

# Nepal Abroad

Published weekly from Washington D.C.

Nepal Abroad

Saturday Paush 12, 2065 B.S. / December 27, 2008

Year 3. No. 41

## 'YCL paramilitary structure to be dissolved soon': Nepal PM Pushpa K Dahal

- Niraj Aryal, Kathmandu

Kathmandu: The two major partners of the ruling coalition, the Maoists and the UML-both the communist parties of Nepal, have agreed not to make any utterances that will hinder the functioning of the government.

Of late, some leaders of both the parties have been criticizing each other in public.

The Leaders of both the UML and Maoists who favored quieter place out of bustling Kathmandu city preferred to hold their six hour long meeting in Godavari Resort Hotel on Saturday December 27, 2008.

The meeting also comprehended that criticizing the government from within, the arch-rivalry between the Youth Force and the YCL- two erratic youth outfits of the parties, and delay in implementing Common Minimum Points of Agreement, have sent

negative signal among the public at large.

"The government must continue for at least two years, we must make further agreements to make the life of the government longer", said Mr. Jhala Nath Khanal the general secretary of the United Marxist Leninist (UML).

Reports also say that the Maoists leaders once again exhibited their commitment to dissolving the paramilitary structure of the Young Communist League, returning the seized properties and to fully implement all the past agreements and commitments.

Prime Minister Pushpa Kamal Dahal making a speech at the meeting said, "We will within three



days dissolve the paramilitary structure of the Young Communist League and start returning the seized properties".

The Prime Minister also assured that in the coming days any attack on the media will not be tolerated.

The Maoists side was represented by none less than Prime

Minister Dahal, Leaders Dr. Babu Ram Bhattarai, Mohan Baidya Kiran, Ram Bahadur Thapa aka Badal, Dinanath Sharma and Dev Prasad Gurung. Similarly, the UML was represented by GS Jhala Nath Khanal, former GS Madhav Kumar Nepal, Leaders Bam Dev Gautam and Bhim Rawal.

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Nepal

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## India's Tourism Industry Faces Slump in Wake of Terror Attacks

India's tourist industry is facing a slump, both due to last month's terror attacks in Mumbai and the global economic slowdown. Two luxury hotels popular with foreigners were among the targets of the terror attacks in the deadly attacks.

In the three weeks since gunmen mounted assaults on the Taj Mahal and Oberoi Trident Hotels in Mumbai late last month, hotels across the country have been flooded with cancellations from foreign tourists planning to visit India. At least 26 foreigners, many of them staying or dining at the hotels, were among the fatalities of the attacks, and many others were injured.

The attacks occurred during the peak tourist season for India, where overseas visitors usually arrive in the winter months.

Vijay Thakur, president of the Indian Association of Tour Operators, says there has been a 15

to 20 per cent drop in the number of visitors to the country since the Mumbai attacks.

"Any percentage like this, 15 to 20 per cent cancellations, really is a cause of worrying, it would definitely impact the growth of international arrivals," said Thakur. "More cancellations were because of the fact, you see there were lot of travel advisories from USA, UK and some other countries also like Singapore, Australia."

The financial hub of Mumbai and tourist destinations which lie close by such as Goa, are the worst hit.

But many in the tourism and travel sector are hoping that confidence will slowly recover as the memory of the attacks gradually ebbs.

Sanjoy Pasricha, vice president, marketing, at the Hotel Leela Venture Ltd., says tourists and  
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## Govt has no plan to stop Gurkha army recruitment,: PM Dahal

Kathmandu, Dec. 27 - Prime Minister Pushpa Kamal Dahal 'Prachanda' Saturday said that the Government of Nepal had no any plan to stop the Gurkha army recruitment process.

Talking to a delegation of the Ex-Army Struggle Committee, Prachanda assured that the government would not make an end to the 200-year-old practice of the Gurkha Army recruitment.

"Our party has the policy of creating more employment opportunities in the country so as to encourage the youths to work within the country," the Prime Minister said.

A six-member delegation of the Ex-Army Struggle Committee Nepal met with the Prime Minister at the latter's official residence at Baluwatar, Saturday and submitted a

memorandum regarding the Gurkha army recruitment to him.

According to the committee, at the meeting with the Prime Minister, the team expressed its concern over the commitment expressed by the Communist Party of Nepal (Maoist) in its election manifesto to end the practice of the Gurkha army recruitment.

The committee's press statement said that the manifesto's provision had created disappointments and frustrations not only among the Nepalis willing to join the Gurkha Army but also the concerned foreign friends.

We wish all our readers a  
Happy & Prosperous  
New Year 2009



Nepal Abroad Team

**Editorial:****Seeking Alternative**

The war launched by the Maoists party over a decade ago is still in progression, even after leading the republican government. The war planners are also the same individuals, but because they're in the government Prime Minister Pushpa K Dahal and other government officials from the Maoists party, and their party officials all deny any form of involvement for any wrongdoing by their cadres, and shift the blame to the usual suspects - the 'royalists' and the 'old mindset' determined to defame their party, the progressive philosophies and the government. The denial of involvement in any issues have been a trend of the upper ranks; some how the real stories come out in the media, and of course, those involved would find a way to proudly disclose their contributions and service to the party.

The recent attack on the Himal media is but a reflection of their totalitarian attitude that doesn't tolerate any criticism from anywhere, at least within the country. The governments assurance of the independence of the media is true, because all media person and the people heard PM and other government officials stating so on different occasions. But if a group or an institution affiliated with the Maoists party attacks individuals, property and is involved in unwarranted internal affairs of the media then it also is clear that the government is using a 'proxy' to tame those institutions that do not conform to their way.

