of specific projects for the production of hydroelectric power along the Columbia River. The principles developed by the IJC necessarily provided a framework for those negotiations.

The Treaty.

The Columbia River Treaty was signed on January 17, 1961 in Washington D.C. It consists of twenty-one articles, two annexes and one statistical table. However, Canada did not ratify the Treaty until its manner of implementation was

further defined through a Protocol and until arrangements were made to sell the first 30 years of Canada's Entitlement to the power benefits arising from each storage project. On September 16, 1964, President Lyndon Johnson, Prime Minister Lester Pearson and Premier W.A.C. Bennett of British Columbia met at Blaine, Washington Douglas, BC to ratify the Columbia River Treaty and the Protocol which amplifies and clarifies the Treaty.

The Columbia River treaty between the United States and Canada signed on Sept. 16, 1964, constitutes an incontrovertible advance in international law. The treaty, whose ratification was delayed for three and a half years represents a modern approach to international water problems, according to which an entire river basin is considered as a unit and is jointly developed as such by the riparian states. It also embodies the so-called downstream benefit theory, which prescribes that power benefits accruing to the lower riparian because of installations and works constructed in the territory of the upper riparian be divided equally between the two. This theory may well become one of the general principles of international law.

Downstream Benefits

Under the terms of the Treaty, in return for providing the water storage, Canada is entitled to half the electrical downstream benefits(DSBs) generated at the 11 downstream dams in the US plus the power generated from the Treaty water in Canada. The DSBs are the additional power American utilities can generate because of the river flow regulation provided by Treaty dams. The Canadian entitlement of benefits represent enough electricity to supply the annual needs of a city the size of Victoria or the demand of the whole south east portion of B.C. including the Kootenays, the Okanagan Valley, and the Columbia Shuswap region. Such entitlement for the year 2003 was estimated to be ranging from 1150 MW to 1350 MW of capacity and from 3650 GWh to 4850GWh of energy per year.

Under the Treaty, Canada sold its half of the downstream benefits to the U.S. for the first 30 years of each Treaty project for \$254-million. Canada received \$67-million in return for flood control benefits. The DSBs sales begin to expire in 1998. The Americans are obligated by the Treaty to return the DSBs electricity to the Canadian border. However, both parties have an option to negotiate an alternative agreement. In April 1993 Canada began negotiating with the American entity Bonneville Power Administration and in September 1994 announced a memorandum of agreement that would see a \$ 250-million up front payment to the province and flexible access for the Canadian Hydro to American markets to sell the Canadian share of DSBs electricity. However, in May 1995 the negotiations have broken off. Last reports indicate the American utility is preparing to build power lines to return the electricity to the Canadian border at Oliver as named in the Treaty.

(Dr. Thapa writes on water resources)

PEACE PROCESS

Hits And Misses

Travails of peace process come to the fore as the two sides are locked in negotiations to restore lasting peace

By SANJAYA DHAKAL

The peace process that began since the successful fruition of the April Movement has gone through various ups and downs.

After the euphoria of signing the November 8 agreement and the Comprehensive Peace Accord of November 21 is slowly settling down, the two sides have now started to trade allegations of delaying the process.

As per the November 8 agreement's timeline, the country should have had the interim constitution and interim parliament by November 26. However, due to the prolonged discussion over the tripartite agreement (among the government, the Maoist and the UN representatives) on the modalities of management of arms and armed personnel, the targets have been missed.

This has led to the situation where the Maoist leaders are now openly accusing the government of deliberately prolonging the process. Talking to Kantipur Television a few days ago, Dr. Baburam Bhattarai, the second-in-command of the Maoists, accused that "a certain element" is actively trying to linger the peace process and derail elections to Constituent Assembly (CA). "We have seen this element active during the negotiations that led to November 8 agreement and also during the signing of Comprehensive Peace Agreement," he said.

Bitter at the delay in promulgation of interim constitution, Dr. Bhattarai

argued that his party was sitting ready with the draft of the constitution whereas the government side was not responding to its offer of negotiating on the issue.

Added another Maoist leader Dinanath Sharma, "They are trying to linger this process by raising unimportant issues." About the assertion by the UN officials that they cannot practically start their monitoring job in coming few weeks, Sharma said, "Here we do not have a situation where the two parties are warring. In fact, we had cooperated (during the people's movement) with each other to come to this place. Therefore, time and again, we have been saying that we can develop a separate model of peace process here."

According to Sharma, if the government side agrees then they can right away start the cantonment and monitoring process by involving retired British or Indian Gurkha soldiers till the time the UN officials can come here for

the purpose. "This should not delay the overall political process leading up to the Constituent Assembly elections," he said.

In fact, on November 25, Maoist chairman Prachanda went to Baluwatar to meet with the Prime Minister and express his concerns about the delay in the peace process leading up to the interim cabinet. At the meeting, sources said, Prachanda resolutely argued that the deadline of CA elections should not be missed at any cost.

The government, on the other hand, believes that other processes as per the November 8 agreement cannot start before the cantonment, monitoring and verification of Maoist combatants is completed.

As things look at present, the process of UN monitoring could take at least a couple of more weeks – by which time the timeline of forming interim cabinet (December 1) is sure to be missed causing further jitters among the Maoist leadership.

But more than anything else, it was the weakness on the part of the political leaders to have fixed such timelines that could not possibly be honored. "We have seen this immaturity when they first decided to have interim constitution within 15 days back in June. And now on November 8 agreement, too, the leaders made similar mistake by setting timelines without considering the practical aspects," said a political observer.

"Timelines of the agreement are the timelines fixed by the parties," said Ian Martin, UN Secretary General's Personal Representative to Nepal, last week. He said that the UN processes had their own timetables.

Despite the delays, people are still hopeful that the parties will be able to reach proper settlement and hold CA elections in free, fair and peaceful manner and restore the lasting peace in the country. ■



Dr. Bhattarai: Accusations flying thick and fast

NRB REPORT

Mixed Picture

The report of macro-economic situation in the first two months of current year shows a mixed picture

By A CORRESPONDENT

The volume of spending by the government has registered a growth of 22.5 percent in the first two months of the current fiscal year. A current macroeconomic situation based on first two month's data of 2006/07 released by the central bank, on Monday (November 27), stated that the government spending in the period stood at Rs. 9.8 billion.

"A significant rise in the recurrent expenditure largely accounted for a surge in overall government expenditure," the central bank said. The government expenditure had gone up by 17.1 percent in the same period of the last year.

However, during the same period, the total foreign financial grant assistance and foreign loans have declined by 39.8 percent and 15.2 percent respectively, in contrast to an increase of 65.8 percent and 54.3 percent respectively in the same months last year.

Governor Bijay Nath Bhattraï claimed that the foreign grants and loan declined since the government was still preparing its policies and expressed the hope that they would increase in the coming days as donor agencies have started giving assurance for increasing their support.

The report, however, said the government revenue went up by 22.3 percent to 10.8 billion rupees in the first two months of 2006/07. The report has also presented a dismal picture in the foreign trade sector. The total foreign trade increased by mere 6.7 percent in two months of 2006/07 in comparison to a growth of 22.4 percent in the corresponding period of 2005/06. Exports grew by just 0.1 percent compared to an increase of 16.9 percent in 2005/06.