No more examples are needed to conclude that democracy is under threat, and that the talk about launching a 'broader democratic alliance' is a gradual realization of the real intentions of the Maoists led government. Hardly the talk about the attack on Himal media was abetting, the Maoists affiliated workers union in the Biratnagar branch of the Kantipur Publication is in the news again, halting the publication and other activities until their demands are met. Nothing can be more frustrating for the journalists and the people as well to listen PM

Dahal's denial, and next day listen Shalikram Jammakattel, chairman of the Maoists Trade Union, threatening to repeat the Himal media episode to other media houses in the guise of labor interests.

Apparently many political stakeholders in Kathmandu appear to be out of confusion, and are floating allusion for an alternative to the current government. This time leaders of various factions of original Rastriya Prajatantra Party (RPP) are also on the fore, advocating for the democratic front. Kamal Thapa, former home minister during the last royal government is also actively cashing on the prevailing political situation, and have started his homework to strengthen his party and their policies.

However unwarranted it may be, the Indian ambassador in Kathmandu is also busy meeting ex-monarch Gyanandra Shah, and other political actors and his new engagement is certain to bring a political change in the country. This cannot be considered a foreign intervention, but a friendly gesture similar to the one shown during the signing of the Delhi Agreement, the removal of the monarchy and others in the recent past. Hence, PM Dahal should take a new conspiracy as a usual event invited by Maoists party and his own government by inviting Chinese delegation to Kathmandu.

All must have realized by now that the Maoists taking Nepalese lives and properties, dismantling businesses and economy doesn't concern neighboring India, but getting close to the Chinese was harmful to the Indian interests and security, hence the Indian quest for alternative to the Maoist party lead government. Since the Indian government has no policy of interfering in neighboring country's internal affairs, their policy has always been to help support and consolidate democracy in Nepal either through the Maoists or the other political parties, but not both.

It is but the Maoists adventure to transform Nepal into a communist's state that's inviting their own downfall. It's never too late to

**Kathmandu Hospitals Could Collapse In An Earthquake - Experts**

**KATHMANDU** December 15: Most of Kathmandu's 50 hospitals are poorly built and would collapse if there were a major earthquake, experts warn. They also note that health institutions lack emergency response plans and are generally ill-prepared.

Kathmandu valley lies in a high risk earthquake zone; poorly constructed buildings and lack of preparedness could significantly increase the casualty rate if there were another big earthquake.

The Nepal-Bihar Earthquake of 1934, measuring 8.4 on the Richter scale, left thousands dead and over 200,000 buildings severely damaged or destroyed.

According to the Nepal Red Cross Society's Earthquake Contingency Plan 2008, an earthquake measuring 7-8 on the Richter scale could kill up to 50,000 people in the city, injure 100,000 and destroy 60 percent of buildings, leaving 900,000 homeless.

Most of the hospitals in Kathmandu would be so badly damaged that medical services would be virtually impossible for months, local NGO National Society for Earthquake Technology (NSET), told IRIN.

"Our health capacities are so weak. We still don't have emergency medical response mechanisms in place yet," said disaster expert Amod Dixit, NSET executive director.

**Study**

A 2001 joint assessment entitled Structural Vulnerability Assessment of Hospitals in Kathmandu Valley by Nepal's Ministry of Health and Population, the World Health

realize the world outside of the national boundary, and work with the other nation states in the development of Nepal. Any further attempt to impose the outdated model would take the discussion for alternative at every corner of the country, and is also certain to expedite the formation and strengthening of the democratic alliance.



Only one hospital in the city has been retrofitted. Most of Kathmandu's 50 hospitals could collapse during an earthquake

Organization (WHO) and NSET, said over 80 percent of assessed hospitals were vulnerable, while the remaining 20 percent were at high risk of total collapse.

The findings were based on an assessment of 14 major government and private hospitals (deemed a cross section of most health institutions across the city). But seven years on, conditions have yet to improve. According to NSET, the city's health sector is ill-prepared to cope with the 100,000 or more people likely to be injured in a big earthquake.

"Most hospitals already lack the capacity to deal with mass casualties," said social worker Bijay Male, president of the community-run Chattrapati Free Clinic, the only hospital in the country to have been retrofitted to withstand a major quake.

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**Nepalese Calendar**

Sun Dec 28 / Poush 13 '65  
Nawami  
Mon Dec 29 / Poush 14 '65  
Dashami  
Tue Dec 30 / Poush 15 '65  
Ekadashi  
Wed Dec 31 / Poush 16 '65  
Dwadashi  
Thu Jan 1 / Poush 17 '65  
Tritiya  
Fri Jan 2 / Poush 18 '65  
Chaturthi  
Sat Jan 3 / Poush 19 '65  
Panchami

## Towards Ending Impunity For Human Rights Violations

KATHMANDU December 10: Human rights groups have renewed their concern about enforced disappearances during the conflict between Maoist rebels and the Nepalese government, 1996-2006.

Thousands disappeared and many families still do not know if their loved ones are dead or alive.

The National Human Rights Commission (NHRC) has documented nearly 1,619 disappearances. Of these, 1,234 were attributed to the security forces and 331 to the Maoist rebels, with the remaining 54 unidentified.

But rights groups say the real number could be much more.

According to the UN Working Group on Enforced or Involuntary Disappearances, Nepal had the world's highest number of enforced disappearances between 2002 and 2004.

To crush the Maoist rebellion, security forces were given extrajudicial powers, leading to illegal



Photo: Naresh Newar/IRIN

Thousands of families are waiting for justice for their disappeared relatives, according to human rights groups

detentions, random arrests and extrajudicial killings, and many innocent civilians were victimised, say human rights activists.

In response, the Maoists stepped up the killings, abductions, torture, extortion, and use of children for military purposes, according to Waiting for Justice, a report by Human Rights Watch (HRW) and Advocacy Forum (AF).

"We want justice but how long should we wait," asked Devi Sunuwar, the mother of 15-year old

...Contd. on pg 6

## NWGN Gets New Board Members

The President of Nepali Women's Global Network (NWGN) Bidhya Ranjit, through a press release, announced the newly elected Board of Director that represents diverse backgrounds and also come from various walks of life.

Sushma Barakoti will be assuming the role of President of the NWGN. She has been actively involved in non-profits committed to ending domestic and sexual violence against women and children and NGOs committed to helping women in Nepal. She is the Assistant Director at the Women's Resource Center (WRC), Scranton, Pennsylvania, a non-profit organization committed to end domestic and sexual violence against women and children.

Soni Thapa-Oli will be assuming the role of a Vice President of the NWGN. She is presently a Board member of NWGN for the Western region and played a key role in organizing the first NWGN Conference.

Biva Ranjeet will be assuming the role of a Vice President

of the NWGN. She is a Life member of NWGN and was instrumental in organizing the first NWGN Conference. Biva is a Project Manager at Kauffman & Associates, focusing on educational issues within underserved communities within the United States.

Bhumika Ghimire will be assuming the role of Secretary of the NWGN. She has been serving as Acting Secretary and works as a columnist for UPI Asia Online, Global Voices, Nepal Abroad and News Front Weekly.

Yashodha Kunwar will be assuming the role of Treasurer. She is a Life member of NWGN and was instrumental in organizing the first NWGN Conference. She is a senior accountant at Phoenix House Foundation in New York.

Madhavi Basnet Karki will be assuming a role on the Board of Directors. She is a Life member of NWGN and has served as a legal advisor for NWGN since its inception. Currently, she holds the

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## Calendar of Events

**December 28:** Nepal Public Relations Committee NY Chapter invites all interested volunteers to donate blood and serve the local community at the following location: Chain Foundation 44-01 Broadway, Astoria NY 11103, from 11:30am – 4:30pm on Sunday December 28, 2008. For details, call Roshan K Dhungana 646 724 4431 / Tilak Shrestha 571 309 6588 / Munendra N 347 592 9564.

**December 30:** To celebrate its second anniversary, Vishwaparikrama – Nepali newspaper in the Washington DC metro is organizing a women's poetry competition among Nepalese women's across North America, and therefore, requests interested participants to mail their poems by December 30, 2008 at c/o The Editor, 3173 Welby Court, Fairfax VA 22031. Poem size should be approximately 50 words. Editor can be contacted either by phone 703 587 0795 or by email vpkusa@gmail.com.

**December 31:** Nebraska Nepalese Society (NNS) presents Dance the Last Night of 2008 Away – New Year's Eve DJ Nit at Mickey Finn's Sports Café from 9pm to 1am on Wednesday December 31, 2008. For ticket, contact any board members. More at nnsociety.org

**January 4:** Greater Washington Tamu Samaj cordially invites all to Celebrate Lhochhar Festival on Sunday January 4, 2009 at 8240 Belair Road, Nottingham, MD 21236. All are encouraged to wear traditional Gurung/Nepali dresses. For details visit nepalhorizons.com

**January 14:** Nepal Educational and Cultural Center (NECC) cordially invites all community members and devotees to celebrate Maghe Sankranti (Makar Sankranti) at Pashupati-Buddha Mandir in Lanham, MD on Wednesday January 14, 2008. Pooja would start from 7pm and Prasad will be served after the sankranti arati. Visit nepalhorizons.com for details.

**Thursdays:** The Shri Sai Baba of Shirdi Bhajan / Kirtan is conducted at Durga Temple 8400 Durga Place, Fairfax Station VA every Thursdays from 7pm to 8pm. Sai Satsang in Dallas, TX: Sri Shirdi Sai Baba Satsang is held every Sunday between 4pm and 6pm CST in remembrance of Sri Sai Baba and Sri Babuji at Center for Spiritual Living, 4801 Spring Valley Road, Suite 115, Dallas TX 75244

**Saturdays:** The Durga Temple & Chinmaya Mission welcomes everyone to **Bhagavad Gita Satsangh** every Saturday at the Durga Temple 8400 Durga Place, Fairfax Station VA from 10:30am to noon. For further information contact coordinators at 703 793 8855 / 703 646 5924.

To list the scheduled event(s) of your organization on the Community Events above, please email us: [enews@nepalabroad.com](mailto:enews@nepalabroad.com)

## Kantipur Siege Running 3rd Day

Biratnagar Dec 27 - Maoist unionists continued to take control of the eastern regional office of Kantipur Publications Pvt Ltd in Biratnagar for third consecutive day on Saturday.

With the Maoist unionists blocking the movement of journalists and employees at the office and the press, Saturday's edition of Kantipur and The Kathmandu Post could not be printed today as well.

Workers led by the All Nepal Communication and Printing Publication Workers' Union (ANCPPWU) has been obstructing in running the office since Thursday, the Publications said.

Different organizations and associations in Biratnagar have condemned the Maoist unionists for preventing the Kantipur employees from carrying out their regular duties.

They have also urged the Maoist unionists to solve the issue through talks and not deprive the rights of the people to information.

Public, readers, distributors and representatives of different organizations have been raising concerns over the row between the ANCPPWU and the Kantipur management.