According to the report, total imports rose by 9.1 percent in the first two months of 2006/07 compared to growth of 24.7

percent in the same period of the previous year.

Governor Bhattraï admitted that the government should immediately adopt measures to improve foreign trade.

He urged the government to take necessary steps to exploit the potentials of hydropower and tourism sector. "In the first two months of 2006/07, trade

The central bank further said that the consumer price inflation has slightly come down to 6.6 percent in mid-September 2006, as compared to 8.2 percent in mid-September 2005.

During the same period, the Central Bank said the net liquidity injection through the intervention of foreign exchange market stood at Rs. 11.3 billion in the review period compared to Rs. 3.3 billion in the previous period.

"In the review period, net liquidity of Rs. 6.4 billion was mopped up through market operations in treasury bills compared to Rs 1.4 billion in the previous year," the NRB report adds.

Governor Bhattraï said that the economy of the country is facing pressure as the government has to spend large



Consumers: Respite from inflation

deficit rose by 14.5 percent compared to an increase of 29.9 percent in the corresponding period of 2005/06," the NRB report said.

The foreign currency reserve, however, continues to witness a buoyant phase. "In comparison to mid-July 2006, gross foreign exchange reserves increased by 0.5 percent to Rs. 166 billion in mid-September 2006," adding, "The current level of reserves is adequate for financing merchandise imports of 11.5 months and merchandise and service imports of 9.3 months."

amount for the management of cantonment sites of the Maoists and for holding the elections of the constituent assembly. He, however, said that the positive response of the donor community have shown positive sign in the national economy.

Meanwhile, in response to the charges against him made by the Rayamajhi Commission report, Governor Bhattraï said that he did not know anything about it. He has been accused of having supported the royal regime.

He said that he had only followed the orders of the government of the day since that was what he was supposed to do. ■

Row Over New Citizenship Act

At a time when all political parties have been talking about the need to hold the elections for Constituent Assembly to make the new constitution, the interim government of heterogeneous commitment having no trust and respect left among themselves has been taking major decisions on basic structure of constitution. Recently, the House of Representatives (HoR) passed the most sensitive Citizenship Bill 2063 making millions of people eligible for Nepali citizenship - changing the cut-off-date third time in last five decade. If these heterogeneous elements of this interim government can change the content of constitution, what will be left for the elected Constituent Assembly to do except to perform the ceremonial job of changing the title of the constitution? Moreover, even after changing many fundamental elements in the citizenship act to the extent of removing articles of the constitution, the new Citizenship Act 2063 finds itself amid political storm

By KESHAB POUDEL

From passing bill to removing some articles of the Constitution of Kingdom of Nepal 1990 and giving seal to the bill, the HoR broke all kinds of constitutional and legal precedents of Nepal. In the name of mandate of the People's Movement II, the members of parliament are justifying all unconstitutional works including

changing the cut-off-date (for the eligibility for Nepali citizenship).

Had the agreement between seven parties and Maoists come to effect in accordance to its schedule, the tenure of the present HoR would have come to an end on November 26 – the day when it passed the bill granting rights to all those people who were born in Nepal before April 14, 1990 and making them eligible to acquire Nepalese citizenship.

Chaired by Speaker Subhash Chandra Nembang, a lawyer-turned-politician, the bill received the seal immediately after it was passed by four hours long marathon meeting of HoR. Despite many ramifications in social, economic, political and national demography, the members of HoR including those from communists, congress, RPP or Sadbhvana parties did not see it necessary to put the issue before CA.



House of Representatives: In a great hurry

President of Nepal Worker and Peasants Party (NWPP) Naryan Man Bijukchhe, who was one of the signatories of the Peace Agreement which recommended changing the cut off date from 1962 to 14 April 1990, was the only MP who opposed the bill when it was tabled in the HoR for approval.

"I opposed the bill because there are many flaws in it. It will open flood gate and pave the way for foreigners to receive Nepalese citizenship certificate," said Bijukchhe. "This bill is anti-national and will make Nepalese minority in their own country."

Among many clauses, the highly objectionable clause is to change the cut-off-date. As Nepal maintains its southern

border open and there is free movement of people from both the sides without any valid document, citizenship issue in terai is going to be long-term sensitive political problem.

Acquiring the citizenship for genuine Nepalese citizenship is not a problem at all in Terai: Those who were born and were living before the commencement of the Constitution of 1962 are already eligible to acquire the citizenship of Nepal.

The Constitution of Kingdom of Nepal 1990, too, accepted the provision of constitution of 1962 and the citizenship Act of 1964. According to it, any person who is citizen of Nepal by virtue of article 7 of the constitution of

Nepal 1962 or section 3 of the Nepal Citizenship Act 1964 is eligible for citizenship.

The article 7 of the Constitution of Nepal 1962 on citizenship at the commencement of the Constitution said every person who has his domicile in Nepal and who was born in Nepal; either of whose parents was born in Nepal; or who as a woman, has any kind of relation with a citizen of Nepal constituting matrimony in accordance with the laws and customs of Nepal; or who has already obtained a certificate of citizenship in accordance with the laws of Nepal; shall be a citizen of Nepal at the commencement of this constitution.

Highlights of the New Act

The new act changes the cut-off-date from 1962 to April 14, 1990. It has made many provisions to acquire the citizenship on the basis of birth and descent. One can get the citizenship on the basis of mother and father's citizenship as well.

If a person wants to acquire citizenship he/she can use the land ownership certificate, housing tax and registration in the electoral list compiled by the election commission for elections purposes.

If a person does not have any of these evidences, he or she can get the citizenship certificate on the basis of identification of three persons who hold Nepalese citizenship certificate.

So far the children of Nepalese mother married with foreigner is concerned, it maintains certain restrictions. The children of such mother have to present the evidence that they did not get the citizenship of the country where his or her father was born. Women activists have already opposed the act as a discriminatory.

"There is no question to give citizenship to those person whose father is foreigner as long as he or she produces the proof that they have renounced the citizenship of his/her father's country," said Dr. Ram Baran Yadav, Nepali Congress leader.

Problems of Immigration

If there were such a clear constitutional and legal provisions to give citizenship to Nepalese, why it

surfaced as a major political problem in terai compelling the government to change the cut-off-date remains a mystery. Even for a foreigner, there is a clear provision to give naturalized citizenship after fulfilling certain legal obligations and process.

Nepal shares border with Uttar Pradesh and Bihar, which are poorest Indian states with high density of population. Nepal welcomes large number of job seekers from both these states. Compared to their entry into Nepal, Nepalese immigrants to India is a drop in the sea.

Sandwiched between two populous nations of the world, Nepal has to keep its identity intact and the question of citizenship is always sensitive. For the people in Terai who do not get citizenship, it is an emotional issue.

According to Census of 1981, there were 239,039 foreigners residing in Nepal. By the time when the 1991 census was conducted this figure reached 439,844 - increase of 95.3 percent. According to Nepal Population Report

1984, there were 608,092 foreigners mostly Indians living in Nepal. Among foreigners, 95 percent were Indians

Commissioned by National Commission on Population on Internal and International Migration in Nepal by late Dr. Harka Gurung in 1984, the report revealed that most of the immigrants in terai were born in Uttar Pradesh and Bihar. In eastern terai, 94.4 percent of the immigrants were born in Bihar while in the western terai 88.2 percent of immigrants were born in Uttar Pradesh.