The ANCPPWU has announced that it will not allow any work at the office until its 12-point demand is addressed.

However, the management side said that majority of their demands were addressed earlier.

The ANCPPWU has demanded that the management give permanent status to office staff working for 240 days, government-announced salary and other benefits be provided. (Kantipur Report)

# Divergence Grows Between China and the West – Part I

*The rest of the world fails to appreciate China's concerns over its own domestic challenges*

Xu Sitao YaleGlobal, 18 December 2008

BEIJING: As the world economic crisis deepens, there is a growing divergence over how China with its \$2 trillion reserve can clean up the mess left by a Wall Street financial bust. US and European leaders urge China to step up to its role as a global financial leader, by lifting restrictions that keep its currency artificially low, easing global trade imbalances, doing more to fight global warming, and being more willing to help the rest of the world.

While China is willing to help its neighbor – as with the recent currency swap arrangement offered to South Korea – it is focused on dealing with economic crisis by taking steps to promote exports and growth. For China, maintaining a 8 percent growth rate is not just an economic but political imperative, and it trumps any supposed failure to provide world leadership. Government economists anticipate that China needs at least 8 percent growth in order to create ample new jobs. Rising unemployment combined with the growing rural-urban economic gap could bring the most serious challenge to the government.

However, the stance China seems to be taking to meet the challenges, by investing in domestic infrastructure and lowering its exchange rate, is certain to provoke a confrontation with the incoming Obama administration. As candidate for the US presidency, Barack Obama accused China of keeping the value of its currency artificially low to boost export. On top of that, international pressures continue to push China to make immediate drastic changes in food safety, climate change, labor standards – an ever-growing laundry list of issues.

Yet in China, maintaining social harmony depends on growth which in turn depends on exports. Confronting a large surplus of labor, with several million of immigrant labor in China's export-based economy already laid off, Chinese leaders hesitate to force industries to restructure during an economic downturn. China questions why it must abandon using the exchange rate as a tool for boosting the economy when almost every other country

pushes currencies lower. Chinese economists also point out that allowing the renminbi to appreciate may not convince consumers – largely concerned over the lack of social safety nets – to open their wallets.

Export growth in China contracted by 2.2 percent in November, the first outright contraction in decades. China took steps in mid-November to boost the economy with a stimulus package that inherently favors infrastructure investment over consumption – an implicit endorsement of the falling value in the renminbi against the dollar, despite urgings to the contrary by government officials in Europe and the US, who argue that China's high savings rate discourages Chinese demand for international goods.

The government's effort to revitalize domestic growth is made doubly hard by the fact that China faces the first synchronized recession in all major Western economies since 1978, the year it embarked on economic reform. Preventing a freefall of economic growth and reversing the adverse effects that the export sector has suffered are the country's immediate objectives at least for the next two years. The carnage in Guangdong province, where thousands of export-oriented factories have gone bust this year, suggests how vulnerable the Chinese economy is to weakening external demand.

China must take a multi-pronged approach by, first, sustaining economic growth with all tools available; secondly, liberalizing certain prices (e.g., energy) so that imbalances can be reduced within the economy; and thirdly, maintaining a strong bias towards job promotion when fundamental improvement of farmers' interests is being constrained by political factors. Indeed, despite the landmark decision in extending farmers' leases, it's unrealistic for farmers' incomes to increase substantially in the short term when 40 percent of their incomes is derived from migrant workers.

The harsh reality is that the wages of migrant workers that make up a huge portion of Chinese peasant income cannot be easily or quickly replaced. For now, their

hardships are obscured by the fact that many are forced to return home after factories closed during a time that coincides with annual closings for the Chinese New Year.

Like it or not, the West must come to terms with the fact that China has its own set of complex and weighty issues such as widening income disparity and millions of lost jobs in the slowing economy that add strain to an already-tense national state that has endured natural disasters and international scandals.

The tradeoff between economic growth and job creation in China is far more acute than many China watchers appreciate, and the leadership is taking steps to protect jobs: Minimum wage rules are no longer enforced, and employers' contributions to pension schemes have been lowered to mitigate job losses.

Looking far beyond the global recession, China knows that it must simultaneously pursue sustainable growth as characterized by economic growth with more efficient energy consumption and reduced income disparity, particularly between affluent coastal urban areas and the vast Chinese hinterland.

Therefore, China must introduce countercyclical initiatives in re-inflating its economy while also making gradual shifts towards more balanced growth. To take energy demand as an example, subsidizing companies and consumers with low fuel prices has been positive for manufacturing and auto industries. But energy prices must be normalized, and beginning January 1, a fuel consumption tax will be levied – a clear signal and big step by the government to discourage energy consumption to achieve medium-term growth with lower energy intensity.

The measure will inevitably decrease domestic demand. To offset the adverse impact, expect the government to increase subsidies to the urban pool and to farmers whose livelihoods depend upon tractors and other motor vehicles. As China begins to even out the economic imbalance between investment and consumption, public finance is on the verge of being drastically changed in such a way that consumers pay less tax.



Photo: Yale Global

Law and labor: Workers laid off from Chinese toy factory face the police. Unrest of the unemployed is a greater concern to Beijing than securing leadership in the world economy

Tough choices are being made. Exceptional political and economic maneuvering is required to prevent social unrest and financial dilemmas that could easily result in internal turmoil, rendering China powerless to take on any international leadership role and most likely worsening the worldwide crisis.