"Worse sufferer of this act is going to be original settlers of terai. Some of the opinion makers of original settlers have already expressed concern of being outnumbered by so called Madhesis. Those Madhesis who have already established as a citizen of the country - may have to live with an influx of new entrants in the country. This disparity between the old and new settlers may create problems not only for Nepal but as next door neighbor, India too. A few million Tamils in Sri Lanka have created serious problems not only in Sri Lanka

but that is also creating problems in India's Tamil Nadu State injecting the separatist sentiment," said an analyst.

Change of Cute off Date

Although changing the cut-off-date can create more problems, politicians see it as an easy option to resolve the problems. This is what happened in the last five decades - cut off dates were changed every time when there was a problem.

In other countries, no one can think of changing the cut off date. India has made January 26, 1950 as a cut off date. It was the day when the constitution of Republic of India was promulgated. Since then many problems of citizenship have haunted that country but there was no debate anywhere to change the cut off date.

"Unfortunately in Nepal, this is the third time when cute off date has been changed since 1951. Because of weak and inexperienced leadership, there were many loopholes in the first cut off date of 1953. In 1962, a provision was made in the constitution to accept a criteria for cut off date as any person who was born before the promulgation of that constitution would be eligible to acquire Nepali Citizenship," said the analyst.

Constitutional Provision

The constitution of 1962 was abrogated by the Constitution of Kingdom of Nepal 1990 which was the product of the mass uprising of 1990 - which was a consensus draft at that time. All political parties who had led the uprising supported the draft. The constitution did not change the cut-off-date of the previous constitution though they had serious and in depth discussion on that matter.

"The issue of providing citizenship to all citizens is a matter of skillful administration. Nepal's administrators have also been issuing citizenship certificate. Those who needed it were able to get it. But for immigrants from the south, they needed to prove if any doubt occurred in the process of verification. Such problems are not only in Nepal but also found in Nepalese-speaking areas of Indian states. Some of such settlers in north eastern states of India have difficulties in getting citizenship document despite their



An immigration office in eastern border point: How will their problems evolve?



Indigenous residents of Terai: Will their problem be resolved?

generations of domicile," said the analyst. In Nepal, there has been hue and cry of denial of citizenship to the people living in terai. Despite such hue and cry, not a single case had been filed in the Supreme Court for judicial remedy but the issue picked up as a sentimental movement in politics - as a problem of discriminatory treatment in the people in Terai."

Even there was almost consensus this time when the Citizenship bill was tabled in the parliament. "Almost all political parties have large number of constituency to represent from terai region. So almost all of them made a populist competition to outdo the others in resolving the problems of citizenship," said the analyst.

Although other faction of terai-based small Nepal Sadbhavana Party (NSP) termed the act as incomplete, this is a major victory for the NSP led by Minister for Industry and Commerce Hridayesh Tripathi. "This is the happiest occasion in the history of Nepal when those millions of Nepalese who have been living in Nepal without citizenship certificate will now be eligible to acquire it. Madhesiyas are now Nepali," he said.

Earlier, some political leaders of terai issued threats to hold the gun against the state in case the government does not make a new law to provide citizenship to all people of terai. "Had the HoR not passed the bill, the country would have to face the situation like in Sri Lanka,"

said Rajendra Mahato, MP of Nepal Sadbhavana Party. "Although there are still some shortcomings, it will resolve the problems of citizenship in terai."

Political Problems

Some political parties and regional groups are making citizenship as an emotional problem in terai, but it never was a legal or constitutional problem. No genuine Nepalese has ever filed the case in the Supreme Court on the basis that he or she was denied the citizenship.

Those who were entitled to the citizenship of Nepal by virtue of 1962 Constitution and their off springs are already citizens of Nepal. If they are not given the citizenship certificate, it is just a question of re-providing the citizenship certificate. All of them will get the citizenship on basis of parentage.

"There is no sense creating any hue and cry for those who are already citizen of this country. Those who came afterwards are just foreigners so they should remain as foreigners. If they want to become Nepalese citizens, in that case they have to fulfill the condition and qualification for naturalized citizenship," said a former attorney general and lawyer. "If it is a problem of distribution of citizenship certificate then it is just an administrative problem and there is no question of conferring citizenship certificate again to them by amending the constitution."

"One has to prove he was born in Nepal and had permanent domicile in Nepal before 1962. They equated citizenship wrongly with citizen. A citizen can live or die without obtaining citizenship certificate. In many cases, off springs of such person die without getting it. It is not mandatory in the law to obtain the citizenship. It is still not compulsory to obtain and possess the citizenship certificate."

On the question of those who have been living in Nepal after the promulgation of 1962 constitution and who do not hold the citizenship, they should apply through the naturalization process.

"It is not a problem at all but just a dispute created by illiterate politicians, lawyers and administrators. As long as the persons of such category continue to be illiterate, the problems of citizenship in terai are not going to be solved," said the lawyer.

Even in a country like United States of America, which is a country of immigrants and had a declaration in its very foundation that immigration cannot be refused, however, there was a judicial pronouncement contrary to that. Justice Frank Furter of Supreme Court in a complex case regarding immigrants said, "Though it is unequal and discretionary but it is fair and reasonable in the interest of the nation."

Hectic Day In HoR

For the reinstated House of Representatives, the meeting of November 26 was hectic as it had made virtually legally impossible job possible within just five hours. From suspending the articles of the Constitution of Kingdom of Nepal 1990 under a recommendation of a special committee on Implementation of House of Representatives Declaration to tabling bill on Citizenship in the full house.

On behalf of the committee, MP Mahesh Acharya tabled the proposals declaring the part 2 and articles 8, 9 and 10 of the Constitution of Kingdom of Nepal 1990 as inconsistency with the provision of letter and spirit of the clause 6 of the declaration of the House of Representatives.

Referring to the meeting of November 6 of the committee, MP

Acharya presented recommendation in the House of Representatives. The committee also recommended that the citizenship will be now distributed under article 6 of declaration and citizenship act 2063.

Although Supreme Court is yet to announce constitutionality of Declaration of House of Representatives, the House of Representatives even removed some articles of the constitution against the spirit of its declaration. "This is completely a mockery of constitutional process," said advocate Bal Krishna Neupane. "By passing the bill, the HoR showed it is accountable not to the people but somewhere else."

According to part 19 of the Constitution of Kingdom of Nepal 1990 for the amendment of the Constitution, each House, with two-thirds of its total membership attending, has to pass a bill by a majority of at least two-thirds of the members present. However, none of these requirements were met. The parliament members - who fought against the King's autocracy - acted as a new brand of autocrats declaring everything opposed to them as illegal.

As exercised in the past, the so called brand of Loktantrik MPs destroyed the constitution calling for the people to pay allegiance to the laws of citizenship. When somebody questions the constitutionality of this act, they claim to have the legitimacy not from the constitution but from mass agitation of April 2006.

No country in the world where House of Representatives - which is supposed to follow the rule of law and constitution - rudely violates the rule of law. Interestingly, members of the House endorsed a special provision where people have to show allegiance towards constitution and rule of laws - which is ignored by them.

When the life of present HoR - which was supposed to be dissolved on November 26 - closed to an end, it passed a most sensitive Citizenship Act 2063 making more than 6 million people eligible for Nepali Citizenship.

Although the act changes the cut off date third time and adds new and easy provision to acquire the citizenship, nobody is certain that it will solve the problems forever. ■

Major Highlights of the Citizenship Act 2063

1. (1) The name of this act is Nepal Citizenship Act 2063
(2) This act shall be immediately commenced
 3. Citizenship on the basis of birth: The person who was born in Nepal before Chaitra, 2046 (14 April 1990) permanently residing in Nepal shall be citizen of Nepal on the basis of his birth.
 4. On the basis of Descent: (1) A person whose mother or father are Nepalese citizens at the birth of child shall be citizen of Nepal on the basis of descent.
(2) Every child who is found within the Kingdom of Nepal and the whereabouts of whose parents are unknown shall, until the father and mother of the child is traced, be deemed to be a citizen of Nepal
 5. (1) Acquisition of naturalized Citizens of Nepal: A woman of foreign nationality who has a matrimonial relationship with a Nepalese citizen and who has initiated proceedings for renouncing her foreign citizenship may acquire the citizenship as a naturalized citizen of Nepal.
(2) So far as the son and daughter, who were born from a Nepali woman married to foreigner, are concerned, they must be living permanently in Nepal and he or she should not have received the citizenship of other countries on the basis of their father's country.
(3) Under the sub-clause (2) a person has to apply fulfilling following conditions:
 - a) Mother's Nepali Citizenship Certificate
 - b) Recommendation of concerned village development committee or municipality showing that he or she was born in Nepal and permanently living in Nepal
 - c) Evidence to prove that he or she has not acquired the citizenship of any foreign country on the basis of father's citizenship
 - (4) Among the foreigners - who is considered by the government of Nepal as a person who can contribute in science, philosophy, art, literature, world peace, human welfare or Nepal's economic, social or industrialization - require the fulfillment of following conditions:
 - a) That he can speak and write the National language of Nepal or any other nationalist language
 - b) that he is engaged in any occupation in Nepal;
 - c) that he has renounced his citizenship of another country; and that he has resided in Nepal for at least fifteen years
 - d) that he should be citizen of a country where a law makes Nepalese eligible to acquire the citizens
 - e) that he has resided in Nepal for a period of not less than fifteen years
 - f) that he shall have good conduct
 - g) that he shall be mentally fit
 - 8: Proceedings to acquire Nepalese Citizenship: After completing 16 years, a person who wants to acquire citizenship on the basis of descent or birth shall apply with concerned authorities with copies of those documents:
 - a) Citizenship certificate of father mother or any close relative in descent within three generation but it shall not apply to those women who marry with Nepali citizen
 - b) Recommendation of municipality or village development committee showing that the person is permanent resident of the area.
- For those who want to acquire the citizenship on the basis of birth shall have to present following documents:
- 1) The recommendation of village development committee and municipality showing the person was born in Nepal and permanently living in Nepal
 - 2) a person has to present land owners certificate of his family or tenants right house tax bill or evidence registration in the voter list of the person's mother or father
 - (4) In a condition when a person can not present those evidences under (1) or (2) sub clause, the concerned official visit site to verify his application and provide the citizenship certificate with the recommendation of at least three Nepalese- who have acquired Nepalese citizenship certificate - proving that the person has been living in that area.

"Nobody Listened To My Suggestions"

—NARAYAN MAN BIJUKCHHE

President of Nepal Workers and Peasants Party (NWPP) NARAYAN MAN BIJUKCHHE is one of the members of seven party alliances which signed a peace agreement with the Maoists. A Member of House of Representatives, Bijukchhe was the sole MP who opposed the Citizenship Bill 2063 when it was tabled in the house. Interestingly, Bijukchhe - whose party does not have any base in terai and took part in all the process of changing the cut-off-date and preparing the final draft - suddenly alienated from the bill. Bijukchhe spoke about why he opposed Citizenship Bill 2063 in the last minute.

Excerpts:

You were part of all the process from changing the cut off date to signing the peace agreement with the Maoist and to preparing the draft of the bill, why did you change your stand in the last minute?

I was part of the peace agreement but I was not the part of process of bill making. I see many objectionable clauses in the bill and decided to oppose it.

Is it not just a politically motivated step?

I don't want to politicize the issue like citizenship. It is sentimental issue and every genuine Nepalese should feel No country can provide the citizenship foreigners.

If you are not politically motivated, what is the reason behind your opposition?

Although other political parties argued that the act will accommodate all level of population, the act will not guarantee the citizenship for poor and oppressed population of terai. Since the act does not mention anything about how to provide citizenship to those population, I am doubtful that poor and disadvantaged community will get the citizenship certificate.

What are the objectionable clauses in the act?

One of the objectionable clauses of the act is that it makes the sons and daughters of our sisters who marry to nationals of next door country eligible for Nepali citizenship. Another objectionable clause is to provide the citizenship on the basis of recommendation of three persons who hold Nepalese citizenship certificate.

Why did you not raise these objections when the bill was in the process of amendment?

I raised it there in the committee but no one listened to my voice. So, I decided to oppose in the parliament. I want to be in record.

What is your opinion on changing the cut off date?

Since it is one of the points of broader peace agreement, I don't have any option other than to accept it. It is not only the cut off date but there are so many complications involved with it.

Do you think the recently passed Citizenship Act will solve the problem of citizenship forever?

I don't think so. Since nobody listened to my genuine suggestions, it will create more problems in future.

What kinds of problems?

It will create social and other kinds of tension between the old and new settlers in terai region.

But, other political parties argue that your opposition is just politically motivated?

It is completely incorrect. I don't want to do politics on such emotional issues like citizenship. The bigger parties might have their own party interest but I care more about Nepal's interest. I can say that certain clauses included in the bill will harm the long term interest of Nepal.

At a time when large numbers of people in terai are yet to get citizenship, how do you justify your opposition?

I am not saying that citizenship should not be issued to genuine Nepalese who don't have citizenship. My concern



is how to prevent the misuse of the legal provisions and inadequate safeguards in the laws.

Since the country is making constitution through the Constituent Assembly, why eight parties did not wait till the result of forthcoming CA?

Since all other big parties stressed the need to pass the bill before the elections for CA, smaller parties like ours could not do anything.

How do you check the misuse of provisions in the act?

I am very much concerned about it. I have made every effort to put certain safeguards in it but nobody listened to my suggestions. Had they accommodated my suggestion in the act, there would have been much stronger safeguards to check the misuse. We also have to keep in mind the open border between Nepal and India. There is free movement of people.

As other big political parties said, how do you see the possibility of resolving the problems of citizenship?

I have already mentioned you that this will not bring any political solution. The act does not have any provision to see the citizenship problems of disadvantaged and poor people of terai. There is a large number of population in hill also who do not have citizenship certificate. ■

WOMEN'S PARTICIPATION IN PEACE PROCESS

Left Out

Although parties claim they are working for equal rights to women, the lack of their involvement in peace process shows otherwise

By SANJAYA DHAKAL

The government and the Maoists have already signed two important documents – the November 8 agreement and the November 21 Comprehensive Peace Agreement (CPA).