The recent incident concerning Beijing's abrupt cancellation of the EU-China Summit due to President Nicolas Sarkozy's meeting with the Dalai Lama can be seen by China's Western counterparts as an overreaction. Yet perhaps China's concerns over social issues inflicted by potential economic deceleration are far greater than the outside world comprehends. Therefore, Beijing resorts to using a rising nationalism, not just conventional countercyclical measures, to achieve challenging goals.

China has demonstrated its willingness to help other regional economies that could be vulnerable to financial shock; for example, China and South Korea officially signed a bilateral swap agreement of 180 billion renminbi, intending to provide liquidity should either party be hurt by the global recession. Similar agreements between China and other regional economies will likely follow

While China is keen on being a responsible global player, the government's priority is to look after its own people. Chinese officials feel the biggest contribution they can make to ensure a fast turnaround of the global economy is to sustain China's own growth – however they

# New US President to Face Volatile South Asia

By Gary Thomas, Washington, 16 December 2008 VOA

Barack Obama assumes the U.S. presidency at a time of tension and uncertainty in South Asia. Pakistan is trying to allay heightened concerns in the West and among its next-door neighbors that it is a haven for terrorists, while Afghanistan is beset by a strengthened insurgency. Experts say the new U.S. administration will need to balance its dealings with Kabul and Islamabad.

Analysts said Barack Obama must walk a tightrope of pressuring Pakistan to get tough on the terrorists hiding within its borders without undermining the country's newly minted democratic government, while shoring up the fragile Afghan government.

Taliban and al-Qaida fighters have been using Pakistan's Federally Administered Tribal Areas, or FATA, as a sanctuary and staging ground from which to strike U.S. and NATO troops in Afghanistan.

Attacks were up sharply in 2008 over the previous year.

According to published reports, the United States has responded with increased strikes by unmanned Predator drone aircraft and at least some covert cross-border attacks in FATA by elite special operations units. U.S. officials neither confirm nor deny these reports.

During the presidential campaign, Barack Obama sparked controversy, particularly in Pakistan, when he said he would be willing to attack Taliban and al-Qaida sanctuaries inside Pakistan.

"If Pakistan is unwilling or unable to hunt down bin Laden and take him out, then we should," said Obama.

## US Anti-Terrorism Not Popular in Pakistan

Public opinion surveys have shown that U.S. anti-terrorism measures are

not popular in Pakistan, nor are Pakistani efforts to cooperate with the United States.

Maleeha Lodhi, a former Pakistani ambassador to the United States and Britain, said Mr. Obama's election changed attitudes in Pakistan - at least for now.

"In Pakistan, it's very interesting to see that President-elect Obama's victory seems to have temporarily trumped the traditional cynicism of the Pakistani public about its relationship with the United States. It's been trumped temporarily - that's an important word - by a sense of hope and anticipation that perhaps the new administration will bring a new approach which will help to address many of the issues," she said.

## Pakistan's ISI and the Taliban

Pakistan's Inter-Services Intelligence directorate, the ISI, helped create the

Taliban in the 1990s to gain influence in Afghanistan. How much, if any, official Pakistani assistance the Taliban now receives from the ISI is a matter of controversy among analysts

Pakistan denies sponsoring any insurgent groups. Maleeha Lodhi said Pakistan is being unfairly blamed for Western policy failures in Afghanistan.

"Really a series of strategic errors, lack of clear objective, military missteps and misplaced priorities pushed the war and exported the insurgency into Pakistan. There is no question about that. Pakistan pre-9/11 [pre-September 11, 2001] did not have these kinds of issues that it's confronted within its border regions," she said.

Afghanistan's ambassador to the United States, Said Tayeb Jawad, said the U.S. did not finish the job of eradicating the Taliban in 2001.

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# No Shortage of Cowards

Bhumika Ghimire IN



West Lafayette, IN, United States- The day before Thanksgiving holiday here in United States, India's financial capital Mumbai was attacked by terrorists. The cowards killed nearly 200 innocent people, among the dead were brave police and military men who were trying to save others, a Rabbi and his wife, and tourists visiting India. Lives taken without any regard, without any thought.

Terror gripped Mumbai for three days. By the time the crises ended, the blame game started. India accused Pakistan for harboring terrorists, Indians demanded answer from their government for lax security in the country and mismanagement of the crises and America stood on the sidelines-nervously trying to insure that the two nuclear armed neighbors don't go to war over the attacks. Interestingly enough, India's another neighbor-Nepal, stood suspiciously quiet.

Although it offered the customary condolence message to India and those who lost loved ones in the terror attacks, Nepal's decided to ignore the far reaching consequences of the attacks. Even by the Nepalese

standard of conduct, this recent misfire is hard to take.

India is no stranger to terrorist attacks. In last of couple of years alone hundreds have been murdered by cowards-some claiming to be fighting for an "independent homeland", some want different form of government and some want to change history. I am in no position to comment on the Indian government's counter terrorism or national security policy, but the way the country has failed to learn from past mistakes and continues on same flawed path is surprising.

While neighboring India struggles to cope with terrorism, Nepal is happy to turn the other cheek. Vast porous border between India and Nepal is the modern day wild-wild west. Arms smuggling, counterfeit currency trade, flesh trade-you name it and it is sure to happen here. There are border check posts but corruption and mismanagement has made them another minor hassle for the criminals. If you have money and bullets to back up, you can run your criminal empire here- no questions asked.

Indian state of Uttar Pradesh-which borders Nepal, has experienced major proliferation of terror networks in last decade.

Lashkar-e-Taiba (which is being blamed for the Mumbai attacks) has well organized network of sleeper-cells in the state. Student Islamic Movement of India (SIMI) - terrorist organization which wants India to be an "Islamic society" was founded in Aligarh, Uttar Pradesh and is said to be helping Lashkar spread out in the state.