These two events have led to excitement among all the people who wish to see the return of peace and democracy. In the agreements, the parties and leaders have expressed their full commitment to bring about socio-economic transformation and all kinds of equality including the gender equality.

However, the fact that there was not a single woman in the talks team of both the government and the Maoists indicate otherwise. Though the parliament has passed a resolution committing to provide 33 percent reservation to women in all important structures, the peace process is being moved forward without involving women at any level.

"There must be credible and meaningful involvement of women in peace process. Likewise, they must also be involved in all post-conflict reconstruction processes," said Bandana Rana, a leading women's rights campaigner.

In fact, the United Nations Security Council has already passed a Resolution 1325 in 2000 calling for the meaningful involvement of women in peace negotiations and post conflict management. The resolution urges member states "to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management and resolution of conflict."

The resolution recognized that "an understanding of the impact of armed conflict on women and girls, effective institutional arrangements to guarantee their protection and full participation in the peace process can significantly contribute to the maintenance and promotion of international peace and security."

However, such meaningful involvement of women could not materialize in the ongoing peace process. Babita Basnet,

president of Sancharika Samuha – a women communicators' group – who has been leading a campaign called Shanti Malika, said, "We feel sad that apart from lip service, the authorities and leaders are not doing anything to ensure women's participation."

In fact, when the government and the Maoists formed a committee to draft the interim constitution five months ago, they did not include women members. After the rights organization raised objections, a few women members were included. It showed that the issue of women's participation is not yet a priority for the top leaders.

Recently, at an interaction program organized by women's caucus – including women leaders of major political parties – the women leaders demanded that the parties set aside at least 140 seats out of 425 seats in the forthcoming Constituent Assembly.

Likewise, Lena Sundh, chief of the Office of High Commissioner for Human Rights (OHCHR) in Nepal, recently said in a public program that "the early steps after the Jana Aandalan (People's movement) give us cause for concern that key Nepali actors have not yet seriously considered the lessons, which Resolution 1325 is based upon, as both the Seven Party Alliance and the CPN (Maoist) negotiating teams lacked women's participation."

She also expressed dissatisfaction over lack of representation of women of seriously under representation in key institutions established after the success of April movement, referring to the appointments at the Interim Constitution Drafting Committee, the High Level Commission of Inquiry (the Rayamajhi Commission), the Ceasefire Code of Conduct Monitoring Committee.

Nepal is currently going through a critical phase in which discussions involving far-reaching consequences for the nation and its people are being held. At such period, it will be unfortunate if the fifty percent of the population is left out of the loop.

It is particularly important to involve women in peace negotiations and post conflict reconstruction since they had borne the brunt of a decade-long violent conflict in the country.

As the conflict raged on there were reports of rape, beatings, displacement, loss of relatives, which haunted Nepalese women. Thousands of women were widowed due to the conflict. Nearly one thousand lost their lives. Many more have been injured after being caught in crossfire. In remote villages, where youths have migrated en masse to India, women were even forced to step into the shoes of their husbands and sons tilling the field and doing outside work in addition to the household chores.

Because of conflict, women have suffered trauma of losing their husbands/children; displacement; disability and so on. That apart, they have also been burdened with social insecurity, physical-mental torture and other conflict-related health problems like lack of nutritional food during pregnancy, lack of regular check up etc.

One of the most appalling consequences of the internal insurgency has been the massive internal displacement. Tens of thousands of families have migrated en masse in search of security and livelihood. Women members of such displaced families have been doubly unfortunate. More than half of the displaced persons are women and children. Their tales of tragedies are heart-rending. Robbed of their livelihood, many displaced families are groping in desperation.

Despite some improvements in the situation of women in Nepal, they are still largely without voice and influence in the public domain. The violence against women is an aspect that has close links with their poor socio-economic conditions. In education and health, they lag behind. The ratio of young literate females to males is 82 percent.

In Nepal, the very event of giving life often leads to death. Each year, some 4,500 women die of complications of delivery. According to surveys, every two hours, one woman dies of such complications. According to Census 2001, the Maternal Mortality Rate (MMR) per 100,000 delivery was 539 in 1991. Still it was a vast improvement from the figure of 850 in 1981. Half a million children of school-going age are still out of school and over 60 percent of them are girls. The overall literacy for female is 42.5 percent compared to 65.1 percent for male in 2001.

Since the leaders are now talking about building a new Nepal, they must not lose sight about the women's problem and must ensure the equitable participation of women in every sphere of life to ensure balanced development.

ARMS MANAGEMENT

Arms Accord

Peace process moves another step forward with the signing of arms accord

By SANJAYA DHAKAL

After five days of marathon talks, the joint team of the government, the Maoists and the UN officials finally sealed the agreement on the modalities of management of arms and armies on Tuesday evening (November 28).

Touted as the agreement that could finally resolve the long-standing dispute over arms management, the accord also sets the tone for the Maoists to formally join the government and the parliament now.

"We think it has opened doors for further political resolutions," said Nanda Kishore Pun aka Pasang, a deputy commander of the Maoist army.

Spread over 12-pages, the accord deals with the details of management and monitoring of the weapons and armies of not only the Maoist but also of Nepali Army. As per the November 8 agreement, a similar quantity of weapons of NA too will have to be locked up as a gesture of reciprocity. Apart from carrying out few necessary functions, the NA, too, will be confined within its barracks.

"The NA will be able to do its regular duty like border security, guarding telephone towers, guarding roads or providing security to national

banks. Likewise, this accord also does not obstruct the NA from carrying out its international obligations by involving in peacekeeping operations," said Pradeep Gyawali, a member of the government talks team.

In the five days of negotiations, not only the officials of the government, the Maoists and the UN took part in the deliberations but also senior army officials of NA and deputy commanders of Maoists' People's Liberation Army (PLA) attended.

After the deal was reached, coordinator of the government's talks team Home Minister Krishna Prasad Situala and Maoist talks team coordinator Krishna Bahadur Mahara signed the 'Agreement on Monitoring of the Management of Arms and Armies.'

In the agreement, the two sides settled all issues related with the arms management and weapons storage. Some of the contentious issues that it settled included the number of the arms to be kept by the PLA for the security of its camps around the country and the issue whether military drillings should be allowed inside cantonments.

As per the agreement, the Maoists would be allowed to keep 30 arms for the security of each of the seven main camps and 15 arms for 21 satellite camps. "Each main cantonment site will be allowed 30 weapons of the same make and model to be used only for clearly defined perimeter security by designated guards, with each satellite allowed 15 such weapons under the same conditions. These weapons will all



Arms accord : Will it bring peace?

Photo : Nepal News

be properly registered with make and serial number and locked in a guardhouse when not in use. The parties, in consultation with the UN, will periodically review the number of weapons needed for perimeter security purposes on the basis of a shared threat assessment," the agreement states.

"Security provisions will be made for CPN(M) leaders through understanding with the government."

Likewise, the agreement states that "The UN Mission shall monitor these commitments with a full-time presence at the Maoist army main cantonment sites and through field visits and regular inspections. These inspections will be carried out randomly and without warning."

According to the Principles of the agreement, "Neither of the parties shall engage

in movement or redeployment of forces resulting in tactical or strategic advantage. Any claims or reports of violations of this agreement will be reported to UN monitors, substantiated or not substantiated, and subsequently reported to the parties through the appropriate representative of the UN Mission in Nepal. The security forces deployed by the interim government shall have authority to conduct routine patrol, explore in order to prevent illegal trafficking of the weapons, explosives or raw materials used in assembling weapons at the international border or custom points and seize them. Both parties agree to allow the United Nations, international donor agencies and diplomatic missions based in Nepal, national and international non-governmental organizations, press, human rights activists, election observers and foreign tourists to travel unrestricted according to law in the state of Nepal. The parties will respect the security, freedom of movement and well-being of UN Mission and associated staff, goods and services in all parts of Nepal. The parties shall immediately take all necessary measures to cooperate with efforts aimed at controlling illicit trafficking of arms and the infiltration of armed groups. Both parties fully agree to not include or use children who are 18 years old and under in the armed forces. Children thus affected would be immediately rescued and necessary and appropriate assistance will be provided for their rehabilitation."

The two sides have also agreed to form a nine-member Joint Monitoring Coordination Committee (JMCC) comprising three members from the Maoists, the government and the UN each, which will oversee the monitoring process. This committee will be chaired by a UN representative.

The 12-page agreement says the PLA men would be allowed to conduct light military drillings inside the camps, without using live fire, while the Nepal Army would be allowed to conduct its regular military exercises. According to the agreement, up to 12 percent Maoist combatants would be allowed to take leave at a time.

Home Minister Situala, government's talks team members Gyawali and Ramesh Lekhak represented the government side in the marathon meeting that finalized the accord while Dr Baburam Bhattarai, talks coordinator Mahara and deputy commanders Pasang, Ananta, Baldev and Prabhakar represented the Maoist side. Nepali Congress leader Dr Shekhar Koirala, UN's John Norris and Jan Eric Wilhemson, Brigadier General of Nepal Army Shiva Ram Pradhan and AIG of Nepal Police Amar Singh Shah were also involved in the negotiations. ■

BOOK

Bhakti's Valor

Laxmi Thapa's book explores the role played by the legend in the war of 1814 with British

By A CORRESPONDENT

It at a time when some political elements, knowingly or unknowingly, are trying to discredit the history of unification of Nepal, a recently published book on Bhakti Thapa highlights sacrifice and contribution of Nepalese to defend independence and sovereignty of the country.

Initiated by Prithivi Narayan Shaha, the great, the founder of modern Nepal, the process of unification has many painful histories as Nepal fought both of its neighbors to protect her independence.

In the course of expansion and unification process, tens of thousands of Nepalese have sacrificed their lives and many unknown persons were buried. For about half a century when British entered border in South, a King of tiny Kingdom of Gurkha launched the efforts to unify other smaller states of hill into a larger one.

The efforts made by Prithivi Narayan Shaha to make a greater Nepal continued even after his death. Even during the period of his son, Singha Pratap Shaha and grandson Rana Bahadur Shaha, Nepal continued its expansion of its territory. Along with Kings, there are many other generals who have sacrificed their lives to build Nepal into present shape.

Nepal is a small country but it has a long list of brave people who fought to save Nepal's independence and sovereignty. Bhakti Thapa is one of them who became a legend even in the eyes of British historians. Bhakti

Thapa led Nepalese forces to attack another powerful King of Jumla.

"Bhakti Thapa joined the unification campaign in 1789 at a time when further advance of the Nepalese force to the west was completely blocked for more than two years by then powerful Kingdom of Jumla. Bhakti Thapa had proven himself to be the best strategist of his time. In

his first major military operation itself he demonstrated exceptionally brilliant skill in launching a very successful operation under the most adverse condition that was sure to astonish anyone. He changed the strategy of the predecessors and led an attack on Jumla from the difficult north route," writes Thapa.

Although Thapa was old at the age of 74, he led the most daring counterattack on April 16, 1815 against the British force at Deothal. Bhakti Thapa and his followers in the counter attack had vowed to fight to the death. Defiant Thapa with a small force of just 400 marched to the battlefield to fight against the entrenched British force numbering 3500.

According to historian CB Khanduri quoting various contemporary British historians "The euphemism of the bravest of the braves had been used by Napoleon for Marshal Ney, whose bravery during the retreat from Moscow in 1812 was one of the highest. Brave les brave, said Napoleon of him. The British then used this citation for the Gorkhas during and after the Anglo-Nepal War. Such was the bravery shown by Bhakti Thapa that the next legend of the Bravest of the Brave had been created on the day -16 April 1815 at Deothal."

Laxmi Thapa- whose husband is the direct descendant of Bhakti Thapa - has written several articles on Bhakti Thapa which has been published in Nepalese and English journals.

This is a first book which throws light on many important events during the life of Bhakti Thapa. One must read this book, which explains a lot more about the unification process of Nepal. This is the greatest contribution of Mrs. Thapa in the history of Nepal through which a large segment of Nepali as well as foreigners can read about the role of legendary Bhakti Thapa. ■

Role of Bhakti Thapa in Nation Building

Mrs. Laxmi Thapa

*Role of Bhakti Thapa
In Nation Building*

By: Mrs. Laxmi Thapa

Published by: Laxmi Thapa

Price: Rs.200, US\$ 10

PHOTO EXHIBITION

Collection of Ryutaro Hashimoto

Former Japanese prime minister late Ryutaro Hashimoto's collection of photos of Nepal shows his love and affection to this country

By KESHAB POUDEL

Most Nepalese knew former Japanese prime minister late Hashimoto- who had made more than three dozen trips to Nepal traveling from high mountains to plains in south - was a good friend of Nepal. But only a few person knew how Nepal touched his heart and mind.

Displayed at Japanese Embassy, the photo exhibition "Ryutaro Hashimoto Photo Collections: Memories of Nepal" reminded all about his true affections towards the people, mountains and life of Nepal. He is known as savior of Nepalese children who under his support are getting first well-equipped children hospital where millions of children have already received basic health services.

Former Japanese prime minister Hashimoto is among few statesman who held immense love and affection towards Nepal. In his life time, this politician visited Nepal more than 30 times.

"Whether Hashimoto held the portfolio of Finance Ministry or Prime Ministership, he has always maintained his love and affection towards Nepal and its

people. He is a great admirer and friend of Nepal and his death was a major jolt to Nepal," said former principle secretary of Royal Palace Chiran Sumsher Thapa. "I welcomed many political leaders visiting Nepal during my career in Royal Palace. Former Indian prime minister Morarji Desai, Chinese prime minister Chao-En Lai and Ryutaro Hashimoto were three persons who had shown genuine gesture of friendship."

Taken at various places in various times, Hashimoto's pictures illustrate the

life, mountains, natures and culture of Nepal and the compositions and situation such that photographs speak volumes about Nepal. Depicting the difficulties of mountain life as well as beautiful scenes.

"Late Hashimoto was a true friend and admirer of Nepal. His valuable contribution to the betterment of Nepal and that of the Nepali people and his devotion to enhance the cordial relations between our two countries have been highly appreciated by many Nepali



Speaker Nemwang opens the exhibition

people from all walks of life as well as by many Japanese. But above all he was remembered for his love for Nepal," said Japanese ambassador to Nepal Tsutomu Hiraoka.