Considering the threat posed by Lashkar and SIMI-especially after the events in Mumbai, one would expect the Nepalese government to take steps to control the wild border with Uttar Pradesh or at least demand cooperation from India in managing the border. Instead, leaders in Kathmandu are busy squabbling with each other.

Add to the border mess, Nepal's non-existent plan on managing crises situation like the one in Mumbai. Imagine, a terrorist group smuggles arms through Uttar Pradesh into Kathmandu, holds up a public place with lots of tourists and starts killing people randomly. Nepalese government has no plan or means to deal with situation like this. The army lacks counter terrorism training-they couldn't even fight Maoists(who were then called "terrorists"), intelligence is as rudimentary as it can

get-had no idea when the Kashmiri militants hijacked the Indian Airlines flight to New Delhi from Kathmandu, and the hospitals are not equipped to handle mass casualty. As you can see, hitting Kathmandu isn't that tough after all, and the city has lots of "soft targets" with zero security mechanism in place.

The border chaos hurts India too. According to recent reports terrorists are using Indo-Nepal border to smuggle counterfeit currency to fund operations, criminals cross over from India to escape justice. Also, Nepal's Terai region-which borders India, is in political turmoil gripped by violence. Terrorists could use lawlessness in Terai to plan and carry out operations in India. Indo-Nepal open border which allowed citizens from the two countries to travel freely without proper documents, security checks is not serving either side. In fact it is a gaping hole which actually helps criminals and terrorists.

I hate to sound like a sour pundit providing ideas to the terrorists, but if Nepalese and Indian government don't realize the danger of ignoring the wild open borders between the two nations I am sure I will be back again writing condolence message for another hundreds killed by terrorists. There is no shortage of cowards in this world.

## Towards Ending Impunity...

contd. from pg 3...

Maina Sunuwar who was illegally arrested on false charges of supporting the Maoists in February 2004.

The case became known as one of most gruesome examples of extrajudicial killing: The young girl was tortured, raped and killed by four army officials but no action was taken against them, and all have walked away scott-free, Sunuwar said.

### New bill

But hope is on the horizon in the form of a new bill.

The Disappearances (Crime and Punishment) bill was initiated after a Supreme court ruling in June 2007 called on the government to introduce new legislation - in conformity with international standards - to criminalise enforced disappearances and establish a credible, impartial and independent commission of inquiry.

Rights activists and lawyers believe this is a step towards ending impunity for human rights violations. However, they are concerned the bill fails to mention that the systematic disappearances were crimes against humanity under international law.

Global watchdog organisations like HRW, the International Commission of Jurists, the International Centre for Transitional Justice (ICTJ) and national human rights NGOs have voiced concern over the omission.

"Simply criminalising disappearances is not enough - a

whole chain of official command should be held accountable for the past crimes," said AF advocate Jitendra Bohara.

Senior officials in the security forces and the former royalist government, who knew about the atrocities, should be held responsible for allowing the perpetrators to go unpunished, say activists.

"Although the bill is a good initiative..., it fails to address the seriousness of the crimes committed," Supreme Court advocate Govinda Sharma Bandi told IRIN, adding: "We will continue to lobby for the inclusion of crimes against humanity in the bill."

### International standards?

There is also concern about whether the Disappearances Commission would be up to international standards.

According to the ICTJ, the commission should have independent commissioners with comprehensive investigatory powers. The government should agree to abide by the recommendations of the Disappearances Commission, ensure that the whereabouts of the disappeared are declared, ensure appropriate compensation to family members, and that those responsible are brought to justice.

"If these provisions are seriously implemented then it will go a long way towards challenging impunity in Nepal," Warisha Farasat, programme associate of the ICTJ in Nepal, told IRIN. (IRIN News Service)

## Kathmandu Hospitals Could...

contd. from pg 2...

### Emergency response plans

"All hospitals should immediately develop emergency response plans and make it an important component of their medical programmes," said earthquake preparedness expert Mahesh Nakarmi.

Government officials say measures are gradually being taken. The Ministry of Health is working on the development of hospital emergency preparedness plans with the support of WHO.

WHO representative Alexander Andjaparidze told IRIN the agency, in collaboration with the UN International Strategy for Disaster Risk Reduction (UNISDR) had launched a 2008-09 safer hospitals campaign. "We are also discussing how to strengthen health facilities with the World Bank," he said.

The Emergency Health and Nutrition Working Group (EHNWG)-made

up of UN agencies, donors and international and local NGOs - has been meeting regularly to do capacity assessments and coordinate response plans.

### Pre-positioning of health kits

WHO officials told IRIN they were focusing on pre-positioning such things as inter-agency emergency health kits (IEHK), diarrhoeal kits, medicine and equipment in vulnerable areas.

Three sets of IEHK, each capable of serving 10,000 people for three months, have already been pre-positioned; another three sets are on their way to Kathmandu and could help at least 60,000 people for 90 days, according to WHO.

Five diarrhoeal kits (enough for 3,000 people) are in place, with 15 more on their way. WHO also has five large tents ready to be set up as an emergency field hospital. (IRIN News Service)

## New US President to Face...

contd. from pg 5...

"What the international community did in 2001, they pushed the Taliban aside. They neither eliminated the Taliban nor completely defeated them. They pushed them into the countryside; they pushed them into Pakistan. And they had the opportunity outside Afghanistan, and particularly in Pakistan, to regroup, retrain and come back," he said.

Ambassador Jawad said Pakistani President Asif Ali Zardari seems much more committed to battling terrorism than his predecessor, General Pervez Musharraf. But, he added, Pakistan's army appears to be more preoccupied with the country's traditional nemesis, India.

"The problem here is that we have a civilian government here that is committed to fighting extremism, but with limited capabilities. We have an army that is capable of fighting, but with very little commitment to do so because they perceive other enemies as more important than extremism in Pakistan," he said.

### Recalibrating, from Iraq to Afghanistan

President-elect Obama has said he wants to pull some troops out of Iraq and send them to Afghanistan.

Ambassador Jawad said more troops, from the United States or its NATO allies, would be welcome. But he added that they should be

properly equipped and free of the restrictions that some NATO countries impose on their forces on where they can engage in combat.

The ambassador said the Karzai government will continue to pursue a parallel political strategy of trying to negotiate peace with at least some Taliban elements. However, he said that outside support for the Taliban has to stop, if talks are to be successful.

"We know that the government is trying very hard to make this happen. But if the sources of foreign support cease to be delivered to the Taliban, we will see a lot more willingness on their part to quit violence and to join the political process," Jawad said.

The terrorism issue is further compounded by Indian charges that the recent attacks in Mumbai that killed more than 170 people were planned by radical Kashmiri Islamists operating out of Pakistan.

## NWGN Gets New Board...

contd. from pg 3...

position of Associate Campus Dean and is a faculty member of Business Law at Strayer University.

Selina Shretha will be assuming a role on the Board of Directors. She is a member of the NWGN and works as a therapist at the Friendship house in Pennsylvania. She worked as a surveyor for World Vision and a facilitator for the Himalayan Trust in Kathmandu, Nepal.

Shobha Hamal Gurung will be assuming a role on the Board of Directors. She is a professor in the Department of History and sociology at South Utah University, Cedar City, Utah. Gurung has extensive consulting

experience with Women in Nepal's Socio-Economic Development, Asian American Bank and for the World Conversation Union.

Bharati Gautam will be assuming a role on the Board of Directors. She was responsible for organizing the first Nepali women's poetry competition that took place at the first NWGN Conference. She held the post of President for the International Literary Society in Massachusetts in 2006.

The first NWGN conference was held on Saturday August 9, 2008 at the University of Connecticut, Storrs CT. The nepaliwomen.org has more information about NWGN.

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# 3-year Renewable Work Permits For NAFTA

## Professionals, Canada Announces

Ottawa, Dec 15 (CC): Professionals seeking to work temporarily in Canada under the North American Free Trade Agreement (NAFTA) can now receive work permits for up to three years, the Honourable Jason Kenney, Minister of Citizenship, Immigration and Multiculturalism, announced today. Previously, NAFTA workers were required to renew their work permit every 12 months.

“NAFTA work permits are an excellent option for North American professionals seeking to work in Canada including lawyers, doctors, dentists and teachers. In addition, this will also help Canadian employers remain competitive by ensuring they have access to necessary skilled labour,” said Minister Kenney.

“This extension, along with our Action Plan for Faster Immigration, will greatly benefit the Canadian economy by helping ensure greater continuity and stability for both employers and workers,” continued Minister Kenney. “In a time of economic uncertainty, highly skilled migrants encourage innovation and economic growth, making us more competitive economically.”

By easing the administrative requirements, employers can now be more confident that they will have access to the skilled labour they need for a

longer period. The change matches the United States’ new rules on issuance of Trade NAFTA (TN) work visas to Canadian and Mexican professionals under NAFTA.

All three NAFTA countries (Canada, the United States and Mexico) recognize that greater work force mobility in North America, within certain professions, has net economic benefits.

# Divergence Grows...

contd. from pg 4...

can. Conversely, the more they must field unreasonable demands from abroad, the less they feel they can focus on their job at hand. The world is probably not ready to pay the price should Chinese leaders fail.

*Xu Sitao is chief representative, China, with the Economist Group; director of advisory services, China, with the Economist Intelligence Unit; and former chief economist of Industrial & Commercial Bank of China (Asia), overseas flagship of China’s largest bank, and chief Asian economist of Société Générale.*

*“Reprinted with permission from YaleGlobal Online - www.yaleglobal.yale.edu - (c) 2008 Yale Center for the Study of Globalization.”*

# India’s Tourism Industry...

contd. from pg 1...

other visitors will gradually return in the weeks to come. Leela runs luxury resorts in Mumbai and Goa.

“We have got a spate of people who have canceled bookings till 31st of December,” said Pasricha. “Beyond that I think the fear element is going down and people are planning at this particular point of time to return to their travel plan post 10th 12th of January.”

The falling number of visitors has been a double blow for the

tourism industry, which was already finding it hard to attract tourists from Western countries, due to the slowing economies in United States and Europe.

Last year the number of visitors to India grew by 12 per cent, but the global slowdown had prompted the industry to revise growth estimates to just five per cent this year. However, the tourist industry fears that the terror attacks may make even this difficult to achieve. Five million foreign tourists visited India last year. (VOA12/19)

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Euro 1	107.08	107.92
Pound Sterling 1	113.39	114.27
Australian \$1	52.38	52.79
Swiss Franc 1	70.65	71.20
Singapore Dollar	53.02	53.44
Japanese Yen 10	8.49	8.55
Chinese Yuan 1	11.20	11.29
Indian Rupees 100	160.00	160.15
Swedish Kroner 1	9.49	---
Danish Kroner 1	14.37	---
Hong Kong Dollar 1	9.90	---
Saudi Arab Riyal 1	20.45	20.61
Qatari Riyal 1	21.06	21.22
Thai Bhat 1	2.21	2.23
UAE Dirham 1	20.88	21.04
Malaysian Ringgit 1	22.04	22.21

[Source: Nepal Rastra Bank, December 27 '08]

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## Development of Patent law in Nepal

In this modern world we have different form of property which we want to protect under the law. Apart from the individuals property like own cars, computers, house, land or other tangible goods, individuals have ownership right upon their own invention, creative works and they want to protect the investment. These all new forms of property are protecting by the intellectual property law in the new arena of legal development.