Kumiko Hashimoto, wife of late Ryutaro Hashimoto and Ryo Hashimoto, son of late Hashimoto, were also the guest of the photo-exhibition, which was jointly organized by the Embassy of Japan and the Cooperation Committee for 50th anniversary of Japan-Nepal Diplomatic Relations.

"Although my husband died, I am very happy to know that he is still in the minds and hearts of Nepalese people. I was inspired by the warm welcome given to me and my son here in Nepal." Kumiko Hashimoto said jointly inaugurating the exhibition along with Speaker of House of Representatives Subhas Chandra Nembang. "By looking at the photographs, one can see how he loved Nepal and Nepalese people."

Pasted at the wall of Hall of Japanese Embassy, 250 photographs taken in the last four decades depicted the natural beauty of Nepal, social transformation and implication of development activities in the life of people. From fauna to flora, the faces of the mountains and people, late Ryutaro Hashimoto's collections tells many stories.

Late Hashimoto captured the flowers of various seasons, the huts of plain areas

of Nepal steep mountains, snow capped Himalayas, the porters and mountaineers. The composition and scene of his photos are the perfect combination of his imagination and nature.

"We organized this photo exhibition to show the love and affection of late Hashimoto to Nepal. The photographs taken by late Hashimoto portray a real picture of Nepal," said Yuki Ito, general secretary of Cooperation Committee for 50th Anniversary of Japan-Nepal Diplomatic Relations. ■

Birth Of A Politician

By YUBARAJ GHIMIRE

It could be the death of a 'revolutionary', but Nepal and key international players may have a reason to rejoice. During his two day visit to Delhi, Maoist leader Prachanda showed eagerness to plunge into a more pragmatic politics. He said that his violent movement's projection of an Indian hegemony was wrong, that they expressed fear about India's design to turn Nepal into a Sikkim had no foundation. The ISI was hand in glove with King Gyanendra, he said, and the Maoists had refused to accept ISI assistance.

These 'revelations' made in Delhi may have pleased the Indian establishment, especially because the ISI gameplan in Nepal has always been an important aspect of India's security perception.

But Prachanda's revelations will open more questions than they might answer. Is it a tactical move to woo India for a 'Republic of Nepal' with a message that King Gyanendra had joined hands with forces India considers hostile? Back home with his party now in government, the Maoists will have to formulate their approach towards foreign and security policy in closer understanding with pro-democracy forces. Selective revelations may not get him or his party extra mileage.

Less than two years ago, Prachanda had distanced himself from Baburam Bhattarai, now his closest aide, charging him with being an Indian plant in the Maoist organization. Bhattarai survived a possible 'execution' as a powerful movement against the absolute monarchy in April led jointly by the seven political parties co-opted the Maoists. Prachanda initially kept denying India's role in bringing the seven parties and the Maoists together on the anti-absolute monarchy platform, and then admitted 'we were wrong' on India.

It is too early to judge the reactions within the Maoists rank and file to Prachanda's revision of his approach towards India. The Maoists had submitted a 40-point charter of demands to the government in late 1995 giving a two month ultimatum. Incidentally, their first demand was to scrap Nepal's treaty of peace and friendship with India. Prachanda was not as forthcoming on this - he simply suggested that it be 'reviewed'.

Anti-Indianism was the way of Nepalese communists in the past as well, although parliamentary elections have shown it does not always work. The Maoists embraced that policy, claiming to make Nepal's revolution a model for the world. It is something his party has not only abandoned now, but also given a chance to other electoral competitors to be labeled pro-India - something that does not pay either. He not only blamed Pakistan for indulging in anti-India activities by using Nepal, he was also less than complimentary towards China.

Prachanda probably convinced Delhi that he is someone India can trust. He turned to Delhi to secure endorsement of his outfit's future participation in the politics of competitive parliamentary democracy before approaching other international players. This signals the end of Prachanda's myth. He will now just be another politician next door whose potential to contribute to parliamentary democracy will be explored when the guns fall silent. ■

(This article appeared in The Indian Express on November 22. The author can be reached at yubaraj.ghimire@expressindia.com)

Commercializing Agriculture In Nepal

An US\$18 million grant from ADB's Asian Development Fund will help commercialize agriculture in Nepal's Eastern Development Region to expand economic opportunities for the rural poor, according to a press statement by the ADB.

The project will bring together key stakeholders – farmers, traders, and processors – to work together toward improving the efficiency of production, marketing, and processing of high-value crops, such as vegetables, fruits, tea, and spices.

Those value crops, with growing market demand and higher levels of return per hectare, can help improve incomes for small landholders who are producing cereals with relatively low returns. Marketing of high-value crops, however, is constrained by weak links to markets, poor market infrastructure, and limited knowledge on the part of farmers.

The project will be carried out in 11 districts – Dhankuta, Ilam, Panchthar, Terhathum, Udayapur, Jhapa, Morang, Saptari, Siraha, Sunsari, and Taplejung – which have favorable climates for agriculture, an existing entrepreneurial base, successful cases of commercial agriculture, and proximity to domestic and neighboring country markets.

"The project will help these districts build on existing strengths by helping the farmers to become more involved in commercial agriculture, and helping processors and traders to improve their links to farmers and small entrepreneurs," says Jiangfeng Zhang, an ADB Project Economist. "In doing so, the project will accelerate the process of agricultural commercialization in the region and, consequently, reduce poverty."

The project will help subsistence and semi-commercial farmers adopt high value crops to improve returns, and to become more

knowledgeable and capable in participating in commercial activities. The commercial ones will be trained on social issues, gender concerns, and environmental responsibility. The landless will be assisted through training to become employed in agriculture-related activities.

The project will promote the socially-inclusive participation of all stakeholders, including the poor, disadvantaged, and women in commercial agriculture, and help them receive fair benefits from such participation; and in turn contribute to restoring peace and stability in the region.

A commercial agriculture fund will be established to provide a facility for the community to make investments in local market infrastructure, such as collection centers, small markets, storage centers, and farm-to-market road improvements. Commercial Agriculture Alliance (CAA), a non-profit company, has been established to manage the fund.

The fund will also support non-infrastructure investments that can add value to the agriculture products, such as pest management techniques, promotion of improved cultivation practices, greenhouse equipment, and laboratory equipment for product testing and quality control. Promotional activities like trade fairs will also be supported.

The project's total cost is estimated at \$24.1 million, with ADB financing amounting to \$18 million. The Government will contribute \$800,000, CAA members \$4 million, and the balance will come from district development committees and the farmer communities. The Ministry of Agriculture and Cooperatives is the executing agency for the project, which is due for completion in December 2012. ■

SOLAR ENERGY

Power To The People

Solar energy promises to provide a viable alternative to those people who lack access to central grid

By A CORRESPONDENT

In Nepal, 7 percent of the population has the access to alternative energy. There are roughly 100,000 micro hydro plants in the country (micro means less than 100 kw capacity). Around 50,000-55,000 households use solar energy. These two sectors constitute 3.4 to 4 percent of the population. And then, 1,32,000 households use biogas, which is also around 3 percent of the population.