According to the Robert Spinard, Xeros Corp. there is two type of intellectual property which we want to protect. First is the brilliant invention, the idea, the notion that makes a new product and the insight that makes a whole new industry. The second thing we want to protect is the investment and the hard work. This is the grunt work. This is the pick-and-shovel engineering that turns the idea, the prototype, into a reliable, distributable, maintainable, documented, supportable product.

Intellectual Property is generally characterized as non-physical property that is the product of cognitive processes and whose value is based upon some idea or collection of ideas. Patent is one of the forms of intellectual property law. In Nepal, there is no any single legislation relating to Patent law. There is only one law which deals with all aspects of intellectual property law.

### A. Patent law

*General and legal definition of Patent:* Patent law gives economic right to the inventor on the exploitation of his/her invention. The rationale of such law is that economic benefit provides incentive to people for the invention by providing opportunity to get return on the money, time and effort dedicated for invention. Patent also a pride for nation and provides independency from strong economies. Patent protection is the strongest form of protection, in that a twenty-year exclusive monopoly is granted over any expression or

implementation of the protected works. The subject matter of patent law is the invention and discovery of new and useful processes, machines, articles of manufacture or compositions of matter.

The first legislation in Nepal designed to provide such incentive is Nepal Patent, Design and Trade Mark Law 1936. This legislation was repealed by the Patent, Design and Trademark Act 1965. The Act itself has not substantially changed the provisions provided by its predecessor, though arguably this Act may be well intended for the protection of Patents unlike its predecessor. However, the fact that only around 49 Patents were registered till 2002 has raised many doubts regarding the efficiency of the Act.

### *Constitutional Protection*

The Constitution of Nepal made the provisions to encourage innovations. The Article provides: *"That the state shall pursue a policy of giving priority to the development of science and*



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*technology and shall also give due consideration to the development of local technology for the prosperity of the country."*

Such constitutional provisions definitely impose certain liabilities to the state to make necessary  
...to be contd. next week

### Apology:

We apologize for not being able to make Nepal Abroad available to our readers on Saturday December 20 '08, and regret the inconvenience caused.

**Nepal Abroad Team**

## Sports sector still awaits government attention

- Sushil Thapa, VA sushilthapa@verizon.net

With so much happening on the national front, politically, the government is yet to give a serious thought on ways to rev up sports in the country. To put it straight sport sector continues to be sidelined and missing from the government's list of priorities.

Though the government has been in power for well over three months, there has not been a single positive move on their part to convince the sports fraternity that they are seriously gearing up for the good of sports.

Sports enthusiasts in the country have pinned high hopes on the new government led by the Maoists. Swayed and convinced by their positive perception of sports, people like me believed that sports is headed towards the right direction sooner or later.

Sadly as things stand as of today, the landscape remains unchanged. Of course, it is premature to jump to a conclusion this early but indications if true are far from encouraging. What everyone anticipated was at least a fresh start at the earliest which has not occurred to date.

Surprisingly the Ministry of Sports has failed to dole out a bold, aggressive and pragmatic approach to reinvigorate the system that is steadily going haywire. Instead they have preferred to hang on to the existing flawed policies, thus turning a blind eye to the reality. Apparently, this is having a disastrous effect on athletes who have sacrificed their entire career for the country.

The existing programs and policies does not look relevant keeping in mind the country's rickety economy and uncertain political climate. It makes little sense to put forward unattainable goals that require tons of money and resources.

Obviously, the project becomes meaningless when it fails to achieve the desired effect of delivering the goods. Unavailability of adequate infrastructure, paucity of fund and bureaucratic hurdles has largely hindered the progress of sports, over the years.

In addition, we have a government which does not think positively about sports. Also our failure to lure corporate houses to become part of the process has

further hit hard the sport sector. Despite this, the future matters most to everyone.

How slow and painful the process might be to start from a scratch but we have to get going without any further delay. I am confident that we can do it long as we have the support, resources, coupled with committed and sincere sports administrators.

National Sports Council (NSC) has always been under the spot light from the day it was set up with objectives to advocate and foster sports. We are aware that they are responsible for drafting and implementing policies, pertaining to national sports.

Time and time again, the apex sports body has acted overly ambitious in framing policies in terms of budget. The development budget they demand year after year is over looked by the government. As a matter of fact, the government is either not interested to allocate or genuinely cash strapped to meet their monetary demand.

2008 is no exception. Compared to last year the

government allocated 20 million rupees less this year. NSC had demanded a whopping Rs 2 billion for its so called futuristic dream project. According to the sports body a significant chunk (Rs 190 million) is required just to cover salaries and administrative expenses.

NSC should stop dreaming big considering its limitations. It's about time for them to look for a practical alternative and set a realistic goal. The emphasis must be on selection of specific sports (individual and team events) that has good prospects for success in the long run.

Granting partial autonomy to sport associations with the sole purpose to make them accountable, result oriented and financially reliant is something NSC should ponder over. Also there is urgency to make district sport bodies effective and fully functional, especially for the much needed enhancements of grass roots level sports.

Having said so, clearly the future of sports in Nepal hinges on the government's willingness to take up sports development seriously.