Despite the presence of tremendous hydropower potentials, the people of Nepal have not witnessed big transformation in their villages due to the extreme nature of their country's topography. The scattered and secluded villages are far apart; and, therefore, not feasible for central grid connection, according to experts.

Currently, around 30,000 rural households are being connected to national electricity grid every year. In contrast distributed energy systems supply 45,000 new households every year with access to biogas, micro hydro or Solar Home System (SHS).

Solar Home System (SHS) is a form of alternative energy that is being widely used in rural Nepal. For population that lack central grid connection, SHS has provided a viable alternative. "Alternative electricity generating technologies for off-grid rural households are domestic gasoline powered 1-5 kW generators, solar home system (SHS) ranging in size between 15 and 60 W and small battery charging through 10-150 W wind turbines. Gasoline powered generators have high investment and operating cost and most of the sites are not suitable for wind turbines. Compared to other solar Photo Voltaic (PV) technology is found more appropriate for electrification of off-grid households of rural Nepal. Solar Home system is found the cost-effective choice and matches need

of target population well," according to the Alternative Energy Promotion Center (AEPC).

Experts say that Nepal has immense potential of tapping solar energy. The country has, on average, 6.9 sunshine hours per day totaling 2482 sunshine hours per year. The solar energy potential here is around 4.5 kwh/sq. m./ day.

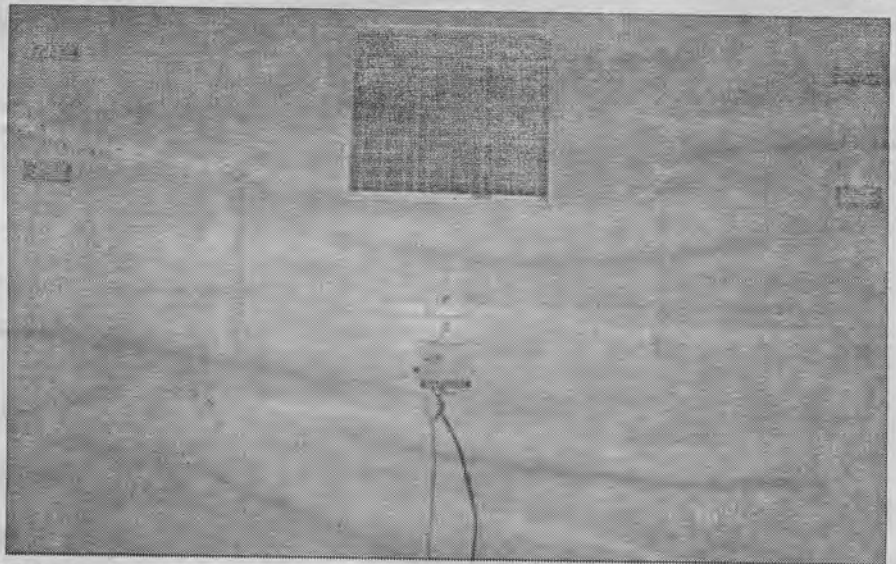
The Tenth Plan of the government (2003-2008) also recognized the importance of solar energy. It aims to generate 3.7 MW of solar energy benefiting

districts," said Yadav Badal, marketing director of the company.

The company has already installed over 50 SHS in rural areas where national electricity grid is not accessible. "We provide all kinds of solar technologies including SHS, solar pumping system, solar vaccine refrigerator, solar communication, street and garden lamp, solar computer operating system, and other consultation services," said Dipendra Sitaula, chairperson of the company. "We aim to work with the communities to uplift their standards of living."

According to him, the solar technology has become quite popular among rural folks. "There is a lot of awareness. What we need to do now is provide quality service to the people," Sitaula said.

At present, the AEPC provides subsidies to build SHS. For an average family, the SHS provides enough energy



Solar system: Alternative model

52 districts with 52,000 Solar Energy Systems distributions. Likewise, it aimed to install 2700 units of solar dryer/cooker in 20 districts. The Tenth Plan also had the objective of implementing 100 solar drinking water supply and small irrigation projects in 15 districts.

Currently, there are around 13 private-sector companies that are providing SHS facilities to rural people. Saurya Urja Nepal Private Limited is one of them. "We are currently working in Ramechhap, Kavre, Palpa, Syangja, Bardiya and Parsa

to run a lamp, transistor system and so on. "They are easy to install, easy to operate and very long-lasting," said Badal. According to him, the company also has outlets in the districts where people can approach if there is any defect or malfunctioning. "We also provide free after-sales service for two years," he said.

With the development of alternative sources of energy like solar, the country can also benefit from clean energy systems, which are sustainable and least likely to harm the environment. ■

Remembering Hashimoto

By TSUTOMU HIRAOKA

Late Hashimoto was the true friend and admirer of Nepal. Late Hashimoto's valuable contribution to the betterment of Nepal and that of the Nepali people and his devotion to enhance the cordial relations between our two countries have been highly appreciated by many Nepali people, from all walks of life, as well as by many Japanese.

Throughout his friendship with Nepal which spans for decades, Mr. Hashimoto many times Minister including prime minister and finance minister, and one of the most influential politicians in Japan had exerted leadership and initiatives to enhance friendly relations between Nepal and Japan. Many economic cooperation projects in Nepal owe its success to his support.

As a parliamentarian he was the president of Japan-Nepal Parliamentarians Friendship League for a long time and contributed greatly in promoting friendly relations between the two countries.

Nepal. He himself was a very good Kendo player with very high dan, qualification of mastering the art.

This year particularly marks the Golden Jubilee of the Establishment of Diplomatic Relations between Japan and Nepal. Mr. Hashimoto was planning to visit Nepal on the occasion. He was also the chairman of the cooperation Committee for 50th Anniversary of Japan-Nepal Diplomatic Relations, an organization with organized various events in Japan to celebrate the auspicious year. The Cooperation Committee is the co-organizer together with the Embassy of this exhibition.

We are celebrating the 50th anniversary of Japan-Nepal Diplomatic relations with recognition that 50 years of friendship is indeed an epoch-making achievement and with determination to build a new chapter of friendship for another 50 years and beyond. This exhibition surely symbolizes the spirit.



DPM KP Oli takes part in the celebration of golden anniversary of Japan-Nepal relations

In his private life, late Hashimoto made personal contribution towards Kanti Children's Hospital, Multipurpose Martial Arts Center of Kathmandu, and Hashimoto Scholarship Program to Kathmandu University.

He loved Himalayas and was involved in numerous activities related with Himalayan expeditions. He was the expedition leader of the famous Japan-China-Nepal tri-partite expedition that successfully ascended Mt. Everest in 1988. He was also deeply involved in other activities such as introducing Japanese martial arts like Kendo, Japanese fencing, or Judo to

Mr. Hashimoto should have been very happy to hear the news of the peace agreement as he was very worried about the situation in Nepal. I always remember when I visited Mr. Hashimoto at his office one time and took Nepali tea as souvenir from Nepal, he said with a large smile that he very much likes the Nepali tea and will enjoy it with his staff. ■

(The author who is the ambassador of Japan to Nepal delivered this statement at the inauguration of photo exhibition showcasing photographs by former Japanese PM late Ryutaro Hashimoto)

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